

Bendenine Wind Farm

Visual Impact Neighbour Agreement Guide



We recognise that wind farms can change the surrounding landscape.

This guide explains Neighbour Agreements, which are voluntary, private agreements between Wind Prospect and nearby landowners. It outlines what Neighbour Agreements are, when they may be offered, how the process works, and how financial payments are determined in recognition of potential visual impacts.

Information includes:

- ▲ What Neighbour Agreements are
- ▲ Why Neighbour Agreements are proposed
- ▲ How eligibility is determined through the Landscape and Visual Impact Assessment (LVIA)
- ▲ The Neighbour Agreement payment structure
- ▲ Rights and obligations
- ▲ The process for entering into a Neighbour Agreement
- ▲ Frequently asked questions and case study



Neighbour Agreements

For the proposed Bendenine Wind Farm, Neighbour Agreements are voluntary, private agreements between Wind Prospect and nearby landowners that offer financial payments for acceptance of potential visual impacts.

Our first priority is to avoid, minimise and mitigate impacts. This may include adjusting turbine locations and providing vegetation screening.

Neighbour Agreements are available where elevated visual impacts are identified through assessment and they either can't be mitigated or the landowner prefers financial recognition as an alternative to standard mitigation measures such as vegetation screening¹.

The Project will be designed to meet NSW planning requirements and Neighbour Agreements do not change planning controls, including setback distances, unless otherwise agreed.

The commercial structure of the payments for visual impact are standardised, with payments varying based on the level of impact for each eligible property.

A Neighbour Agreement:

- ▲ Is voluntary
- ▲ Provides a clear and consistent approach for all eligible landowners
- ▲ Offers a fair, evidence-based financial payment

¹ NSW Department of Planning, Housing and Infrastructure, *Private Agreement Guideline (2024) - Private Agreement Guideline*.

Neighbour Agreements vs wider benefit sharing

Neighbour Agreements are not considered part of our commitment to sharing benefits of the project, including sharing financial benefits with project neighbours.

Benefit Sharing Programs are developed with the community, Council and other stakeholders to deliver benefits for the wider community.

This table outlines the key differences between Neighbour Agreements and wider benefit sharing.

Distinguishing features	Neighbour Agreements	Benefit Sharing Programs	
	Bendenine Wind Farm Neighbour Agreement	Near neighbour benefit sharing	Wider community benefit sharing
Non-confidential	✓	✓	✓
Annual payments over the operational life of the project	✓	✓	✓
Participation is voluntary	✓	✓	✓
Community input into program design		✓	✓
Designed to share the benefits of the project with the whole community		✓	✓
Applies to eligible landowners within close proximity to the project	✓	✓	
Applied where nearby neighbours are willing to accept elevated impacts that cannot be mitigated or managed using other measures	✓		

Eligibility for a Neighbour Agreement

Eligibility is based on the Landscape and Visual Impact Assessment (LVIA) and whether a property has the potential to experience elevated visual impacts (see page 4).

Initially, we will reach out to landowners that potentially have a high or very high predicted impact based on initial assessment results.

Eligibility is confirmed through detailed assessment and consultation with the landowner and, where relevant, local council.

Vacant land with development rights may also be considered where the Project could influence the location of a future dwelling (see page 5).



Elevated visual impact



Detailed assessment and consultation



Development rights

How Neighbour Agreement payments are calculated

What is a Landscape and Visual Impact Assessment (LVIA)?

As part of the Environmental Impact Statement (EIS), visual impacts are assessed in accordance with NSW LVIA guidelines* and relevant project requirements.

The LVIA evaluates how the wind farm may be seen from nearby properties and informs mitigation measures such as screening, design changes and landscaping. Neighbour Agreements are considered where elevated impacts are predicted.

Neighbour Agreement payments are based on potential visual impact identified through the LVIA as part of the EIS.

Photomontages with a grid are used to measure this, with the number of visible "occupied" cells determining the impact rating.

Each cell shows whether a turbine is visible; unoccupied cells are screened by terrain, vegetation or distance.

In the example below, 43 occupied cells results in a very high visual magnitude rating.

