OBERON COUNCIL

MEETING 9 JUNE 2026

RESPONSE TO KEY TOPICS

No.	Question from Oberon Council	The Pines Wind Farm Answer	Date Received
Legacy Project Fund			
1	Should the legacy fund/community benefit committee be run by Council rather than an independent body?	The Legacy Fund will be governed by the Legacy Project Committee, comprised of community members and The Pines Wind Farm representatives. Terms of Reference will be developed for the committee. Draft Terms of Reference were provided to Gary Wallace on 1 April 2026, which we understand were subsequently distributed to Councillors. The committee will be comprised of 5-7 community members, of which the chairperson (Glen Stewart) is one. In addition there are two permanent positions available for Council representatives – one from Oberon Council and one from Bathurst Council. Applications to the committee are open to all members of the public, and we encourage Council to nominate a representative for the committee position. **<u>Committee member selection</u>** Selections will be made based on the following eligibility criteria: 1. Current or previous experience or involvement with a board, community project, community group or not-for-profit organisation	10 March 2026

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		2. That the person resides, studies, works or has a meaningful connection to Oberon or Bathurst LGA's 3. Availability to attend monthly committee meetings 4. That the person can support the delivery of a major project or projects funded by The Pines Wind Farm (note, it is not a requirement to support the wind farm to be on the committee) 5. References relevant to the role And, answers to these questions, and reference checks: 1. Recent involvement in a board, community group or not-for-profit organisation 2. How their work has benefited the local community 3. The kinds of projects they think would have a long term, sustainable impact on the communities surrounding the project? 4. Why they want to join The Pines Wind Farm Legacy Project Committee? Glen Stewart will review applications and put forward a recommendation to The Pines Wind Farm executive, who have the final say. Committee members agree to commit to attending 75% of meetings. Their membership is for 24 months, after which time members will be required to re-nominate for the position.	
2	What governance is in place to ensure the fund is managed transparently and not captured by special interest groups?	The Legacy Fund will be governed by the Legacy Project Committee, comprised of community members and The Pines Wind Farm representatives. Terms of Reference will be	10 March 2026

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		developed for the committee. Draft Terms of Reference were provided to Gary Wallace on 1 April 2026, which we understand were subsequently distributed to Councillors. A selection process will be undertaken for the committee members to ensure a wide cross-section of the community are represented, and that it also broadly reflects the community's demographics. The Legacy Project Committee will develop merit criteria to determine how projects are assessed for suitability. The committee will review the submissions and advise on a project, or projects, that would enhance the communities of Black Springs, Burraga, Oberon and Trunkey Creek against these criteria. This could be one large project, or several smaller projects as determined by the committee. To ensure that funding is impactful and sustainable, the merit criteria should consider the following outcomes: • Broad community impact; • Local and relevant; • Wide-reaching and lasting value; • Long-term (projects must be self-sustaining) • Apportioned benefits between Oberon and Bathurst LGAs in the same proportion to the project's installed capacities within the respective LGAs. The Pines Wind Farm project will manage project delivery, operational activities, contractual matters, or ongoing maintenance or operational funding.	

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3	Is there a defined timeline for when legacy funds must be spent in the community, or do they roll over indefinitely?	Following start of the windfarm project construction, the Legacy Fund project or projects will be implemented. As part of the merit criteria development, the Legacy Fund Committee will be requested to consider the long-term nature of applicants' projects. Successful projects should be self-sustaining. If necessary, this may be achieved through part of the fund being transformed into an annuity.	10 March 2026
4	Can the Pines Windfarm update Council as to what is occurring with the $5 million Legacy Project Fund?	Please refer to the responses to questions 1 – 3 above.	3 June 2026
Noise Impacts			
5	Will Councils have legal risk under the Local Government Act (Section 212.5) if residents bring a nuisance complaint to the Council regarding the Pines Wind Farm, and what steps should Council take to conduct due diligence on this risk before any development approval is considered?	The project will be designed and delivered to meet the NSW Wind Energy Guidelines (2024). As part of the project detailed assessments (submitted in the DA) The Pines Wind Farm will investigate noise impacts, construction vibration, and impact of aviation lighting. If the project is approved by NSW Department of Planning, Housing and Infrastructure, it will be constructed in line with DA approval conditions and all applicable Australian standards and laws.	10 March 2026
6 -	Council will be obliged to investigate complaints by the community, should they occur. Council will therefore need to understand not only the	The project will be designed and delivered to meet the NSW Wind Energy Guidelines (2024). As part of the project detailed assessments (submitted in the DA) The Pines Wind Farm will	3 June 2026

