

Meeting Notes

Maules Creek Solar Farm - Community Consultative Committee

Meeting No. 1, Thursday 22 August 2024

Time: 6 pm-8.30 pm

Location: Maules Creek Community Hall, 2247 Maules Creek Road, Boggabri NSW 2382

Members in attendance:	Chairperson:	Margaret Harvie
	Community representatives:	Marty Brennan, Shanna Whan, Stephen Bradshaw, Leanne Starkey, Nick Bradshaw, Brian Druce, Tim Whan, Mat Smith, Chris Smith, Glenn Holmes
	FRV representatives:	Rob Beckett- Project Development Manager Edie Mather - Head of Development
Others in attendance:	John Rafferty – Senior Principal, Stakeholder Engagement (Minutes)	
Apologies:	Russell Stewart, Pat Schultz	

Item no.	Description	Actions
1.	<p>Margaret Harvie (MH) acknowledged that we are on Aboriginal Land and introduced herself as a member of the NSW Government Panel of Independent Community Consultative Committee Chairpersons established by Department of Planning Housing and Infrastructure (DPHI). Here to facilitate the meeting.</p> <p>Introductions.</p> <ul style="list-style-type: none"> FRV - Rob Beckett and Edie Mather. John Rafferty - Supporting the community consultation for the project and for this meeting taking notes <p>Community members -</p> <ul style="list-style-type: none"> Steve Bradshaw (SB) - neighbour, Secretary of local Fire Brigade and Member of Parents and Citizens Association Nick Bradshaw (NB) - third generation farmer, member of RF brigade, works at Fairfax school Brian Druce (BD) - mechanic, semi-retired farmer Chris Smith (CS) - neighbour El Rancho Mat Smith (MS) - 40 years local, father to two small kids Leanne Starkey (LS) - neighbour to Solar Farm, bought a property Mountain Creek Road, against solar in the area, social worker, farmer, local community representatives Glen Holmes (GH) - Middle Creek family history, father and uncle farmed locally Shanna Whan (SW) - owns "Mountain View" on Black Mountain Creek Road with her husband, Tim. Has family along Harparary Road who Shanna feels will be impacted severely by the solar farm. Is heavily involved in the local community, from annual camp draft to local 	

	<p>fundraisers and events. She is an Australian of the Year recipient and a passionate advocate for rural Australia.</p> <ul style="list-style-type: none"> • Tim Whan (TW) - Representative on local community committees. <p>Marty Brennan (MB) arrived 6:26pm.</p> <p>MH – explained that there were two people who had applied and accepted to be on the CCC but were not able to make this first meeting – these being Pat Schultz and Russell Stewart</p> <p>Question from LS about the CCC representation and who could participate.</p> <p>MH explained that the CCC is established for affected <i>and</i> interested parties. Open to anyone interested. Decision made to not restrict participation. The NSW Government CCC guidelines suggest that there are just 7 community members, and we are 12 for this CCC. This is in the spirit of allowing as many as possible to access to the information that they need and considering that some people may drop out over time.</p> <p>MH explained CCC process and provided hard copies of CCC Guidelines.</p> <p>For this first meeting the agenda was set by the Chairperson. CCC members can add to and shape subsequent agendas within the confines of this being related to the proposed Solar Farm. Minutes will be available on the website that has been established by FRV for the Maules Creek Solar Farm.</p> <p>MH explained the role and purpose of CCCs in NSW. Whilst the NSW Government has not required a CCC for the Maules Creek Solar Farm, FRV has voluntarily created this CCC as a means for communication.</p> <p>MH opened the meeting to questions on the CCC establishment and the process. No questions or concerns were raised.</p>	
2.	<p>Conflicts of interest and any declarations</p> <p>MH explained about Declaration of Interest – <i>examples of declarations might include being a potential contractor, AirBnB owners who might rent accommodation to workers. Conflicts do not mean that you cannot participate just that these should be declared in advance.</i></p> <p>No conflicts of interest were declared.</p>	
3.	<p>Discussion about the purpose and operation of the CCC. Distributed to members was:</p> <ul style="list-style-type: none"> • Code of conduct • Draft Terms of Reference <p>The Draft Terms of Reference will be finalised for the next meeting.</p>	<p>ACTION: Code of conduct to be signed by each CCC member and this provided to the CCC Chairperson (<i>Completed by all those present</i>)</p>
4.	<p>FRV presentation</p> <p>EH and RB explained their roles and presented information about the project. Much of what was presented was based on questions or concerns that have been raised to date.</p>	

