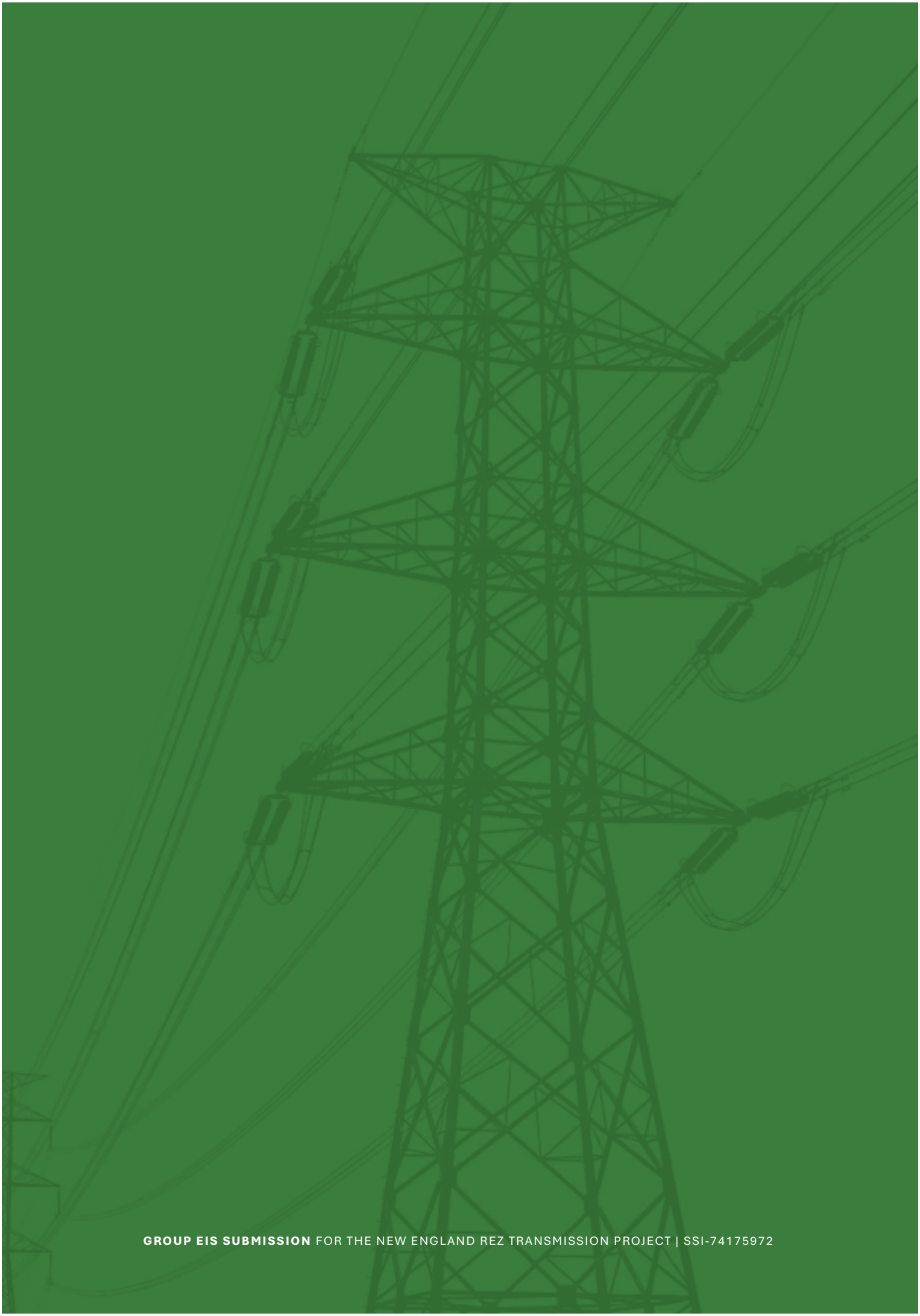
SECTION **21**

Upper Hunter Equine Critical Industry Cluster

THIS IS **ONE** SECTION OF **TWENTY TWO,**
THAT FORMS PART OF A LARGER GROUP SUBMISSION
TO THE NEW ENGLAND REZ TRANSMISSION PROJECT
SSI-74175972



Walcha High Country Guardians | Rouchel Brook Action Group | Protect the Valley Upper Hunter Responsible Infrastructure Group | Voice for Walcha



GROUP EIS SUBMISSION FOR THE NEW ENGLAND REZ TRANSMISSION PROJECT | SSI-74175972



SECTION **21**

Upper Hunter Equine Critical Industry Cluster

Key issues we have found ...