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	relevant legislation and guidelines but also what has been agreed to in any host or neighbour contracts. Have the harms and nuisance from your proposed development been fully disclosed to everyone who you are offering a host agreement and neighbour agreement? This would include maximum noise levels for audible and infra sound, construction phase impacts, decommissioning phase impacts, visual impacts and land value impacts.	investigate noise impacts, construction vibration, and impact of aviation lighting. The Neighbour Deed lists specific impacts that a landholder may choose to accept. We pay up to $2,500 for landholders to have a legal review completed so that they can fully understand the agreement. We also pay up to $500 for independent tax advice.	
Decommissioning			
5	The Australian Energy and Infrastructure Commissioner says decommissioning bonds should be paid upfront — why is the project not doing this?	The AEIC media release[1] from 27 October 2025 states: *"The AEIC view is there must be more certainty and clarity around who pays, what measures are going to be in place and how much it will cost."* The Pines Wind Farm's approach to decommissioning aligns with this statement from the AEIC. **Obligations under the lease** Under the wind farm host leases, the wind farm company is obliged to maintain the facilities and land in good order and in accordance with all laws and approvals, including undertaking the decommissioning/removal of the equipment at the end of the lease. This is well-established practice for all property leases.	10 March 2026

[1]Decommissioning and Protection for Landholders - Media Release: https://www.aeic.gov.au/decommissioning-and-protection-landholders-media-release

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		Funding decommissioning To pay for decommissioning, the wind farm company makes provisions during the operational phase of the project. These amounts are calculated with expert input, increase over time, are reported in the company's audited financial accounts, and must comply with tax and corporate laws. All large infrastructure companies follow this process. TagEnergy is already following this exact practice at its Golden Plains Wind Farm, Australia's largest operating wind project. This ensures the funds for decommissioning are available when needed. **Host landowner security** While decommissioning is provisioned and paid for by the wind farm company as explained above, landowners also receive additional protection through a financial security such as a bank guarantee or bond. If the wind farm company fails to meet its decommissioning obligations, the issuing bank or institution will pay the landowner to cover the costs of decommissioning.	
6	Following the past five quarterly meetings, there is now a feeling of no confidence regarding the future decommissioning of Tag's 250 wind towers.	Noted as a comment – see statement above about decommissioning	3 June 2026
7	After much back and forth, the only clarity was provided by the Premier Chris Minns, "the landowner will be ultimately responsible".	Noted as a comment	3 June 2026

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8	Many wind tower projects are bought and sold on numerous occasions. The financial capacity of each owner will differ.	Noted as a comment	3 June 2026
9	Tag has advised decommissioning fund will be established towards the end of the project.	Noted as a comment	3 June 2026
10	This $1 billion decommissioning cost will be a liability, casting an enormous shadow over the Project and Oberon community during the initial 15-17 years of the project.	Noted as a comment	3 June 2026
11	Should wind tower blades degrade by 4.5% year, which studies have indicated, then at the time decommissioning funds were to be set aside, there will likely be no funds available due to the required replacement/upgrade turbine blades in 15-17 years.	Noted as a comment	3 June 2026
12	Tag has stated, Tag No. 5 Pty Ltd – the special purposes vehicle, will not be provided with a decommissioning guarantee or security from Tag Energy.	Noted as a comment	3 June 2026
13	Has any progress been made in determining minimum standards for decommissioning such as: a. Towers and blades and associated componentry and infrastructure to be demolished and removed from site;	The project will be designed and delivered to meet the NSW Wind Energy Guidelines (2024). These details will be included in the EIS, planned to be submitted in late 2027.	3 June 2026

