

New England Renewable Energy Zone (REZ)

Community Reference Group (CRG) South – Meeting #6

Held on: Thursday 19 March – 4pm to 6.44pm

Location: STEM Innovation Lab, Donald Horne Building, 140 Bridge St, Muswellbrook

Chaired by: Margaret Harvie

Attended

Role	Attendee
Chairperson	Margaret Harvie
Community Representatives	Kate Whitehead Allison McPhee Vicki French
LALC Representatives	Nungaroo Local Aboriginal Land Council – Noel Downs Wanaruah Local Aboriginal Land Council – De-Anne Douglas*
LGA delegates	Upper Hunter Shire Council – Cr Adam Williamson
EnergyCo Representatives	Julian Watson, New England REZ Deputy Project Director Aaron Davies, New England Property Lead Michael Burden, New England REZ Coordination Lead* Leanne Thompson, New England REZ Senior First Nations Advisor Melissa Maurer, New England REZ Community Engagement Manager Matt Miller, Communications and Engagement Manager
Transport for NSW representatives	Anna Zycki, Executive Director, Development and Solutions, Transport for NSW*
Note taker	Kate McGrath

*Online attendance

Apologies

Muswellbrook Shire Council – Mayor Cr Jeff Drayton

Brigitte Thomas

Valley Alliance – Mark Eather

Declarations of interest

Member	Details
Kate Whitehead	<p>Pecuniary interest: Acting for Upper Hunter Shire Council in relation to the Maizewood Battery Energy Storage System Project at Aberdeen, NSW.</p> <p>Potentially acting for a landholder in negotiations with a Turnbull Renewables entity in relation to the proposed Scott Creek Windfarm located at Willow Tree, NSW.</p> <p>Previous involvement (2023) in legal advice and assistance in the drafting of the lease / licence arrangements for Alma Vale Thoroughbreds Pty Limited.</p>
Nungaroo Local Aboriginal Land Council – Noel Downs	Pecuniary interest: Nungaroo land may be included in the transmission line corridor
De-Anne Douglas	Pecuniary interest: Wanaruah land within EnergyCo proposed transmission line corridor.
Allison McPhee	Pecuniary interest: Acting for her parents who are landholders within EnergyCo proposed transmission line corridor.
Kate McGrath	Pecuniary interest: Investor in Sapphire Windfarm.
Margaret Harvie	Non-pecuniary interest: Margaret has advised generators on community engagement and delivers a community engagement training course which generators participate in.

Agenda item discussion and actions

Acknowledgement of Country

- Meeting opened 4.04pm
- The Chair acknowledged that we are meeting on Wanaruah Aboriginal land, paid respects to Elders past, present and emerging.

Item 1. Welcome, housekeeping and meeting procedures

- Chair welcomed members and gave overview of the meeting.
- Introductions and welcome to new members Vicki French and Allison McPhee who took up two of three vacancies.
- Linda Taylor recently resigned from the CRG due to a change in her employment. She advised that her role is no longer relevant to the REZ and, as she does not reside in the project area, felt it would be more appropriate for someone else to take her position.

- There are now two CRG vacancies which EnergyCo will advertise before June meeting. (The suggestion was that this recruitment process commence further to refinement of the route but the North CRG meeting suggested the recruitment commence now and it closes following the route refinement)
- CRG member suggested there should be more advertising in local community pages and groups (i.e., Facebook). Suggestion that EnergyCo need a Facebook presence. Suggestion that direct contact to existing local Facebook page administrators is best with provision of JPEG information / advertisement.
- CRG member suggested that current members need to share information within their groups and networks.

Action: JPEG with vacancy information to be distributed to CRG members for them to distribute to their networks

- Comment from CRG that timing is important and recruitment should commence in April.
- Chair explained the meeting process, including action and question register for new members.
- Copy of Terms of Reference and Code of Conduct (for signing) provided to new members.
- Pecuniary interests - Register updated with declarations from Allison McPhee and Wanaruah LALC and additions for Kate Whitehead as above.
- Actions from the last meeting noted.

#	Action	Responsible	Status
1	Survey may be developed to capture existing CRG member views on group composition and function.	M Maurer	Survey is now under development and will be shared with members in the coming weeks.
2	Provide an outline of the road reclassification process and selection / approval of Over Size Over Mass (OSOM) routes for the project.	J Watson	Discussions are continuing between EnergyCo, relevant State Government authorities and Local Government about road reclassification and OSOM routes. Once these have been completed, we will be in a position to provide further detail about the related processes.
3	Share Department of Climate Change, Energy, the Environment and Water (DCCEEW) First Nations Guidelines once finalised.	L Thompson	To be actioned once finalised.