Cluster survival does not excuse harm	Regional resilience does not establish that losses to individual studs, connected businesses and land needed for future breeding are acceptable.
Breeding landscapes deserve proper assessment	Local scenic values support the equine industry's reputation, yet the assessment understates effects on working properties, visitor areas and approaches.
Basic property facts remain inconsistent	Conflicting corridor distances and paddock descriptions undermine conclusions about Kitchwin Hills; neighbouring equine operations also need explicit mapping and assessment.
Horse health safeguards remain unproven	Noise assumptions derived from stabled racehorses require testing for outdoor breeding stock, alongside helicopter disturbance, construction dust and foal health.
Breeding seasons need binding protection	Combined works need enforceable controls protecting breeding and foaling, with relocation feasibility established and safeguards operating before enabling works begin.
Test avoidance before approving harm	Publish and independently review route alternatives, comparing equine impacts, construction constraints, environmental effects and costs before accepting the current

Walcha High Country Guardians | Rouchel Brook Action Group | Protect the Valley Upper Hunter | Voice for Walcha

Read in more detail >





SECTION **21**

Part A - Protecting the Upper Hunter Equine Critical Industry Cluster

EXECUTIVE SUMMARY

The central issue is the difference between a cluster surviving and a cluster being protected. A regional conclusion that the Upper Hunter equine industry will remain competitive does not establish that avoidable damage to a particular breeding valley, its established operations or its future capacity is acceptable.

The EIS passage identified in the supplied chapter review recognises that scenic values are integral to the equine industry's ongoing reputation, but characterises the affected landscape as relatively less critical to the CIC's scenic and functional values.

HoustonKemp's economic assessment goes further: it reasons that the cluster would remain resilient even in the unlikely event that Kitchwin Hills relocated. Those propositions require a much more searching local assessment than an assurance that most of the regional industry is elsewhere. [1, EIS section 11.5.5, pp. 439-440; 3, section 6.2, pp. 42-43]

The evidence contains material matters requiring reconciliation. TR22's receptor schedule records Kitchwin's Bottom Farm at approximately zero kilometres from both the project area and transmission corridor, while its property-value analysis relies on Kitchwin being approximately 800 metres away and the selected operations not intersecting the corridor. TR21 describes possible overlap of Kitchwin paddocks with the corridor, then states that no identified equine paddocks are within it. The reports must identify and reconcile the conclusions that depend on those distances and then must be reassessed. [2, section 6.3, p. 37; 3, Table 4.1, p. 24 and section 6.1.2, p. 42]

The neighbouring Archibald operation must be expressly accounted for. The operational statement supplied for James and Sally Archibald describes approximately 165 horses and 120 cows, paddock foaling, mares with young foals, client-owned spelling horses and seasonal calving. It describes connections with the nationally prominent training business of Rob and Annabel Archibald. These are concrete activities and exposure and growth pathways, not an interchangeable area of ordinary grazing land.

The horse-health assessment needs a property-specific test. Its 65 dB(A) benchmark derives from a study concerning concert noise and stabled racehorses, whose authors could not establish definitive exposure criteria. Its own literature review identifies a potential risk to foals from short-term dust where virulent Rhodococcus equi may be present. These qualifications require a defensible explanation of why the proposed controls linked to stables racecourse horses can protect mares, foals and other horses in open paddocks. [2, sections 5.2 and 6.5; Appendices B and D, pp. 79 and 95]. All CIC access roads would need to be tarred in order to prevent Rhodococcus virus impacts.

The Groups seek six principal outcomes. First, a verified, current land-use and receptor plan. Second, an independent local landscape and visual review, including the supplied Kitchwin viewpoints. Third, an economic assessment of affected businesses, realistic expansion and cumulative fragmentation, not only regional survival. Fourth, an independent equine-health and farm-operability review covering Kitchwin the Archibald property and any other Equine businesses within the ECIC that may be effected. Fifth, publication and independent testing of the actual eastern alternatives and reasons for rejecting them. Sixth, a reasoned decision on avoidance before approval, with specific enforceable protections applying before any relevant enabling works if residual impacts are accepted.

This is not a claim that CIC designation creates an automatic veto over transmission infrastructure. It is a request that a recognised strategic industry, its landscape and its capacity to develop receive substantive protection in the decision, rather than being discounted because the affected part is small relative to the whole.