	<p>There was a presentation with a PPT slide pack and this is attached with these meeting notes. The slides contained more information than was able to be covered in the time available and some topics were deferred until the next CCC meeting.</p> <p>There were some questions raised during the presentation and these are represented below</p>	
5.	<p>Questions – from the members during presentation.</p> <p>Q: SB (re: slides 11 & 12) Does site suitability consider watercourses? A: RB confirmed it did and explained the assessment process.</p> <p>Q: SB (re: slide 14) Will community funds be spent in Maules Creek? We need to see local investment, not elsewhere in the LGA. A: RB stated that the revised proposal for community benefits would see \$450k invested locally in Maules Creek at the start of construction and that FRV will consult with the community on the direction of that benefit sharing program.</p> <p>Q: MS – (re: slide 16) How did you find the land? A: EM - The landowners were in contact with a developer associated with FRV who then took the project to FRV for consideration.</p> <p>Q: SB - (re: slide 16) What are SEARs? A: RB explained SEARs stands for “<i>Secretary’s Environment Assessment Requirements</i>” which is the start of the NSW assessment process. It outlines the information that needs to be included in the Environmental Impact Assessment. An action was to make the SEARs available to CCC members.</p> <p>Q: SB - (re: slide 16) When was the Scoping Report finalised? A: RB - It was submitted to DPHI and made public in Dec 2023.</p> <p>Q: SB – (re slides 18 & 19) Will ecologists assess aquatic biodiversity during times of flood? Will impacts on waterways be assessed? A: RB explained the solar farm will avoid vegetation near Middle Creek and would be set back by at least 40 metres from Middle Creek. Advised surveys for potential threatened species on site have been undertaken in accordance with detailed and prescribed methodologies. Environmental consultants Pitt & Sherry (P&S) will attend the next CCC to update on these studies.</p> <p>Q: SB – (re: slides 18 & 19) objection raised to removal of trees near his property associated with any widening on Middle Creek Road. A: RB - Explained there is limited to no impact in southern end of Middle Creek Road. Vegetation is denser at the north of the road. RB committed to visiting SB to discuss should it be found that vegetation removal is required near his property.</p> <p>Q: SB – (re: slides 20 & 21) shared a photograph of a tree he considered was of Aboriginal significance as it showed some signs of scarring in the shape of a Coolamon. SB asked if the CCC could meet with a representative of the RAPs. A: RB - FRV would ask a RAP to attend at the group’s request, but it would be up to the RAP to accept the invitation. If there was a cost associated with any such meeting FRV will cover this cost.</p> <p>Q: MB asked why RAPs are paid for their time but not CCC members.</p>	<p>ACTION: Provide link to the SEARs on the DPHI website www.planningportal.nsw.gov.au/major-projects/projects/maules-creek-solar-farm</p> <p>ACTION: P&S (Environmental Consultants) to attend the next CCC meeting and update on environmental studies, particularly water and aquatic species.</p>