#	Action	Responsible	Status
4	Share Local Aboriginal Land Council (LALC) feedback with DCCEEW on Guidelines along with request for early access to drafts.	L Thompson	Feedback is being provided by LALCs directly to DCCEEW through arranged meetings and discussions. As DCCEEW is leading this process, it is not EnergyCo's position to share the detail of individual LALC contributions. DCCEEW will also make the Guidelines available following the Minister's approval.
5	Provide an update on the Astrolabe-led Social Impact Analysis.		On 4 February 2026, Astrolabe presented information collected and insights provided during the co-design process with stakeholders back to the Community Working Group. Also presented was a number of possible output prototypes. Astrolabe is currently developing recommended engagement and communication plans to support the development and delivery of the social risks and opportunities. As the project continues, EnergyCo will identify opportunities to provide further information and engagement with stakeholders.

Item 2. Project update – Overview of key developments since our last meeting and upcoming activities

Presented by Julian Watson. He reported the following (as per slide 9 in the presentation):

- EnergyCo are continuing to refine the corridor with the 1km corridor announcement planned for April. From the 1km it will be refined to 250m then 140m.
- He spoke to the alignment changes to avoid or minimise environmental impact.
- EnergyCo are developing a feedback report in response to recent 'have your say' period.
- Various consultation activities as outlined.
- Central West Orana Port to REZ planning and implementation is up and running and New England REZ Over Size and Overmass (OSOM) planning is next.
- Meeting landowners in the coming weeks for OSOM.
- Site walks for Aboriginal cultural heritage assessment.
- Ongoing general enquiries, ministerials and GIPA requests are being responded to.
- Farmgate support program has been secured. This provides additional support including in-person visits if requested.
- CRG member asked if Farmgate pamphlet can be shared with the community.
- EnergyCo indicated they had additional copies at the meeting that can be shared with members, and pamphlets will be shared at stalls and by the team as needed.

- CRG member suggested that they should be at doctors and other places. Discussion that the people who need it may not take the information, but their family members might.
- EnergyCo agreed to provide this feedback to the organisation promoting this program.
- CRG member suggested that EnergyCo handing out Farmgate pamphlets might deter landholders from accessing the service and they should perhaps come from more neutral sources.
- Comment from CRG member that the Farmgate support program suggests EnergyCo will treat landholders badly and they will need support.
- EnergyCo spoke to the following:
 - Various means of communication with councils, the Regional Major Infrastructure Studies published late last year, and series of council workshops (focusing on enabling infrastructure) to work through council ideas and initiatives to maximise opportunities. The Council Commissioning Agreements and funding package is ongoing with additional funding for helping councils with next phase.
 - Looking to provide flexibility for councils to pursue development of priority initiatives.
 - Feedback report in response to public comments on the studies will be published soon.
 - Upcoming technical and transport discussions with Tamworth Regional Council and Tamworth MP.
 - Working on EIS and various reports that feed into that and there has been community participation in social impact assessment. Conversations are being revisited if people wish to have another discussion based on progression of project to feed into the report.
 - EnergyCo offered CRG members the opportunity to participate in a similar workshop / process to get feedback from CRG members on potential ideas to mitigate cumulative impacts. Following feedback from the recent extraordinary CRG briefing on the Regional Major Infrastructure Studies, this would allow for more structured feedback than the feedback survey offered. The objective is to add to the identification and prioritisation process that is underway with council and other government stakeholders, with the priority to identify initiatives in the topics covered in the studies. EnergyCo indicated that they will propose dates for workshops / meetings as well as providing template documents to assist CRG members should they need them.
- CRG members indicated that they are comfortable for such a meeting to occur to gain their input.
- A CRG member questioned if now is the right time to seek more feedback, noting several projects have been mooted and there are a lot of meetings and surveys happening to get feedback. Residents are expressing concern that a lot of the projects are required to give council a percentage of money to be directed to the local community but the people who are mainly impacted will receive very little benefit from the money that council receives. Community thinks council won't do things to benefit the people who are impacted by the projects.