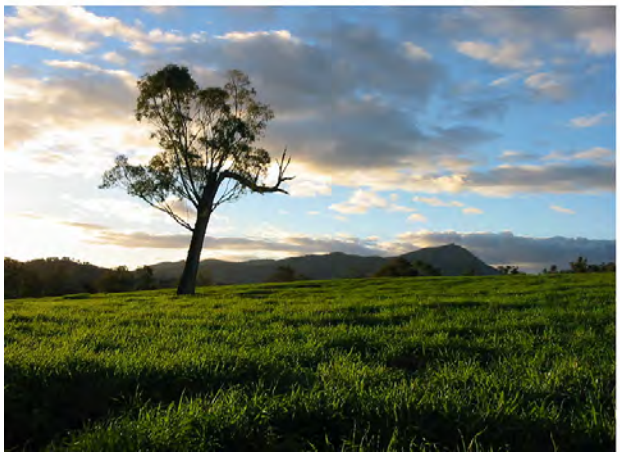
> POSITION AND DECISION SOUGHT

The Group objects to approval of the project in its present form, particularly the alignment and associated works affecting the Upper Hunter Equine Critical Industry Cluster (CIC). The evidence presently relied on does not adequately establish that the concentrated impacts on the Gundy, Waverley , Archibald and Kitchwin locality, its existing businesses and its realistic expansion opportunities are acceptable.

Our primary position is avoidance: the determining authority should require a transparent, independently reviewed comparison of feasible alternatives, including alternatives further east, that avoid or materially reduce harm to the CIC. Where a feasible alternative produces a better overall environmental, agricultural, community and industry outcome, the project should be redesigned and assessed accordingly.

Approval should not be granted on the assumption that unresolved receptor locations, horse-management constraints, local visual effects and the feasibility of mitigation can be settled after the route is authorised. Where the necessary evidence cannot demonstrate acceptable impacts, the affected alignment should not be approved. The Groups also seek independent scrutiny of the wider project's economics, need, scale, staging, constructability and resource requirements.







> Kitchwin Hills: a working equine landscape experienced from accommodation, paddocks and visitor areas.

Contents

1. Scope, evidence and the standard of response sought 5

2. What the CIC requires decision-makers to confront 5

3. Visual amenity: assess the landscape where the industry operates 6

4. Kitchwin Hills: a history of investment and a valley with capacity to grow 7

5. Economic assessment: survival is not the same as absence of harm 8

6. Resolve the footprint and distance inconsistencies before relying on conclusions 9

7. James and Sally Archibald's property: a connected equine and cattle operation 10

8. Equine health, dust and construction: test the assumptions against working farms 12

9. The eastern alternative must be demonstrated, not dismissed by a conclusion 14

10. Wider project questions reinforce the need for a justified route 15

11. Consultation and assessment must remain capable of changing the outcome 17

12. Specific determinations, information and safeguards requested 17

Conclusion 19

Appendix A Kitchwin photographic evidence and viewpoints for verification 20

1 | Scope, evidence and the standard of response sought

EnergyCo's response should address each material issue with the relevant evidence, model inputs, mapped location and reasons. Where it considers an issue already answered, it should identify the exact report, section, page and applicable commitment. A general cross-reference to a large technical report or a promise of future consultation will not resolve a specific factual inconsistency.

2 | What the CIC requires decision-makers to confront

2.1 A functioning industry and its future, not a label on a map

The Hunter Regional Plan 2041 recognises the significance of the equine industry and its relationship with agricultural land, scenic values, reputation, tourism and opportunities for expansion. Strategies 9.3 and 9.4 address the environmental and scenic attributes of CIC land, industry branding, adaptation, future uses and compatibility. These strategies operate in their stated strategic and planning-proposal contexts.

A worthy CIC assessment must examine the connected system at the place affected: breeding and foaling paddocks, yearling and spelling facilities, staff, veterinarians, farriers, feed suppliers, transport, clients, visitors and suitable adjoining land.

The assessment should distinguish mapped CIC status from functional connections outside the mapped boundary. A neighbouring horse operation can be relevant to cumulative impacts and industry relationships even if some or all of its land is outside the formal boundary.

2.2 The legal position must not be overstated

The Planning Portal identifies this project as declared critical State significant infrastructure. Its approval pathway is not the mining or petroleum gateway process. The State Significant Infrastructure Guidelines explain the special operation of section 5.22 of the Environmental Planning and Assessment Act 1979 in relation to environmental planning instruments. The Groups do not contend that mining-specific CIC provisions automatically prohibit this transmission project, or that identifying any alternative legally compels its adoption. [4; 6]

The request is instead a substantive planning one: explain why this alignment is justified after comparing its full impacts with feasible alternatives and properly valuing the affected CIC locality. A declaration that infrastructure is critical does not itself answer the site-specific questions raised in this submission.