<p>A: RB explained that RAPs perform paid work for projects and that this is often their career or profession. RB explained that the CCC is voluntary, but that FRV is here to ensure that the community is informed in the spirit of transparency. RB acknowledged the time commitment and inconvenience and thanked the group for participating.</p> <p>Q: SB (re slides 22 & 23) asked if FRV had read the description of the land's agricultural capability prepared by the project's host landowner.</p> <p>A: RB confirmed he had read this and clarified that FRV accepts that the land has agricultural value and that the land would continue to support grazing during operation of the solar farm.</p> <p>Q: LS asked who will have the opportunity to graze sheep.</p> <p>A: RB explained that the landowner is provided a grazing licence, which they can use themselves or agist.</p> <p>Q: SB – (re slides 24-26) asked if there has been discussion with Council about traffic?</p> <p>A: RB confirmed there had been discussion and explained that they are ongoing.</p> <p>Q: SB asked if drones near his property were launched by FRV.</p> <p>A: RB confirmed they were not. A drone was used in April 2024, solely over the host landowner's property as part of the visual assessment. RB confirmed that FRV would not put drones over SB property without prior consent. RB committed to provide advance notice if drones need to be launched near local properties.</p> <p>Q: LS (re: slides 24-26) asked how wide Middle Creek Road is at the moment?</p> <p>A: RB explained only about 2.3m wide in the northern section, but wider and better maintained to the south, near Harparary Road.</p> <p>Q: (re: Slide 27) MB and LS queried 'no further assessment required' on the displayed mapping for property 'Green Gully', Harparary Road. LS noted 'Green Gully' shares a boundary fence and is in a direct visual line to the proposed solar farm, which she believes will clearly be seen from her home.</p> <p>A: RB apologised for not visiting 'Green Gully' and committed to investigating this with environment consultants pitt&sherry, and visiting Green Gully at the next visit to Maules Creek.</p> <p>There was additional concern that the Catholic Church next to 'Green Gully' would also be visually impacted.</p> <p>Q: SB (re slide 28) asked FRV to explain the green line showing planned locations for vegetation to visually screen the project.</p> <p>A: RB explained that vegetation screening will be planted to screen views of the solar farm. RB explained this was a draft plan and that further detail would be developed after the visual assessment.</p> <p>Q: MS and CS (re slide 30) asked how far vegetation would be set back from the <i>El Rancho</i> property. CS raised concern that planted trees would affect the soil moisture of his crop, bordering the solar farm.</p> <p>A: RB explained panels would be set back by 30m from the property boundary and the vegetation would be within this setback area. FRV will</p>	<p>ACTION: P&S to present findings of the Traffic Impact Assessment at a subsequent meeting</p> <p>ACTION: FRV to investigate the preliminary visual assessment and why LS property was deemed to not require a detailed assessment.</p> <p>ACTION: FRV to present findings of the visual assessment at the next CCC meeting.</p> <p>ACTION: P&S to share more detail about flood modelling at the next CCC meeting</p>
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	<p>consult with CS when the visual assessment is available to discuss options for screening.</p> <p>Q: LS (re slide 30) asked about security fencing. A: RB and EM explained the project would have a 2.1m high chain-link fence around the project. The fence will be behind vegetation plantings on Glencoe Road. The fence will not contain barbed wire.</p> <p>Q: SB (re: slide 31) raised concern that clearing native vegetation will cause water to flow faster, increasing flood risk and erosion. Additional concern that any road works may alter stormwater flows over Green Gully (due to height of roads). A: RB made commitment that road work will be such as to not change flow along Green Gully, this will be reiterated to engineers during detailed design.</p> <p>Q: SB (re: slide 31) Raised concern about changes to the catchment and direction that water flows. A: RB confirmed that construction of the solar farm would not involve alterations to the topography of the site.</p> <p>Q: SW and LS highlighted that during times of flood, access into and out of Maules Creek is often not possible. There is concern about what would happen if there were an emergency at the solar farm when access is not possible. LS showed FRV video footage of Maules Creek during the 2022 flooding.</p> <p>Q: SB (re slides 33 and 34) raised concern that the solar farm would be audible to neighbours given that Maules Creek is in a valley. A: RB confirmed that noise assessment is currently being completed but at distances over 1 km there should be no audible impact. RB confirmed FRV would return with more information on noise at the next CCC meeting.</p>	<p>ACTION: FRV to investigate on-site water storage requirements for fire fighting with Fire Rescue NSW and consult with RFS.</p> <p>ACTION: FRV to share the predicted noise modelling with CCC once completed. This will include information about permissible noise limits and real-world comparisons for understanding.</p>
6.	<p>Round the table with comments from each member</p> <p>MH invited members to provide any additional comments or questions.</p> <ul style="list-style-type: none"> - TW: Primary concern is about social impact – We need FRV to understand this is a small and tight knit community. The community has previously faced division due to the Maules Creek coal mine, and the Maules Creek Solar Farm has potential to cause further divisions. Already seeing some hostility between those who are in favour of the solar farm and those who are against it. TW is concerned more people could move away from the area, which is still recovering from the coal mine and its social impacts. Once this project is approved what's to stop another one being built next door? The scale of the project is devastating for the community. The community sees unfairness that the landowners would benefit from the project, while the rest of the community is being expected to accept the negatives. - SW: (note that some of the below points were submitted via a document post the meeting- see this attached) Expressed that the majority of locals left the May 29 Community Information Session feeling angry, frightened, and "blindsided". Locals that SW has spoken with feel the session was very poorly run, and others had no knowledge of the event. - In response, SW and others organised a formal and thoroughly advertised community meeting to better and more professionally inform 	<p>ACTION: SW provide email list of local residents (with their consent due to privacy concerns).</p>