- Suggestion from CRG member that the community should speak to Council directly to ask them what their plans are.
- CRG member indicated that the Cassilis Community Advisory Group are guiding Upper Hunter Shire about how contribution from that project will be used.
- CRG member indicated that there is poor communication from Councils and community don't know how to approach council and ask.

EnergyCo indicated that multiple funding streams were being pursued in the effort to mitigate cumulative impacts. One stream included the future community and employment benefit program, and the other (while made up of various pathways depending on the specific initiative) for enabling infrastructure.

- EnergyCo reiterated that a comprehensive process with councils is underway and the meeting/workshop is being offered to CRG to get their feedback and ideas about priorities, including enabling infrastructure (this is related to the 5 topics in the major regional infrastructure studies). It is in direct response to recent feedback from the CRG that the current community survey did not provide for depth of input.

Action: EnergyCo to design and schedule CRG meeting/workshop regarding enabling infrastructure opportunities.

- Feedback will be supported by a set of templates that will be shared to help guide the receipt of data, ideas and topics.
- EnergyCo may ask CRG members to present their ideas as a pitch or presentation as a way for EnergyCo to get a deeper understanding of the idea.
- Examples of input might be water availability and upgrades to treatment plants, improving waste transfer facilities and recycling opportunities, training & skills initiatives, or ways in which to activate local business.
- Chair advised an update on the Community and Employment Benefits Program will be a standing agenda item moving forward.

Item 3. CRG member updates – what are you hearing from your communities? What are the key issues?

Chair requested CRG members share insights from the community that they feel need to be fed back to EnergyCo.

- CRG member indicated that with the changes people are looking at, who is impacted by the route, there is mistrust in EnergyCo and renewable energy projects broadly. Unless people have done their research or attended meetings, they may have a preconceived idea without understanding what's going on.
- CRG member indicated that everything is still up in the air and there is a lot of angst about the transmission lines, and the 3km study area over productive land is obviously a concern.
- CRG member suggested that people get sick of going to meetings, but they can't say they haven't been given the opportunity to have some input. There are 10 or 11 projects that want to build in the valley I live in, and a surprising number of people turn up to the meetings because

they want specific information and want all the issues to have a plan for resolution at the start, people need something specific and they don't know what their concerns are until they become concerns. Opens it up to misconception, assumption, gossip, rumour, and once they know how they plan to address them or what the direct impacts are then they know what to expect in terms of infrastructure and traffic movements. However, on narrow roads - people don't want to be driving if there are trucks on the road at the same time. There should be an upgrade of the road or an alternate road to get in and out. Saying it to each other isn't the same as telling a person who has capacity to do something about it such as council. The whole community is impacted. If there is no agenda by the developer putting the meeting on, then you end up with a few people with a hidden agenda monopolising the whole meeting and spreading misconceptions.

- Chair asked about coordination point with Councils.
- CRG member indicated that coordination isn't Councils' job or responsibility.
- CRG member indicated that there had been a meeting in McCully's Gap involving all the people impacted. There is also an energy information hub to be established in Muswellbrook. All projects to have a space so that people can go straight to the source to discuss issues.
- A CRG member indicated that this is a brilliant idea. Another CRG member indicated that people in McCully's gap have not been told about the energy information hub.
- CRG member indicated that there was a meeting held in McCully's gap that resulted in mapping of projects and the planning for the energy information hub. A lot of work has gone into the planning of this by Muswellbrook Shire Council and once it's ready it will be communicated.
- CRG member indicated that such an initiative will be appreciated.
- CRG member indicated that the community is concerned about lack of information in the biodiversity studies and that EnergyCo say they are going to mitigate the impacts but haven't done any proper planning. In Central West Orana (CWO) REZ EnergyCo has destroyed nesting boxes and nesting places and parents have been knocked out of hollows abandoning babies. We don't want this in the NEREZ and there needs to be mapping of breeding cycles and seasonal patterns.

EnergyCo indicated that the example of Merotherie in the CWO REZ project highlighted a concern and the challenge and the need for improvements.

- Further comment from CRG member that previous presentations had 10-15 bird species identified. The CRG member's 50-acre farm he reported has 150 bird species. He believes that there are more in the corridor nesting than what has been identified and questioned if they are looking at the right time.
- CRG member also had concerns about cultural heritage studies and the test excavations while the route is yet to be planned, so there is unnecessary impact to sites. If a pad is needed, and it is known where it is then, do test pitting there. Why risk destroying cultural integrity unnecessarily, we would like to keep it to a minimum to the areas that are actually disturbed.