**View NSW Department of Planning, Housing and Infrastructure's Wind Energy Guideline - Technical Supplement for Landscape Character and Visual Impact Assessment (November 2024) by visiting www.planning.nsw.gov.au/sites/default/files/2024-11/wind-energy-guideline-visual-technical-supplement.pdf*



The LVIA identifies how a proposed wind farm may be seen from homes or public viewpoints and considers:



The number of turbines visible



The size and prominence (magnitude) of turbines



Key views from dwellings and public viewpoints

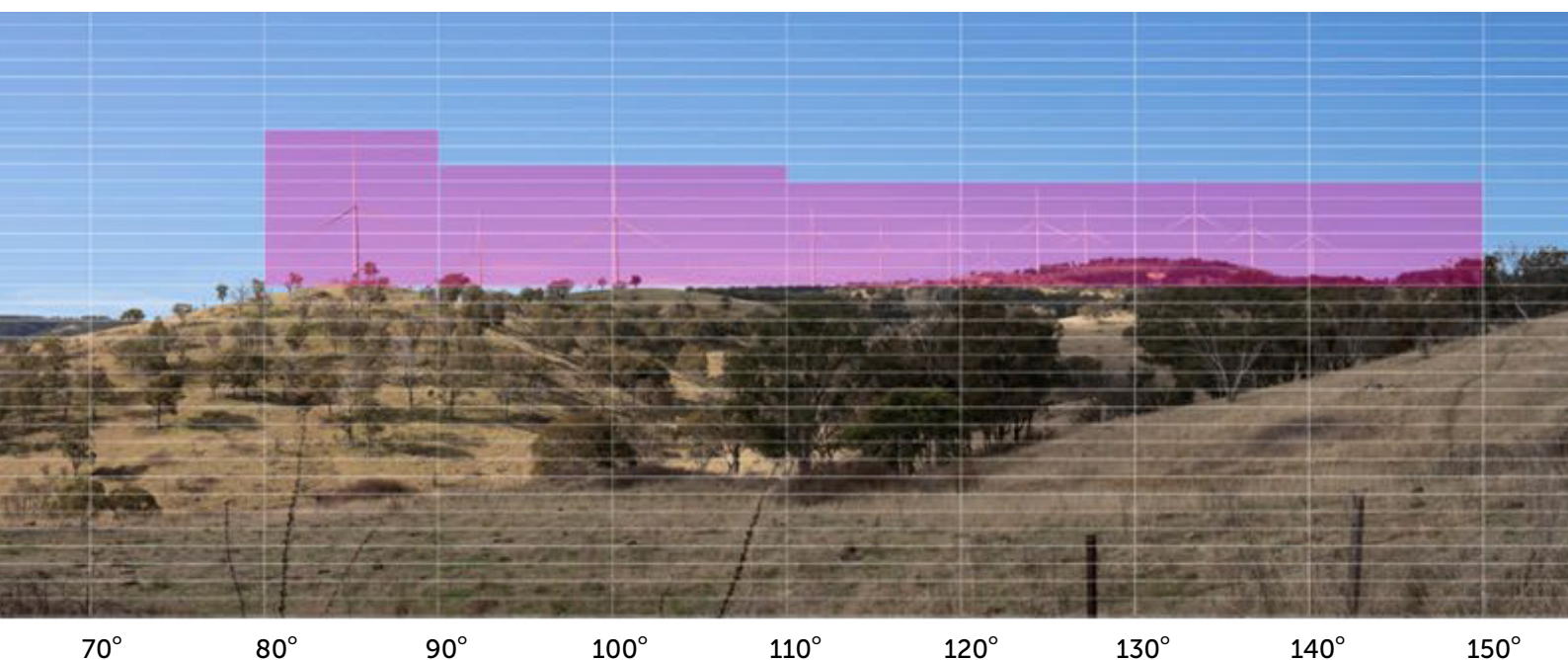


Existing vegetation and topography of the landscape

Each grid cell is assessed to determine whether a turbine is visible.



- ▲ An occupied cell is where a turbine is visible in the photomontage.
- ▲ Unoccupied cells are where turbines are not visible due to terrain, vegetation or distance.



Payment structure

If the project is approved, payments will be calculated based on the design presented and assessed within the EIS (EIS design).

All Neighbour Agreements:

- ▲ Have payments indexed annually to CPI
- ▲ Have the same payment structure
- ▲ Are in place for the operational life of the wind farm

Payment amounts may vary as the project design is refined.

Payments are based on the turbine layout assessed through the EIS and the LVIA visual magnitude rating, in accordance with the NSW Government guidelines.

Neighbour Agreements consist of one off and annual payments as outlined on this page.

One off payments

Payment details	Amount
Sign-on payment Paid when the Neighbour Agreement is signed, and any time before the project is determined.	\$5,000
Commencement payment Paid at the date the first turbine is commissioned.	\$20,000

Annual visual impact payments

Annual visual impact payments are paid for the operational life of the project, based on the assessed impact.