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	b. the foundation for a wind turbine tower to be removed to 600 mm below ground surface c. underground cables to be removed except those 600mm or more below the surface d. Substation and batteries are to be removed, and the concrete slabs demolished and replaced with topsoil unless specifically agreed in writing with landowner e. Any overhead power lines installed specifically to connect the windfarm to a major transmission line; The poles and wires are to be demolished as no longer required f. The activities in a) to e) to occur within 6 months of the project/turbine producing electricity for the grid		
14	Has progress been made in determining an appropriate regime for securing decommissioning which is acceptable to the Community and Oberon Council for instance: a. Common Fund contributed to by all windfarm companies in NSW so that if an operating company is placed in liquidation or circumstances exist where it cannot meet its decommissioning obligations the fund can be drawn on to decommission the relevant windfarm	**Obligations under the lease** Under the wind farm host leases, the wind farm company is obliged to maintain the facilities and land in good order and in accordance with all laws and approvals, including undertaking the decommissioning/removal of the equipment at the end of the lease. This is well-established practice for all property leases. **Funding decommissioning** To pay for decommissioning, the wind farm company makes provisions during the operational phase of the project. These amounts are calculated with expert input, increase over time,	3 June 2026

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	b. Bank guarantees put in place from the beginning of the project for then current cost of decommissioning in line with 7 criteria above escalated by Builders Material and labour index yearly during life of project Example of concern i. A foreign Corporation may establish Aust subsidiary to operate windfarm ii. Dividends paid to Foreign Holding Company iii. 2 years prior to or immediately prior to end of Windfarm's life and decommissioning obligations being activated Aust Subsidiary placed into administration/liquidation iv. Obligation may fall on landowner then in lieu of Operator but no financial ability or incentive to decommission; community looks to Council & State Govt to do something despite no contractual obligation to remove rusting towers which are an eyesore	are reported in the company's audited financial accounts, and must comply with tax and corporate laws. All large infrastructure companies follow this process. TagEnergy is already following this exact practice at its Golden Plains Wind Farm, Australia's largest operating wind project. This ensures the funds for decommissioning are available when needed. **Host landowner security** While decommissioning is provisioned and paid for by the wind farm company as explained above, landowners also receive additional protection through a financial security such as a bank guarantee or bond. If the wind farm company fails to meet its decommissioning obligations, the issuing bank or institution will pay the landowner to cover the costs of decommissioning.	
Council Rates			
15	NSW Forestry Corporation pay no rates on Oberon pine plantations. Estimated rate income forgone - $1million.	Noted as a comment	3 June 2026

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16	In your letter dated 30 April 2026, Tag Energy advised that no rates will be payable as it will operate under a forest permit, not a lease. Estimated proposed rate income forgone $600,000.	There has been further communication since this letter. The requirement to pay rates is determined by the Local Government Act, including leases. The definition of a lease includes permits issued under the Forestry Act. The Pines will comply with all relevant laws, including those relating to Rates. Renewable land agreements have, for many years, made the project responsible for payment of any applicable rates due to the project. This is also the case for The Pines. The Pines acknowledges its obligations as a future permit holder and a future leaseholder under the LGA and will engage with Council on the rating assessment process at a time when Planning approvals have been achieved and it is closer to the start of construction of the project / occupation of the lands.	3 June 2026
17	The shortfall in rates from NSW Forestry is currently picked up by Oberon ratepayers and community.	Noted as a comment	3 June 2026
18	Should a second commercial activity be approved (TAG Energy) a further $400,000 to $600,000 burden would be carried by Oberon rate payers.	Noted as a comment	3 June 2026

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19	The overwhelming inequity of this arrangement needs to be addressed, notwithstanding the outcome in law.	Noted as a comment	3 June 2026
20	Can Stromlo/ Tag confirm that in light of the attached correspondence that it agrees unequivocally with Forestry Corporation's advice that Council Rates are payable on areas within Forestry Corp managed Crown Land that are subject to a permit for occupation by wind turbines and other associated renewable infrastructure?	The requirement to pay rates is determined by the Local Government Act, including leases. The definition of a lease includes permits issued under the Forestry Act. The Pines will comply with all relevant laws, including those relating to Rates. Renewable land agreements have, for many years, made the project responsible for payment of any applicable rates due to the project. This is also the case for The Pines. The Pines acknowledges its obligations as a future permit holder and a future leaseholder under the LGA and will engage with Council on the rating assessment process at a time when Planning approvals have been achieved and it is closer to the start of construction of the project / occupation of the lands.	3 June 2026
21	Can each of Stromlo/Tag and Forestry Corp please advise why after repeated requests at Pine windfarm meetings with Oberon Council that it has taken until May 2026 for this matter to be clarified when the legislative basis for the Pines Windfarm occupation has been known since 2016?	The requirement to pay rates is determined by the Local Government Act, including leases. The definition of a lease includes permits issued under the Forestry Act. The Pines will comply with all relevant laws, including those relating to Rates.	3 June 2026