EnergyCo indicated the cultural heritage activity has started in the Armidale area where it is known that the alignment would not be subject to change.

- CRG member indicated that there is so little information regarding biodiversity studies, there should be a report within 30 days of people being in the field. Biodiversity is a really big issue, lack of information coming out, don't want to see repeats of CWO REZ or the impact on koala habitat in Victoria.

EnergyCo reiterated that there are lessons to be learned.

- CRG member indicated that the community want to see the learning and not see mistakes repeated.
- CRG raised the issue of a EnergyCo staff member being terminated for unprofessional behaviour, this has made landholders concerned. Additionally, there was an incident where EnergyCo employees were reportedly lying about working for the project. There is little trust in the process.

EnergyCo confirmed that the person was stood down pending investigation, then let go at conclusion of the investigation. It was acknowledged that such behaviour is cause of mistrust. How we treat people matters, both in public and in private.

- CRG member feels that there hasn't been adequate landholder engagement to refine the corridor down to 1km.
- CRG believed that fire issues and Lake Glenbawn access for firefighting are ongoing. There was a recent fire an hour away from the road, and planes were used to mitigate fire, and the CRG member believed that planes can't be used around transmission lines.

EnergyCo clarified that planes for fire suppression can operate near transmission lines in accordance with RFS standard operating procedures.

- Another CRG member indicated that the CRG had discussed this matter at length as part of meetings last year.

EnergyCo confirmed substantial discussion around fire risk had been undertaken and that EnergyCo has been working with operators and RFS for a number of years.

- CRG member indicated that the route change had reduced impact at Glenbawn.
EnergyCo confirmed, it was changed to enable north, east, south and west entry and exit to the dam. Fire suppression can be undertaken in and around transmission lines, such as the large set of lines in Category 1 fire zones in the Blue Mountains, and this will become part of the established process that RFS already work with.
- CRG member indicated that (Premier) Minns said if a project goes belly up then landholder has responsibility for decommissioning.

EnergyCo confirmed that the transmission lines remain government infrastructure and it's important to differentiate these from other renewable energy developments the Premier was referring to. There will be a 35-year operating licence for the proposed transmission infrastructure, but the asset will remain a government asset.

- CRG member asked if that means it will be decommissioned by the government.

EnergyCo indicated that it is unlikely to be decommissioned at the end of 35 years, providing the example of transmission lines that were built in the region 60 years ago and are still in operation today.

- CRG member indicated that there are renewable projects being abandoned and people need reassurance that EnergyCo won't do the same.

EnergyCo noted that the energy supply needs provided by the New England REZ are highly likely to remain longer than the 35-year operating period of the network operator.

Action: EnergyCo to look into responsibilities of EnergyCo if generator fails and add to questions register

- CRG member indicated that there is uncertainty between who makes decisions.

EnergyCo indicated that macro decisions about policy are made by the government and by ministerial decision. The project is not stopping and there is a need to supply energy security for NSW, the team will continue to progress the project unless directed otherwise. It is challenging for communities to be on the frontline of those decisions. The project team must balance local impacts with the broader energy needs of NSW. While landholders may have different priorities and perspectives, EnergyCo is required to proceed in line with government direction.

- CRG member asked how many trees will be felled and whether heritage listed trees will be kept.

EnergyCo's response is that it's a broad question because there are a lot of roads. EnergyCo will mitigate where possible and discuss with local councils about sealing, widening, upgrades etc. Leading into and up to EIS these conversations will happen because roads are Transport for NSW and council assets. Will minimise removal where we can and understand the importance of roadside vegetation.

- CRG member asked if properties had been purchased on the previous alignment.

EnergyCo indicated two properties were purchased through hardship process for old route.

- CRG member asked if a replacement has been found for the person who was stood down from the project.

EnergyCo responded that recruiting is underway now.

- CRG asked if results from completed geotechnical studies can be shared.

EnergyCo indicated there are some reports available that looked at the broad conditions. This was to give bidding network operator parties a reasonable idea of what's on the ground. Committed to see what can be provided.

Action: Investigate which (if any) geotechnical studies are able to be shared with the CRG.