	<p>the local community. A core community steering group was created “the Maules Creek Concerned Residents (MCCR)” and a Facebook page.</p> <ul style="list-style-type: none"> - SW was very clear that no one in the community is anti-solar but many have grave concerns about the proposed location - and are very concerned about a potentially very dangerous scenario where floods prevent access to or from Maules Creek (“trapping” locals), and there is also a fire. - SW is deeply concerned about the lack of realistic offsets, fair compensation, and equitable payments to nearby landowners who are concerned about catastrophic land devaluation and ruined futures, social circles, health, mental health, and more. - SW voiced the opinion of most in the community that the biggest problem has been a lack of thorough, in-depth, meaningful consultation since inception. SW expressed the opinion of many that this consultation was not done to “standard” as claimed in the Pitt & Sherry Scoping Report, and that meaningful consultation has not occurred to this day. - SW suggested in the submission post the meeting that FRV referred to the MCCC a “key stakeholder” and they remain the only community group FRV consulted with back in 2022. SW clarified that this group is only a handful of residents with ties to the project’s host landowners, in her view, posing serious conflicts of interest and breaches of the NSW Fair Trading laws. SW advised she had taken legal advice and was of the view that this action amounted to misuse of an incorporated association for personal or financial gain. SW stated the MCCC passed on no information, minutes or an invitation to that “community stakeholder meeting” and so by omission - the entirety of the community was excluded and left out of consultations. SW expressed concern that identified community stakeholders in the Scoping Report (including the local CWA and Fire Shed) also have ties to the host landowners, with potential conflicts of interest. - SW asked why large committees such as the Maules Creek Campdraft Committee (40 plus members) have not been consulted. SW asked that FRV ensure the MCCR is consulted on all further correspondence. SW has conducted a survey of to 60 locals and noted that 93% do not approve of the solar farm. - RB clarified in the meeting that at no point did MCCC warrant or imply that they represented the views of the entire community and were clear that their primary focus as a group was holding the coal mine operator to account and for good biodiversity outcomes in the region, and adherence to their conditions of consent. - RB committed to investigating SW concerns about roads being closed due to floods and how this would be managed in an emergency. <p><i>A copy of Shanna Walls full written submission and responses from FRV can be found in an Appendix to these meeting notes</i></p> <ul style="list-style-type: none"> - MB: if you’re genuine take on board that no-one wants it. 	<p>SW to provide a summary of the MCCR survey.</p> <p>ACTION: FRV to respond to community concerns about emergency protocols in times of flood.</p>
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	<ul style="list-style-type: none"> - GH: expressed his opinion that the landowners have a different agenda, and his view is that they are not interested in the community. GH concerned that the project would result in years of social upheaval. - LS: Requested to know the value of the lease. - RB explained this information can't be shared due to a non-disclosure agreement. - LS restated that Maules Creek becomes an island during floods and is concerned about safety. - MS: Primary concerns are around mental health of locals. MS felt some things in the scoping report didn't make sense. - CS: asked about the length of the lease - RB confirmed 40 years. - BD: shared that he found it hard to sell his farm once the coal mine started operating, and asked how farm values would drop due to the solar farm. - NB: who would be employed at the solar farm and what opportunities would be available for locals? - EM confirmed the solar farm would require a site manager, mechanical engineer(s), electrical engineer(s) and staff for vegetation control and site maintenance. - SB: expressed concern that improvements to technology may result in fewer employment opportunities. SB raised concern that the solar farm would result in increases to neighbour's insurance premiums. - RB confirmed that FRV will look at these issues at the next meeting, as some material had been prepared as part of the presentation. 	
7.	<p>MH as the chairperson thanked everyone for their patience through this long meeting and for being so patient in listening to the information presented.</p> <p>Next meeting Thursday 10th October</p> <p>5:30pm start.</p> <p>Refreshments are to be provided next time.</p>	<p>ACTION: FRV to arrange catering for next meeting.</p>
	Close	