2.3 Why this matters to other studs

Approval here would not automatically repeal the CIC mapping, remove other landholders' rights or legally authorise the next development. The practical concern is cumulative erosion. If each project treats its affected part as dispensable because the wider cluster survives, successive decisions can fragment the very landscape, capacity and connections that the designation recognises.

The decision should therefore identify the cumulative change it is accepting, the industry functions and growth opportunities being retained, and why the reasoning does not reduce protection to the survival of the largest remaining studs. A smaller operation is not without strategic value merely because larger businesses exist elsewhere.

> RESPONSE REQUIRED

Explain the assessment framework used for the CIC, how strategic policy has informed route selection, and how concentrated and cumulative losses are evaluated independently of whether the regional industry would survive.

3 | Visual amenity: assess the landscape where the industry operates

3.1 The EIS's own acknowledgement is the starting point

"The scenic values of the equine CIC are integral to the ongoing reputation of the industry." It also acknowledges that towers may appear visually dominant nearby, while concluding that the affected parts are relatively less critical to the CIC's core scenic and functional values and that overall regional scenic quality would not be diminished. [1, EIS section 11.5.5, pp. 439-440]

These are not equivalent propositions. A landscape may be a relatively small part of a large region and still be highly important to the businesses, clients, residents and visitors who use it. **The regional conclusion must not substitute for an assessment of local effects and their acceptability.**

The chapter review also records that Waverley Road contributes views of studs, polo fields and associated facilities but is given a more limited role because it is not a designated scenic route or tourist drive. That classification does not answer what the road means as an arrival route, a client inspection route or the connection between working equine properties. [1, EIS section 11.5.5, p. 440]

3.2 Supplied photographs establish

The photographs showing connected paddocks, mature trees, enclosing hills, open skylines, managed approaches, horses and young stock, and views from outdoor accommodation areas. They demonstrate the types of local landscape experience that must be assessed. The relevant question is the incremental scale and character of the proposed development.

The photographs also show why an assessment restricted to the footprint of a tower pad would be inadequate. A viewer experiences paddocks, hills, vegetation, sky and the relationships between them. Clearing, access tracks, repeated towers and conductors can affect that experience beyond the land physically occupied by infrastructure. The project-specific extent must be modelled rather than assumed.

3.3 Acknowledge the existing modelling, then test it

TR22 states that The Barn was assessed using LiDAR and three-dimensional modelling, with a low visual impact rating. We strongly reject this claim as inaccurate. It relies partly on the principal entertaining areas facing north and the proposed line being to the east, and refers to TR5, pages 164-165. The issue is whether the assessment captures the actual range of views, movement and uses, and whether its inputs and conclusions withstand an independent local review. [3, section 7.2.2, p. 51]

The review should include outdoor entertaining and pool areas, guest rooms where relevant, arrival and departure routes, stud tours, paddock inspections, working areas, homes and representative public-road views. A finding about the orientation of a building's principal entertaining area does not necessarily settle the full visitor experience.

The visual impact model should show both proposed transmission lines and conductors, the actual height range and siting envelope, tower pads, access tracks, vegetation removal, road changes and visible ancillary

works. It should identify where current vegetation provides screening, whether that vegetation will remain, and the consequences of seasonal variation, maintenance or loss. Screening that takes years to establish should not be credited as though it exists on the first day of operation.

3.4 Landscape value does not depend on proving a percentage price loss

The Groups do not assert that a tower causes a particular reduction in yearling price, stallion value, occupancy or land value. Those claims would require separate evidence. Landscape character, amenity and community identity are matters to assess in their own right. The role of setting in a farmstay or equine business adds a commercial dimension; it does not require speculative financial percentages to make the visual issue relevant.

The Barn is a particularly concrete example because its offering includes the experience of staying in a working thoroughbred landscape. The assessment should test bookings, guest reasons for visiting, advertised views and the sensitivity of that offering to construction and permanent change, rather than infer that continued demand somewhere else establishes no loss here. [3, sections 4.2.2 and 7.2; 8]

Response required: Commission an independent Waverley-Kitchwin landscape and visual review, with agreed representative viewpoints, disclosed inputs and verified photomontages. Explain or revise the "relatively less critical" characterisation using that local evidence. Provide the relevant TR5 model outputs and explain how access tracks and ancillary works have been assessed across the project reports.