- CRG member indicated that the Upper Hunter concerns have been well voiced and EnergyCo could focus on road safety and the Waverly and Rouchel areas. Based on research, Muswellbrook and Tamworth TAFE have been identified as sites for training through Community Employment Benefit Program and Scone TAFE could be included to assist in the Upper Hunter region.

- CRG member indicated that last year there was a draft declaration for the access scheme and this was meant to be published. This is very important for Upper Hunter as it is not in the New England REZ.

EnergyCo indicated this is looking to be published this year. For the Community Employment Benefit Program the legislation was amended to enable the funds to be spent not just within the REZ boundary and to enable appropriate measures through the bulk corridor, including outside the boundary.

- CRG member asked what happens if a generation project is outside the REZ but wishes to directly connect to the New England transmission infrastructure rather than to Transgrid's network.

EnergyCo responded that Access Scheme timelines have been revised due to the various design changes undertaken and anticipate:

- the Draft New England REZ Access Scheme Declaration (Draft Declaration) will be released for public consultation by end June 2026;
- the New England REZ Access Scheme Declaration would be formally declared by the Minister by end September 2026, subject to the Minister's final consideration.

- CRG member asked if there has there been any development in relation to Community and Employment Benefit Program being able to flow directly to community groups rather than being mediated by local government.

EnergyCo indicated that the Community and Employment Benefit Program was still being developed for the New England, however we expect it will include a bit of everything – a combination of funds direct to community and via council. \$1,700/MW per year for community benefits, and \$600/MW per year for employment benefits – payable by each generator for its individual project.

The Central West Orana Community and Employment Benefits Scheme was suggested to CRG members as a useful place to see what style of projects and activities may be eligible (Community and Employment Benefit Program | EnergyCo).

Item 4. First Nations engagement update

Leanne Thompson presented information as per slide 15 and 16.

- Briefing with NSW Aboriginal Land Council Northern Region Councillor Charles Lynch.
- Excellent result with 19 social impact assessments interviews with community people.
- Feedback can be categorised into three key areas.
 - cultural heritage preservation and protection and governance;
 - Aboriginal outcomes and skills training and employment opportunities and economic outcomes;
 - Community Employment Benefit Program and how can funding be accessed for things like cultural programs, language, assistance for youth, health and social issues throughout the community.

- Leanne had the opportunity to comment on the Department of Climate Change, Energy, Environment and Water (DCCEEW) First Nations Guidelines and those are now in preparation for internal review and approval, followed by ministerial approval by June, and then Guidelines can be published and distributed.
- CRG representatives Dee-Anne and Noel have also contributed to First Nations Guidelines and have done extensive work on this.
- CRG member asked what DCCEEW stands for - Department of Climate Change, Energy, the Environment and Water.

Leanne further reported that EnergyCo's heritage team has scar tree verification underway to establish age and use and mitigation strategy. Arborist has also come in with Registered Aboriginal Parties.

In relation to the key sites Aboriginal Cultural Heritage Assessment Report (ACHAR) plan of management will be developed.

- CRG member asked what a scar tree is?

EnergyCo response that they are trees marked in a particular way that can be identification of land boundaries. Acknowledgment of land is traditionally undertaken at the boundary and tribes wouldn't walk into another tribe's land without sitting at the boundary and receiving permission and wouldn't move into country without permission and acceptance. Scar trees can also be burials or used to make artefacts such as canoes. Canoes were made from ring marked tree treated with water and fire to mould the bark, canoes would be lined with mud or clay to allow for a fire within the canoe. Shields and Coolomons were also made, Coolomons used for carrying babies and gathering food.

CRG member indicated further that scar trees are part of Songlines, which go across the country and the melody will stay the same. The song will tell what to do to ask for welcome, and someone will teach the next part of the song as you cross the country, and people sang back to teach and move onto the next part. That continued until they reached their destination.