Appendix – Shanna Wall Submission post the meeting and FRV response to that submission

Shanna Whan (SW)

Owns "Mountain View" on Black Mountain Road with her husband, Tim.
Has family along Harparary Road who will be impacted severely by the solar farm.
SW is heavily involved in the local community, from annual camp draft to local fundraisers and events. She is an Australian of the Year recipient and a passionate advocate for rural Australia.

NOTES:

SW expressed that the majority of locals left the very poorly run May 29 Community Information Session feeling angry, frightened, and absolutely "blindsided" - while many others had no idea the drop-in session was even happening.

In response, Shanna Whan and others organised a formal and thoroughly advertised community meeting to better and more professionally inform those at large about what the community understood was happening.

This also led to a core steering group within the community creating the Maules Creek Concerned Residents (MCCR) and a Facebook page.

SW wanted to make it clear that no one in the community is anti-solar but that many have grave concerns that this is not the right location - and an extremely dangerous scenario for locals who will be 'trapped' if the island floods - and there is a fire.

SW is also deeply concerned about the lack of realistic offsets, fair compensation, and equitable payments to nearby landowners who will likely experience catastrophic land devaluation and ruin futures, social circles, health, mental health, and more.

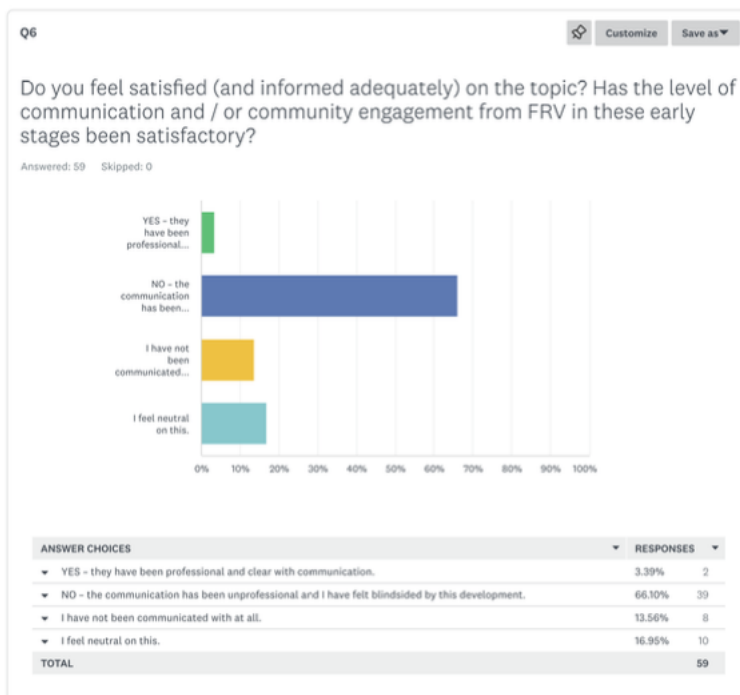
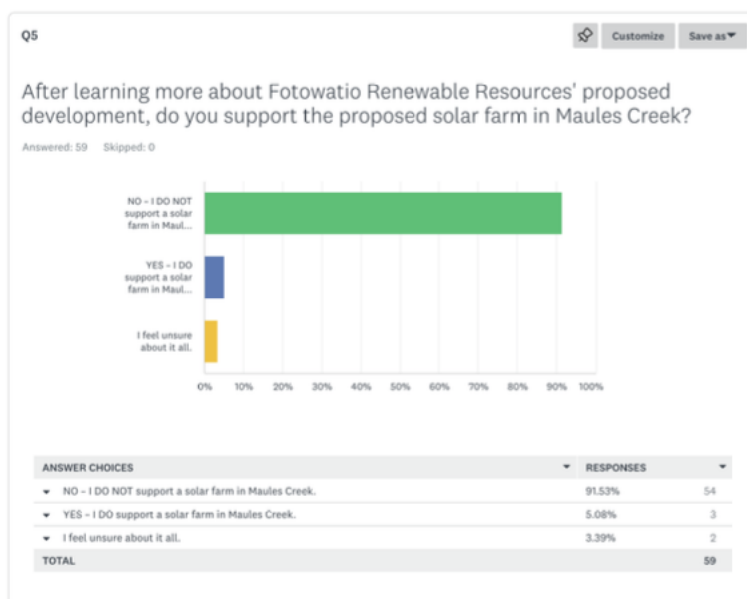
SW voiced the opinion of the entire community that the biggest problem has been a clear and very real lack of thorough, in-depth, meaningful consultation since inception. This consultation was not done to "standard" as is constantly referenced in the Pitt & Sherry Scoping Report, but it has not occurred to this day.

The gravest concern held by locals is the fact that FRVSA called the MCCC a "key stakeholder" and they remain the only group FRVSA consulted with back in 2022. However, despite calling themselves the Maules Creek Community Council - the group is a handful of residents only, all of whom pose serious conflicts of interest and breaches of the NSW Fair Trading laws - namely, the misuse of an incorporated association for personal or financial gain. Not one member of the MCCC passed on information, minutes or an invitation to that "community stakeholder meeting" and so by omission - the entirety of the community was excluded and left out of consultations.