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	Specifically, the following questions and answers are referred to: a) Meeting 18 March 2025 i. Question from Mayor McKibbin – At Spicers Creek, Blayney/Carcoar they obtain business rates from the proponents, they obtain amounts under their VPAs and where there are power lines they have some licence fees whether they are above ground or underground. Assume you will not pay rates on the land as forestry doesn't currently pay rates even though they run a commercial enterprise on the land. This would be a second commercial enterprise on the land. ii. Response – the question was taken on notice.	Renewable land agreements have, for many years, made the project responsible for payment of any applicable rates due to the project. This is also the case for The Pines. The Pines acknowledges its obligations as a future permit holder and a future leaseholder under the LGA and will engage with Council on the rating assessment process at a time when Planning approvals have been achieved and it is closer to the start of construction of the project / occupation of the lands.	
22	b) Meeting 10 June 2025 i. Question from Mayor McKibbin - Please provide a copy of the intended lease/licence or other agreement between Stromlo/Tag and NSW Crown land for the sites on which wind towers are to be erected? Council requires this agreement/Deed to understand the basis on which these wind towers will occupy the crown land and whether it is rateable under Section 555 of the Local Government Act 1993? Again no negotiation of any VPA can occur until Council fully understands the nature of this agreement so it is in everyone's interest this is disclosed. ii. Response – not addressed during the meeting.	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026

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22	In addition, I raised these concerns in correspondence addressed to The Hon Penny Sharpe MLC forwarded on 7 May 2025 to which a response was received which partially addressed the questions raised but did not respond in relation to the question regarding rateable land.	Noted as a comment	3 June 2026
23	Have the Pines now concurred in writing with your advice that the Permit areas are rateable? Noting their previous letter to Council.	The requirement to pay rates is determined by the Local Government Act, including leases. The definition of a lease includes permits issued under the Forestry Act. The Pines will comply with all relevant laws, including those relating to Rates. Renewable land agreements have, for many years, made the project responsible for payment of any applicable rates due to the project. This is also the case for The Pines. The Pines acknowledges its obligations as a future permit holder and a future leaseholder under the LGA and will engage with Council on the rating assessment process at a time when Planning approvals have been achieved and it is closer to the start of construction of the project / occupation of the lands.	3 June 2026
Modern Slavery Legislation			
24	The Australian Clean Energy Sector, in which Tag is a large player, operates under the Modern Slavery Act, 2018 (Cth), requiring the continuous audit of supply chains to identify and eliminate exposure to human trafficking and forced labour.	We comply with all laws.	3 June 2026

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	Please confirm both Tag and NSW Forestry Corporation have and are meeting all requirements under Modern Slavery Legislation. More specifically, supply chains for the delivery of wind tower components need to be continually checked to identify and eliminate exposure to human trafficking and forced labour. Has Tag and NSW Forestry completed necessary Audits and Statements? With regard to Forestry Corporation of NSW, there are more rigorous rules, including procurement policies.		
Company Correspondence – 30 April 2026			
25	We note the letter emailed to our council on 30 April may not comply with Australian law surrounding company correspondence. Information which appears to be omitted on such outward facing correspondence include: - Company full name. - Legal Status. - ABN number. - ACN number. - Registered office.	Noted as a comment	3 June 2026
Benefit Sharing Guideline			
26	Issues raised in my letter dated 13 May 2026 and responded to require further explanation:	Noted as a comment	3 June 2026

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<tr><th>No.</th><th>Question from Oberon Council</th><th>The Pines Wind Farm Answer</th><th>Date Received</th></tr>
<tr><td></td><td>“The Pines provide double the NSW guidelines.
A great windfall for Oberon.
Our strong commitment to sharing”.</td><td></td><td></td></tr>
<tr><td>27</td><td>The State Govt has set Benefit Sharing Guidelines which it is seeking to enshrine in legislation. These guidelines set minimum benefit sharing rates per megawatt-hour for each of the relevant renewable infrastructure types. How much over these minimum levels is the Pines offering Oberon Council?</td><td>The NSW Wind Energy Guidelines outline a community benefit amount of $1,050/MW. This is for local community benefits and Indigenous Benefits. As an example, for a 2,000MW project, this amount would be $2.1 million per year.