Break 5.40pm to 5.50pm

Item 5. Oversize over mass (OSOM) transport route update

Presented by Michael Burden and Anna Zycki (Executive Director for Transport for NSW)

- The Port to REZ program's primary objective of the route assessment is to detour around town centres, minimise disruption and find common route for as many generators as possible.
- Involves consideration of current and future use.
- Optimising the time and budget constraints by using as much of the existing road network as possible.
- EnergyCo is working closely with Transport for NSW and councils as the road authorities and relying on site investigations, surveys and input from stakeholders.
- Two key considerations:

- access which refers to where we need to make intersections larger to provide additional width and capacity to ensure OSOM vehicles fit,
- capacity which refers to infrastructure, such as rest areas, or terrain requiring additional facilities to enable travel.
- Transport for NSW is looking at travel times and constraints based around where vehicles will be at times and how to ensure we are moving across the network as efficiently as possible with little disruption.
- Operational logistics and circulation at the ports to track and weigh and then move out, which impacts how many vehicles can travel, sequence in departure, impacts travel times. Low speed vehicles need to leave last and coordinate with other OSOM such as mining equipment. Work to coordinate with other types of vehicles, ensure rest areas, passing bays, and passing lanes have capacity for more than one OSOM at a time.
- Height and width restrictions may require shoulder widening and changes to curb alignment, or use of an escort.
- Time of day for travelling is crucial for safety in populated areas, OSOM vehicles can't be in school zones during school zone hours, manage curfew and fatigue and rest breaks for drivers and escort pilots.
- One of TFNSW's key focus areas is to provide better safety information including reminders to other drivers about how they interact with these vehicles. This could include safety warnings to remind vehicles to slow, ensure good signage and information.
- Need tighter logistics management across the corridor, smarter infrastructure to enable tighter coordination and management to schedule and monitor journeys.
- Working with police on planning how OSOM deliveries are escorted and identify the safest and most efficient journey. Examples include curfew, standard truck trailer configurations, network access requirements, live interaction with vehicles. These are some of the methods we are testing now on the CWO REZ route for better monitoring of vehicles to ensure safety.
- CRG member asked how much is expected to be spent on the road upgrades?
EnergyCo has put together some understanding of cost around the access part of it (physical movement), Transport for NSW is still doing work into facilities and overtaking lanes. Costings yet to be finalised.
- CRG member believed this will be in the billions of dollars and suggests that to avoid the disruption and they should invest in a helicopter to flying in equipment. He suggested it would be cheaper and allow for the RFS to have the helicopters afterwards.
Transport for NSW indicated that the total amount needed is not in the billions at this point, many works are simple and the task is for them to be identified in the right location, shoulder widening and lane widening are quick. Focus on safety for all road users and creating value in the longer term with this work. Unable to comment on the helicopters specifically but can say there has been high level consideration of all options and helicopters have not been decided on as an option.

- CRG member asked if Transport for NSW are considering road usage such as secondary use due to highway closures?

Transport for NSW indicated they are absolutely considering all users and the critical usage of corridor and sustainability of the network and management into the future.

- CRG member indicated that residents have up to 10 or 11 projects all vying to gain access to the grid along the road local to them, while all won't come to fruition, some will. Who organises all these large truck movements involved in building different projects over three to seven years, who coordinates so there isn't a bottleneck of OSOM trying to get down a country road.

Transport for NSW advised logistics work is currently occurring and is intended to manage the logistics, and we recognise there is a hard limit on how many can travel on the network on any day. Supporting to make it a smooth and efficient journey. Logistics coordination is precisely to manage that and ensure that everyone can access roads as they need.

- CRG member asked if TfNSW is the regulatory body.

Transport for NSW manages the network while the National Heavy Vehicle Regulator issues the permits for OSOM deliveries, with both taking into account a project's planning consent conditions.

- CRG member asked if truck movements must be lodged and then coordinated.

Transport for NSW indicated that all OSOM movements require a permit, however the regional coordination of those movements is not currently required noting the lower numbers,. However, TfNSW are setting up for more centralised management. OSOM require a permit from the National Heavy Vehicle Regulator for access to the road network and need to demonstrate that the vehicle can be on the network, that's part of the current process for all OSOM. There are usually permit conditions for where they can go and when, the step change they are looking at includes more live monitoring via Transport's Traffic Management Centre to work with transport companies to ensure the loads are being managed safely and interactions with other traffic is done safely.

- CRG member asked about area between Aberdeen and Murrurundi and roads throughout the Shire that may be affected, are there any bottle necking points that are a red flag?

Transport indicated that there are pinch points in that stretch, the Transport team are out today assessing it for a program of works to address bottlenecks and pinch points as part of the infrastructure uplift. Pinch points can be a tight curve, safety barrier in wrong place, a range of things and some are simple some are more complex.

- CRG member asked if the National Heavy Vehicle Regulator increased weight limits for vehicles, especially truck and dogs, has that been factored into the modelling for damage of regional roads?