No. of occupied cells	Visual magnitude rating	Annual payment
	Base payment (minimum)	\$2,000
15 - 25	Moderate (between 15 - 25 occupied cells)	+ \$4,000
26 - 36	High (between 26 - 36 occupied cells)	+ \$6,000
37 +	Very high (above 36 occupied cells)	+ \$8,000

Payments are indexed annually.

In summary

Estimated minimum payments over project life (including one off and annual payments)

Visual magnitude rating	Total payment*
Base	\$95,000
Moderate	\$235,000
High	\$305,000
Very high	\$375,000

*Cumulative payment over assumed 35 year life.

Development rights

Vacant land with an existing development right may be eligible for a Neighbour Agreement.

In these cases, the development right is treated the same as an existing dwelling and the same payment structure applies. Wind Prospect will reach out to relevant landowners when identified through Council consultation.



Rights and obligations

This guide is for information only and is not a contractual offer.

We will:

- ▲ Contribute up to \$1,500 for independent legal advice for potentially eligible landowners
- ▲ Use a standard agreement for all landowners

Your rights retained

Entering into a Neighbour Agreement does not affect your ability to:

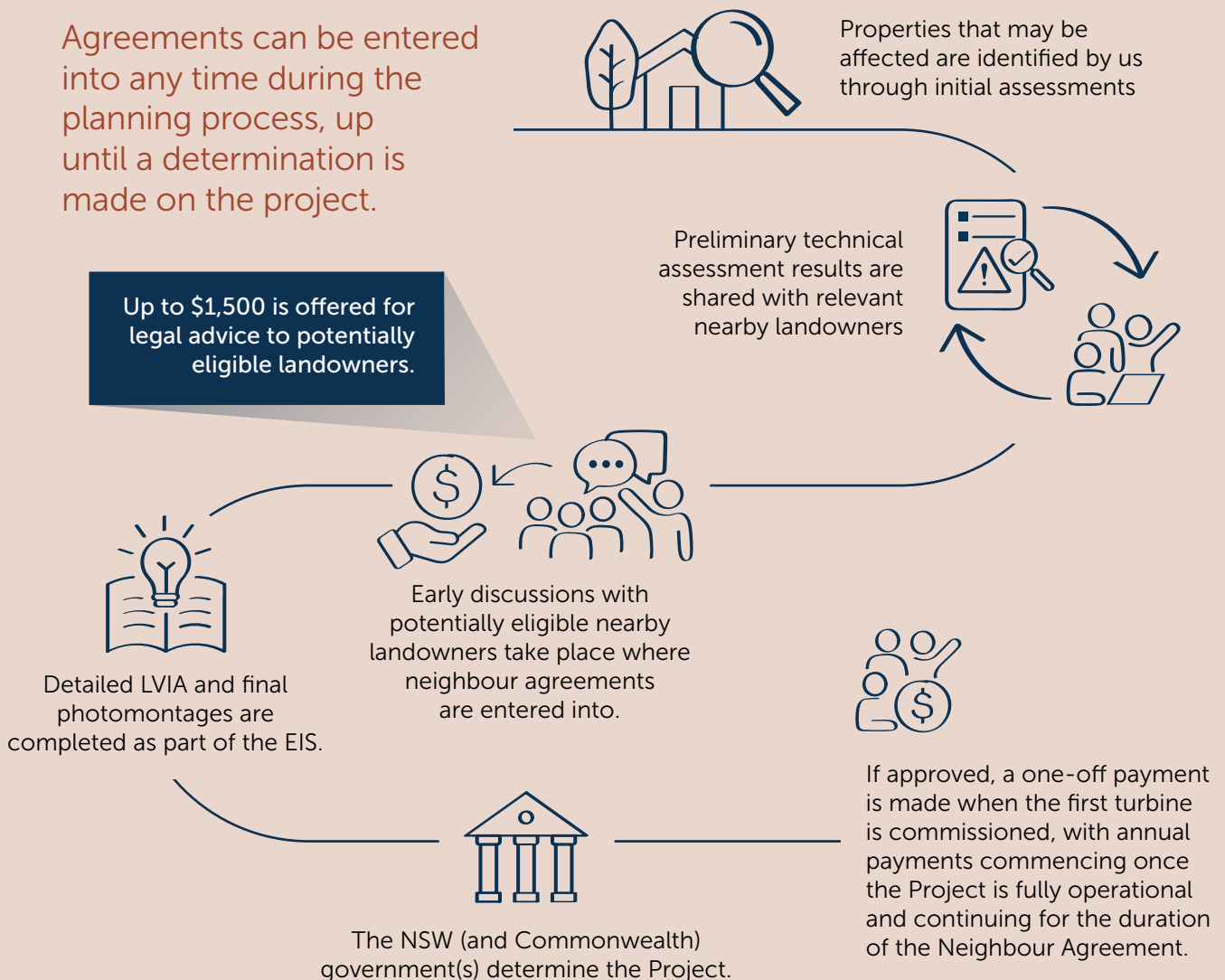
- ▲ Provide feedback or participate in consultation
- ▲ Make a formal submission during the EIS exhibition
- ▲ Raise concerns about other aspects of the Project
- ▲ Contact regulators, such as the NSW Environmental Protection Authority (EPA)
- ▲ Discuss the agreement with others

Transparency

This guide and the payment structure are public and not confidential.