We propose that the governance of this fund could be via a Voluntary Planning Agreement (VPA) with Councils (Oberon and Bathurst).

We propose that The Pines Wind Farm Legacy Project Committee assesses the proposed benefits in line with merit criteria and puts forward recommendations that would enhance the community. Councils then decide on which projects to proceed with.

The Pines Wind Farm is proposing additional benefits to this, which are:
A $5 million Legacy Fund
Legacy Housing Project
Electricity Bill Credit</td><td>3 June 2026</td></tr>
<tr><th colspan="4">Affordable Housing Oberon</th></tr>
<tr><td>28</td><td>A donation of $500,000 per year, $20 million in total, 100 bed accommodation.
A copy of Blue CHP agreement required to understand accuracy of figures supplied.</td><td>The agreement is commercial-in-confidence.</td><td>3 June 2026</td></tr>
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Electricity Bill Credit			
29	Well overstated	The number represents the amount on offer to all households eligible for the program over the project lifetime.	3 June 2026
Questions to Forestry Corporation of NSW			
30	For the Valley of the Winds project (near Coolah) a number of submissions were made to the Independent Planning Commissison (IPC) expressing concern about the impact of that project on property values. The IPC subsequently approved the project and in their Statement of Reasons stated the following: **"pursuant to the EP&A Act property values are not a matter of consideration" and "the Land and Environment Court has ruled on several occasions that the assessment of the impacts of projects on individual property values is not generally a relevant consideration" (Page 25)** This is shocking. The foreign corporation gains financially, and the farmer suffers a loss as a result, and the government says that's fine!! Regarding the proposed project in Oberon State Forests: Are the potential impacts on the property values of your neighbours a matter of consideration for Forestry Corporation? Is Forestry Corporation concerned that land holders may suffer a loss as a result of a wind energy development on land you manage?	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026

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Risk Analysis Matters			
31	Please confirm whether Tag/Pines will be the owner during the project's life cycle. Should Tag/Pines have the ability to sell this project, please advise implications for NSW Forestry Corporation and Oberon Council. Eg: Tag/Stromlo develop project to the Notice To Proceed Stage (Example AGL- proposed sale1.7 gw - $5 billion). Should Tag/Stromlo sell at the NTPS, when in fact not one sod has been turned, but all approvals in place, will NSW Forestry Corporation enjoy part of the windfall gain from such a sale?	This is commercial-in-confidence between the parties.	3 June 2026
Permit			
32	Questions to Forestry Corp which remain outstanding from email of 13 May 2026 but now also asked of Stromlo/Tag: Is there a separate Permit to occupy for each turbine, substation and other associated infrastructure (buildings) or is it one permit with all areas included in it?	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026
33	I assume that the areas to be occupied under Permit are to be delineated with reference to Lot numbers for the purposes of a valuer general valuation? Or is some other method to be used noting many will be smaller than a lot?	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026

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34	Are there easements or permits for underground power lines between towers and substation?	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026
35	What is situation for overhead lines to substation? An easement or permit	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026
36	Similarly with access tracks ; easement or permit?	We will consider this question and respond in writing in the coming weeks after coordinating with Forestry Corporation of NSW.	3 June 2026
Transport Route			
37	Is there any update on the delineated transport route for the delivery of turbines, blades and associated infrastructure and components to the Forestry Corp managed Forests in the Oberon LGA?	**Next update:** Transport route options will be included in the Scoping Report, which is planned to be submitted at the end of 2026. Final routes have not been selected – this granularity will be provided as part of the EIS, which is planned to be submitted to the NSW Department of Planning, Infrastructure and Environment in late 2027.	3 June 2026
38	Is a preferred route for the delivery of turbines, blades and associated infrastructure and components into the Oberon LGA via Hobby Yards Rd from Blayney or its vicinity?	**Next update:** Transport route options will be included in the Scoping Report, which is planned to be submitted at the end of 2026. Final routes have not been selected – this granularity will be provided as part of the EIS, which is planned to be submitted to the NSW Department of Planning, Infrastructure and Environment in late 2027.	3 June 2026