Transport for NSW indicated that the National Heavy Vehicle Regulator has been heavily involved in this process, and path movement, weight, trailer configuration and other factors are being worked on. In terms of impact of OSOM there is whole of life cycle modelling to understand impact on all regional and state roads which will inform how the work is managed moving forward.

Item 6. Easement acquisition and landowner payments

Presentation by Aaron Davies

- Aaron is part of a team responsible for acquiring the land to construct and operate the REZ.
- Freehold acquisition in some circumstances, and easements for the transmission infrastructure.
- EnergyCo would undertake easement acquisitions based on a two-step process, to acquire a larger temporary construction easement, approximately 250m, which allows some flexibility in construction and less lay down areas with a permanent construction easement of about 140m to be established based on the completed infrastructure.
- Sketch plans included in opening letters in the acquisition process illustrate the area of land required for construction and the likely location of the permanent easement, to allow each party to prepare valuation and negotiate compensation on a like-for-like basis.
- Required to acquire land and easements in accordance with Just Terms Act (Land Acquisition (Just Terms Compensation) Act 1991) which sets out how EnergyCo is to seek to acquire land and easements from an impacted landowner. For example, EnergyCo must make every effort to resolve a matter by negotiated agreement and must attempt a genuine attempt to seek agreement for at least six months before initiating compulsory acquisition. In most instances, EnergyCo will try to progress negotiations well beyond the six-month period before initiating the compulsory acquisition process.
- EnergyCo considers it to be in the best interest of all parties to resolve a matter by negotiated agreement.
- The compulsory acquisition process is initiated by EnergyCo by issuing a Proposed Acquisition Notice (PAN). A PAN still gives both parties between 90-120 days to resolve by agreement.
- If a matter is resolved by compulsory acquisition, the easement is created on the date of compulsory acquisition with the Valuer General becoming the responsible entity for determining compensation. Should the determination of compensation undertaken by the Valuer General not be accepted by the landholder, then they will have the opportunity to have compensation assessed by the Land and Environment Court. Importantly, it would not be unlikely that construction may commence on a property prior to a compensation being resolved by the Land and Environment Court.
- EnergyCo recommends that a landowner obtains their own independent legal and valuation advice. This is encouraged at the commencement of negotiations, and reimbursement for reasonable fees is a requirement of the Just Terms Act.
- EnergyCo will never recommend a specific lawyer or valuer but will suggest how landholders may go about finding a suitably qualified practitioner (i.e by making enquires of the Law Society and/or API).
- Shortly following the issue of an opening letter to a landholder, EnergyCo will seek permission to attend the property to allow its independent valuer to carry out an inspection to help inform their assessment of market value compensation. Access is voluntary and if

the landholder chooses to do so they are encouraged to show all the attributes that form property value. Following the inspection and on EnergyCo's receipt of the valuation, a landholder will receive a letter of offer based on this valuation plus EnergyCo's assessment of disturbance compensation.

- To progress negotiations, it will be necessary for both parties to exchange valuation reports. This enables both parties to attend a settlement conference fully informed of other parties position and to help encourage compromise.
- The role of the valuers is to help the parties reach agreement on the market value of the interest being acquired plus the quantum of injurious affection (i.e. any decrease in value of the residue land) caused by the Project.

- CRG member indicated that loss of production needs to be compensated.
EnergyCo suggested that this would be normally addressed as part of injurious affection.
- CRG member indicated that the valuation is currently indicating a 40% drop.
EnergyCo indicated that it would be difficult to confirm the accuracy of this point where impact isn't known, but under the Act the loss of value in residue land is compensable. EnergyCo noted this is compensated as injurious affection and whilst the parties may differ on the quantum, the fact that there are two valuers enables the parties the opportunity to seek a compromise amount and basis to negotiate.
- EnergyCo indicated that the strategic benefit payment is separate and different from Just Terms Act compensation.
- The two step acquisition process under the Just Terms Act typically provides the landholder 80% of the agreed compensation up front and the remaining 20% is paid after construction is completed and the establishment of the permanent easement.
- CRG asked what happens if every farmer refuses to engage in the process?
EnergyCo representative indicated there was absolutely no obligation for the landholder to engage with EnergyCo. The obligation to seek engagement was entirely on EnergyCo. EnergyCo's strong preference is to resolve all matters by negotiated agreement. However, where that cannot be achieved, for whatever reason, EnergyCo would acquire the easement by compulsory process. The easement will be created on the date of acquisition being the date the Acquisition Notice was published in the NSW Government Gazette. Thereafter, the Valuer General and if necessary, the Land and Environment Court would be parties responsible for determining compensation. Importantly, it was noted that choosing to not engage with EnergyCo would not stop the acquisition process nor the Project.
- CRG member believes that legislation is such that compulsory acquisition only applies if they cannot go around.
EnergyCo representative indicated that to the best of their knowledge the legislation doesn't say that, but recommends that people get legal advice on this point if their strategy was based on this interpretation of the law. The EnergyCo representative offered that EnergyCo must satisfy the public purpose test and under 10A of the Just Terms Act before it may proceed with the compulsory acquisition process. The test doesn't include any element of "go around" and