SW also raised the concern that the alleged stakeholders who "should" be consulted, according to Pitt & Sherry, but have not been - including the local CWA and Fire Shed - also have varied and serious conflicts within.

SW asked why large committees such as the Maules Creek Campdraft Committee (40 plus members) have not been consulted. She asked that FRVSA ensure the MCCR is consulted on all further correspondence.

ACTION: SW to provide a summary of the MCCR survey.



FRV Response to Shanna Wall written submission

FRV want to clarify (further to comments above) that

- the MCCC were open with FRV about the fact that there were a range of opinions in the Maule's Creek community on mining, and that many members of the community would not support the work of the MCCC regarding the coal mine and its operation.
- FRV has at no point represented or warranted that MCCC represents the views of the entire local community, nor have they referred to them as "key" stakeholders.
- The community event on May 29 was published in: FRV's newsletter (posted to all addresses within the Maules Creek, Harparary, Tarriaro and Turrawan postcodes, based on publicly available information). It was also published in the Narrabri Courier, advertised on the local radio station, published in the Boggabri trades pamphlet and on the FRV website.
- FRV received very few RSVP's to the event, which made it very difficult to plan or pre-empt the level of interest from the community and those who would be in attendance.
- Engagement undertaken at scoping stage is often limited by the details known about the project at this stage. The information session on 29/05/2024 and the consultation in 2022 offered limited detail about the likely project, as it was still in the "Scoping" phase.
- Regarding the required consultation, engagement had been undertaken in accordance with the [NSW Large-Scale Solar Guideline](#) and the [Undertaking Engagement Guidelines for State Significant Development](#).
- Significantly more resources for engagement, to continue throughout the assessment process, has been allocated in response to the community expectations.