Neighbour Agreement process

Agreements can be entered into any time during the planning process, up until a determination is made on the project.



Frequently asked questions

Do I have to sign a Neighbour Agreement?	No. Neighbour Agreements are voluntary.
Will I still be eligible for benefit sharing (e.g. a neighbour benefit program)?	Yes. Neighbour Visual Agreements are not considered benefit sharing. A neighbour benefit program and any other wider community benefit sharing programs will be developed concurrently with the EIS process and finalised prior to construction. These programs will be developed with input from the community.
What happens if I don't participate?	We will still thoroughly assess the potential impacts to your property and work with you to mitigate impacts as much as possible.
What if we are planning on building a new house on our land?	If your land has a development right and the Project has the potential to unreasonably prevent development, it can be treated like a dwelling and you may be eligible to enter into a Neighbour Agreement.
How is the payment calculated?	The method that is applied to determine the payment structure is not negotiable. If the project is approved, payments will be calculated based on the design presented and assessed within the EIS.
Can I still make a submission about the Project during the NSW Government public exhibition of the EIS?	Yes.
Is legal advice paid for?	Yes. Up to \$1,500.
How do I know if I'm eligible?	The Project will contact eligible nearby landowners. If you think you may be eligible or want to find out more, you can inquire directly with the project team. Determining eligibility will be an iterative process as more detailed assessments are undertaken to determine visual impacts.
Can I have a say in where a photomontage /viewpoint is taken from my property?	A LVIA specialist will work with landowners during the assessment process to determine viewpoints from each dwelling.
Do I receive payments while the project is being decommissioned?	No. Annual payments are fixed to the operational phase of the project. Agreement terms would be outlined in the Neighbour Agreement and would terminate at the end of the operational life of the project.



Case Study

John owns a property located 2.3 km from a proposed wind turbine in the Scoping Report layout. Following an initial visual assessment conducted by our team, John is advised that his home is predicted to experience a high visual impact, requiring a more detailed assessment through the Landscape and Visual Impact Assessment (LVIA).

John chooses to enter into a Neighbour Agreement, acknowledging the potential visual impacts and receiving financial payments in accordance with the agreed terms. Upon signing, after his solicitor has reviewed the legal documents, John receives an initial payment of \$5,000.

Assessment outcome

John's property is then assessed through the Environmental Impact Statement (EIS) including the LVIA. On finalisation of the assessment, the visual impact at his home is determined to move from the initially forecast high impact to a moderate visual impact, in accordance with the NSW Wind Energy Guidelines.

Payment outcome

Based on the finalised LVIA result, John's payments are calculated as follows:

Payment type	Amount
Once-off commencement payment	\$20,000
Annual payments (moderate impact, CPI-indexed)	\$6,000/year

Annual payments are made for the lifetime of the project, indexed to CPI.

What this means over time

Over a 35-year project life, John's total payments are estimated at approximately \$235,000.

Key definitions

Development right

A development right means land that has a lawful entitlement to build a dwelling in the future, even if no dwelling exists today. This is important because wind farm impacts should not prevent you from building a home you are legally allowed to build.

Dwelling

In NSW planning terms, a dwelling means:

- ▲ a house that people live in, or
- ▲ a building approved and capable of being lived in as a separate home

Only permanent homes are treated as dwellings for impact assessment.

Landscape and Visual Impact Assessment (LVIA)

Considers whether a dwelling may experience visual impacts associated with the proposed wind farm..

Photomontage

The combination of a real photograph with a digital model to show how the proposed wind farm may appear in the landscape.

Project Determination

Decision on whether the Project is approved.


Visual impact

How turbines appear from your dwelling or location of development, including:

- ▲ how many are visible
- ▲ how dominant they appear
- ▲ how close they feel
- ▲ whether vegetation or landform reduces their visibility

Find out more

Our team is available to discuss this guide and answer your questions. If you think you may be eligible, or want to talk to someone in more detail about the Neighbour Agreement please contact the project team.

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