encouraged landholders to confirm this point of law should this be required to help inform their engagement strategy with EnergyCo.

- CRG member asked how they should respond to community questions seeking reasons why EnergyCo is acquiring freehold and why are they acquiring easements?

EnergyCo representative indicated that easements are used where EnergyCo does not require exclusive possession of land which is typical for transmission line infrastructure. For this reason, EnergyCo will establish easements needed for construction and access for this infrastructure. Permanent acquisitions are needed for the energy hub sites and other big infrastructure and where EnergyCo requires exclusive possession of that land. EnergyCo has acquired some freehold land under its hardship policy at a landholder's request and where that landholder would suffer a genuine hardship caused as a consequence of a project.

- CRG member asked for explanation of the hardship and the purpose of the property.

EnergyCo indicated that the primary purpose is to respond to the owner experiencing the hardship caused by the Project. The most common scenario is that a landholder cannot sell their land or would need to sell at a discount given the uncertainty caused by an EnergyCo project.

- CRG member asked the length of the project, is there really an end point of the utilisation?

EnergyCo indicated that the time periods being talked about are construction from 2028 to 2032/33 for Stage One and a few years later for Stage Two. Operational period for the network operator is a 35-year term and then the asset returns to government. Life and operational period are like other energy infrastructure where things have been continuing and doing their job for a long period.

- CRG member asked is the infrastructure is going to fall apart after 35 years?

EnergyCo indicated that it is not. The design life is in accordance with Australian Standards, it is the financial term of the network operator concession that is a 35-year term and then returned to being a government asset.

- CRG asked who owns it in those 35 years?

EnergyCo indicated that it is the network operator who is responsible during the period, an entity will bid to win the tender.

- CRG member wanted clarification whether that in those 35 years it's a private asset.

EnergyCo indicated that the easement is with government, EnergyCo is still the governing body making sure the operator sticks to contract requirements and standards for infrastructure and quality maintenance. We don't just want someone to build it; we want a partnership approach for construction and long-term operation. Our approach for NEREZ is ensuring bidders are selected on capability to build and operate and have a long-term view.

- CRG member asked if EnergyCo are part of the NSW government.

EnergyCo representative confirmed that they are a government owned corporation under a board with a CEO that reports to the Minister.

- CRG suggested that EnergyCo is the government organisation doing the work for Ausgrid and TransGrid.

EnergyCo clarified that this is not the case - EnergyCo is not doing work for either. The REZ network infrastructure will be operated, managed and maintained by a private operator but everything comes back to the state.

Ausgrid is a local electricity distributor in NSW, while Transgrid manages sections of the transmission network across NSW.

- CRG member indicated that it was similar to the arrangement for Eraring Power Station - not owned by the government but the government still help them.

EnergyCo confirmed this is not the case – someone else owns Eraring Power Station, it’s not the same.

- CRG member again asked who is the owner in that 35 years?

EnergyCo confirmed that the state retain ownership. The operator functions under contract if they fail to adhere to the contract then it will be returned to government.

Item 7. General business, questions and updates

- Next meeting proposed for Tuesday 16th June (further to discussion about availability)
- Meeting closed at 6.44pm

#	Action	Responsible	Status
1	JPEG with vacancy information to be distributed to CRG members for them to distribute to their networks	M Maurer	
2	EnergyCo, further to the completion of Council workshops will initiate means to hear CRG ideas and priorities for ‘enabling infrastructure’ and community and employment benefits.	J Watson	
3	Investigate which (if any) geotechnical studies are able to be shared with the CRG	J Watson	

Upcoming meetings

Tuesday 16 June in Muswellbrook