4 | Kitchwin Hills: a history of investment and a valley with capacity to grow

4.1 An established contribution

The Brown family's purchase of a 300-acre cattle property in 1993 and the development of the thoroughbred business around 2000. Kitchwin's account describes growth from one farm to two and subsequently three. Complementary Top and Bottom Farm functionality, specialist facilities, mare and foal management, yearling preparation and staff development.

This valley has bred major racehorses include Vow And Declare, winner of the 2019 Melbourne Cup; Yes Yes Yes, winner of the 2019 Everest; and Pierata, winner of the 2019 All Aged Stakes, Golden slipper winner Phelan Ready and multiple Epsom Handicap and Empire Rose winners amongst many other elite race horses winners. The valley delivers foaling, rearing, preparation and sale-presentation roles. Those elite racehorse production achievements demonstrate that this locality has supported activity connected with the highest levels of Australian racing.

The valley also records the development of The Barn as a visitor business. This adds another relationship between the agricultural operation, its presentation and the valley's setting. The point is not that history alone prevents change. It is that the contribution and accumulated investment at this location must be accurately understood before it is described as less important or readily replaceable.

4.2 Kitchwin video

The Groups ask the assessor to view the Kitchwin Hills, “Hills that just keep producing”, published in March 2022.

> Watch the Kitchwin Hills video https://www.youtube.com/watch?v=_I56OJbnEXo

The video is offered as historical context for Kitchwin's setting and industry presentation. It is not a verified route simulation, a survey of current operations or proof of the engineering feasibility of an eastern alternative. The supplied history records subsequent expansion of neighbouring thoroughbred activity that would be extinguished by the proposed transmission line.

4.3 Do not freeze the valley at a convenient date

The assessment should document three periods: the valley approximately twenty years ago; the verified present position; and realistic opportunities over the next twenty years. This is not a request to invent a growth forecast. It is a request to identify suitable holdings, credible expansion plans, water and access constraints, existing investment, relevant market demand and what the project would change.

A statement that some CIC land is not presently used for breeding is not an answer to whether it is suitable expansion land.

> RESPONSE REQUIRED

Prepare an up-to-date Kitchwin and neighbouring-operations profile, verified with owners and operators. Assess existing activity, investment, employment, visitor use, supply relationships and realistic expansion separately from regional industry survival.

5 | Economic assessment: survival is not the same as absence of harm

5.1 The regional resilience conclusion does not answer the local question

TR22 concludes that an exodus of thoroughbred operations threatening the CIC's competitiveness is unlikely. It describes Kitchwin as comparatively small and reasons that the cluster would remain resilient even in the unlikely event of its relocation. That may address one regional risk scenario. It does not establish the acceptability of losses to this locality, the costs of relocation, the effects on connected businesses or foregone future investment. [3, section 6.2, pp. 42-43]

The report identifies four attributes of the region: access to ports and markets, reputation, service providers and a favourable breeding environment. It states that at least the first three would remain unaffected, then reasons that the project is unlikely to deter establishment or expansion near the corridor. The Groups seek the missing local analysis: how changes to the physical environment, operating conditions and setting affect investment decisions in the land actually exposed. [3, section 6.2, pp. 42-43]

TR22 also records HTBA's concern about land identified for potential expansion, but distinguishes decisions on individual properties from the capacity of the cluster as a whole. The capacity of a cluster is necessarily realised through particular landholdings and businesses. It is therefore necessary to identify which opportunities would be retained, constrained, displaced or lost, not merely whether another part of the region might grow. [1, citing TR22 section 2.4.1, p. 19]

5.2 Existing studs near powerlines are not a complete counterfactual

TR22 refers to existing thoroughbred operations near 330 kV or 500 kV infrastructure and to accommodation businesses near transmission lines. Continued operation, however, does not itself measure what performance, investment, land use or visitor demand would have been without the infrastructure. [3, sections 7.1.2 and 7.2.2, pp. 48-51]

The comparison should account for the number and height of structures, line configuration, siting relative to working paddocks and principal views, construction exposure, terrain, screening, business model and any mitigation or compensation. It should also distinguish the ability to remain trading from the absence of material loss.

5.3 A local economic assessment should expose costs, not assume them away

The revised assessment should identify the range and distribution of potential costs, including altered paddock use, staff supervision, additional handling, veterinary monitoring, interrupted access, relocation and agistment, dust level monitoring, changed visitor demand and constraints on future development. Claims should be supported by records and sensitivity analysis, with confidential commercial information protected where appropriate.

Relocation should be assessed as a real option with capacity, timing, cost and welfare constraints, not treated as a phrase that resolves impacts. Whether another property is suitable depends on facilities, isolation capacity, pasture, water, staff access, proximity to breeding services and the animals' stage of pregnancy or development. A business's ability to bear disruption is not evidence that the disruption is immaterial.

> RESPONSE REQUIRED

Add a locality and affected-enterprise assessment to the regional analysis. State the no-project baseline, the project scenario and the alternatives; identify uncertainty and distributional effects; and explain how cumulative losses and realistic future investment have been valued in route selection.

6 | Resolve the footprint and distance inconsistencies before relying on conclusions

TR22 Table 4.1 places the Kitchwin Bottom Farm at approximately zero kilometres from the project area and corridor. Section 6.1.2 relies on an approximately 800-metre distance and says the selected operations do not intersect the corridor. The Top Farm is recorded at approximately zero kilometres from the project area but about 2.6 kilometres from the corridor. These distinctions matter because the project area includes more than the overhead lines. [3, pp. 24 and 42]

TR21 section 6.3 states that Kitchwin Bottom Farm paddocks are immediately adjacent to, and may partially overlap, parts of the corridor where helicopter stringing may occur. The same section states that no identified equine facilities or paddocks are within the corridor. The Groups do not assume that both statements refer to identical polygons or measurement points. EnergyCo must explain what each statement means and correct any error. [2, p. 37]

The property-value inference in TR22 relies on overseas studies and separation distances. Those studies do not establish a fixed percentage loss for Kitchwin or the Archibald property or other equine businesses in the valley. They also cannot resolve the local assessment while the relevant distances are unclear. The appropriate response is a verified local baseline and a reassessment of any conclusion that relies on the disputed measurements. [3, section 6.1, pp. 40-42]

The Groups request one coordinated geospatial plan showing legal parcels, current ownership and operation, mapped CIC land, functional equine holdings, paddock uses, homes, guest areas, visitor routes, water points, yards and horse crossings. It must also show the project-area boundary, corridor boundary, indicative centreline, each proposed tower, the permitted siting envelope, easements, access tracks (Sealed vs. unsealed), work compounds, road works and other relevant infrastructure.

Distances must state their start and end points. A distance from a dwelling, a farm centroid or a business label on a map is not interchangeable with the distance from an occupied foaling paddock or an access track. The assessment should test the realistic adverse siting permitted by the approval, not only a favourable indicative location that may move during detailed design.

> RESPONSE REQUIRED

Publish the reconciled plan and a written correction schedule before determination. Reassess affected visual, noise, dust, aviation, property and economic conclusions, and identify any newly affected receptors or expanded controls. Verification should inform whether and where approval is justified, not only how construction is managed afterwards.

7 | James and Sally Archibald's property: a connected equine and cattle operation

7.1 The operating evidence supplied

James and Sally Archibald property is an active horse and cattle operation neighbouring Kitchwin Hills. It reports approximately 165 horses and 120 cows, including mares, foals, client-owned horses, spelling horses and breeding cattle.

As per Kitchwin and other valley breeding operations, James and Sally are foaling between August and December, with approximately 70 per cent of mares foaling naturally in paddocks and approximately 30 per cent under night supervision. Mares and foals then use larger paddocks for around eight months. Calving is during August, September and October, rejoining in October, and there is a need for cows and calves to be left sufficiently undisturbed.

These details should change the assessment questions. The relevant exposure is not limited to a stable building or the nearest dwelling. It includes occupied paddocks, the duration of mare-and-foal use, handling and movement routes, supervision, fencing, calving areas, unsealed access roads and the capacity to separate animals safely. The significance of an exposure depends on what is happening on the property when it occurs.



7.2 Connection with leading Australian trainers

Client horses spelled on the Archibald property include horses associated with Rob and Annabel Archibald, whose training activities connect the property with Scone, Sydney and Brisbane. Archibald Racing is a leading Australian thoroughbred training operation.

This connection illustrates the CIC's wider function. A spelling or rearing property can support a national racing business without being a major stallion station. Its importance should not be discounted because the horses race elsewhere or because a training headquarters is outside the immediate corridor. The assessment should establish the actual client relationships, throughput and management requirements with the owners.

> https://www.ontrackracing.com.au/news-feed/new-training-partnership-for-neasham-archibald

7.3 Express recognition in the assessment

The supplied technical reports do not identify the property under the names Archibald, Annabel or Sally in the text searches undertaken for this submission. That is not proof that the land is absent from all mapping or that it is not recorded under another name. EnergyCo should identify the relevant receptor designation and confirm how the reported operation has been included. [2; 3; 7]

Its cadastral identity, mapped CIC status, paddock boundaries and distances to the corridor, access routes (sealed vs. unsealed) and flight activity remain to be verified. The landholder evidence is sufficient to require an express response rather than reliance on a generic nearby-farm category.

7.4 Aerial activity and foreseeable consequences

The landholders identify concern about low-level flight, hovering, rotor noise, movement and downwash near pregnant mares, foals, client horses, cattle, fences and people. TR21 itself recognises that helicopters can affect horses over greater distances than other works because of visibility, movement and noise. [2, section 6.3, pp. 37-38; 7]

The Groups do not claim that every flight will cause injury, pregnancy loss or animal separation. Nor do they claim that land ownership gives an unrestricted legal veto over all lawful overflight. They request project-specific controls that address these foreseeable pathways before planned intrusive aerial operations proceed.

For non-emergency project flights, the plan should identify the purpose, dates and contingency dates; aircraft and operator; proposed flight paths, altitude, hovering and approach patterns; applicable approvals; the position of occupied horse and cattle areas; and the equine, livestock, aviation and workplace risk assessments. It should identify a farm contact, real-time communications, observers where justified, objective pause or abort triggers and an incident response procedure.

Advance notice is useful but cannot make an unsafe operation safe. The feasibility of ground-based inspection or other lower-impact methods should be assessed first. A plan that assumes animals can simply be moved must establish where, for how long, with what handling risk and at whose cost. Insurance arrangements should be disclosed as a proposed safeguard, without suggesting that insurance prevents harm or predetermines liability.

> RESPONSE REQUIRED

Conduct a joint site verification with the Archibalds and other impacted equine opertions, their nominated veterinary adviser and the project specialists. Update the receptor register and reassess the operation explicitly. Establish property-specific controls before relevant works or planned aerial activity, with the landholders' objection to the alignment and their legal rights expressly reserved.

8 | Equine health, dust and construction: test the assumptions against working farms

8.1 A provisional noise benchmark is not a universal safety threshold

TR21's literature review discusses a 65 dB(A) LAeq recommendation for a proposed music festival at Flemington, concerning noise in stables. The source authors were unable to establish definitive criteria for exposing thoroughbred horses to noise. Applying that practical benchmark to breeding mares, foals and young stock in open paddocks requires an explanation, not an assumption of equivalent sensitivity and management conditions. [2, section 5.2 and Appendix B, p. 79]

The review should consider peak and impulsive noise, frequency characteristics, the combination of sound and visible movement, exposure duration, unpredictability and the animals' circumstances. A daily or event-average level alone may not describe a sudden startling event. The Groups seek an independent equine veterinarian and appropriately qualified acoustician to set defensible assessment criteria and explain their limitations.

TR21 reports approximate distances within which particular construction activities may exceed the adopted benchmark: 140 metres for access-track works, 160 metres for clearing, 200 metres for foundation works involving rock breaking, and 550 metres for helicopter operations. These are modelled exposure distances under stated assumptions, not demonstrated safe boundaries or proposed universal statutory setbacks. [2, sections 6.1 and 6.3, pp. 35 and 37]

8.2 A short disturbance can have a longer consequence

TR21 repeatedly anticipates temporary vigilance, startle or avoidance responses and concludes that impacts are likely to be manageable. That conclusion should be tested against the consequence of a response in the actual setting. A brief movement may be inconsequential in one paddock but interact differently with fencing, young foals, handling, machinery or a road crossing in another. This is a risk-assessment question, not a claim that injury is inevitable. [2, sections 6.1-6.3]

The independent review should identify vulnerable activities and practical controls, including separation, sight lines, secure fencing, supervision and whether work should be relocated or rescheduled. The consequences to workers and contractors handling horses should be assessed with the equine consequences, rather than treated as unrelated topics.

8.3 Rhodococcus equi and the need to control dust at source

TR21's construction-dust assessment notes that dry and dusty conditions can increase exposure to Rhodococcus equi where it is present, but considers the risk generally associated with existing horse-related land uses and not a significant project-related risk. Its literature review separately identifies a potential risk

to foals from short-term dust exposure where relevant bacteria may be present in construction topsoil. [2, section 6.5, p. 39 and Appendix D, p. 95]

The fact that a pathogen is associated with an existing land use does not resolve whether a new dust-generating activity increases exposure. EnergyCo should explain the source-pathway-receptor reasoning: what soil and surfaces are disturbed, how material becomes airborne, which occupied paddocks are downwind and what controls prevent an additional exposure. The Groups do not assert that the supplied properties are infected or that construction will cause an outbreak.

The project should obtain veterinary advice on a proportionate baseline and surveillance program, including whether targeted soil or airborne sampling would be informative. Negative samples should not be treated as proof that a widespread environmental organism is absent everywhere, and ordinary particulate monitoring should not be represented as a direct measurement of pathogen exposure. Measures should be justified by their ability to reduce risk, not by the appearance of a testing program.

8.4 Seal access roads near breeding and foaling operations

The Groups seek a requirement that new or upgraded project access routes serving repeated construction or maintenance traffic near breeding, foaling and other sensitive equine areas be sealed with an appropriate durable surface before sustained traffic begins. The assessed zone should be defined by proximity, wind, terrain, traffic and occupied paddocks, not by an arbitrary radius unsupported by the site evidence.

Where EnergyCo proposes an exception, it should demonstrate through an independent, property-specific assessment that another method provides equivalent protection throughout dry and windy conditions, without relying solely on intermittent watering. This is a requested approval requirement, not an assertion that sealing is already legally mandatory or that sealed roads eliminate all disease risk.

The plan must address dust from building the track itself, shoulders, passing bays, stockpiles, cleared easements, tower pads and imported material. It should specify traffic speeds, covering and handling of loads, surface maintenance, monitoring locations, weather triggers and work stoppage or modification where controls fail. Water for dust suppression on non-sealed access tracks must be demonstrably available without compromising existing farm needs.

8.5 Breeding calendars, combined exposure and relocation

The assessment must combine all relevant work fronts: road upgrades, access-track construction, clearing, tower works, traffic, aerial operations, compounds and any nearby camp activities. The overall project program is not evidence of continuous works at every farm, but neither is the duration of a single tower activity an adequate account of repeated disruption across several breeding seasons. [1, EIS project and construction references; 3, sections 1.2.3 and 7.1]

Kitchwin's reported foaling period is August to December and breeding is concentrated in September to November. The Archibald’s identify overlapping foaling and calving periods and continued mare-and-foal use beyond them.

Before determination, EnergyCo should demonstrate a workable schedule and controls for the high-impact activities that drive the compatibility question. Detailed daily programming may follow, but the fundamental availability of a safe and realistic construction method should not be deferred. Relocation should not be counted as effective mitigation unless suitable capacity, safe transport, facilities, staffing, biosecurity and funding are identified.

8.6 Other risks should be dealt with proportionately

Lighting near breeding operations, fencing continuity, electrical earthing, weeds and biosecurity require specific assessment and controls. The lack of controlled equine studies on electromagnetic-field effects should not be converted into a claim of proven harm. Similarly, examples of therapeutic vibration do not, without further analysis, establish the acceptability of unrelated construction vibration. The submission's strongest health case concerns verified exposure, animal behaviour, dust pathways and the practicality of controls. [2, sections 5-8]

> RESPONSE REQUIRED

Obtain an independent, property-specific equine-health and operability review, disclose the assumptions, establish baseline records and define measurable controls and incident responses. Resolve any incompatibility that can only be addressed by changing the route before relying on post-approval management plans.

9 | The eastern alternative must be demonstrated, not dismissed by a conclusion

9.1 What EnergyCo has said

EnergyCo's April 2026 information sheet states that the corridor at Gundy and Waverly was moved east as far as practical within environmental and topographic constraints to reduce equine-business impacts and increase separation from dwellings. The EIS passage identified similarly refers to movement east within topographic bounds. That acknowledges the relevance of equine impacts, but does not by itself explain whether further avoidance is impossible, disproportionately harmful or simply more costly. [1, EIS section 11.3, p. 429; 12]

The EIS includes Appendix B, a route-options and avoidance paper. This submission does not assert that no alternatives assessment exists. It asks EnergyCo to identify and disclose the particular options, constraints and comparisons that support its conclusion for this locality. A broad regional option analysis may not answer a distinct local bypass or a different connection arrangement.

9.2 The comparison required

For each relevant option, the Groups seek a plan at a common scale, a clear description of the infrastructure, the degree of avoidance of mapped and functional equine land, and a reasoned comparison. That comparison should include terrain, geotechnical constraints, tower design, access and earthworks, biodiversity, waterways, heritage, bushfire and aviation, affected communities and properties, construction disruption, maintenance, whole-of-life cost and uncertainty.

Physical impossibility, a substantial environmental constraint, an increase in engineering complexity and a cost premium are different reasons. They should be identified separately. A feasible alternative is not necessarily preferable merely because it avoids one property; conversely, **a more expensive option is not automatically unreasonable where it avoids substantial, long-lived harm to an established industry.**

The assessment should test meaningful alternatives at the appropriate level: wider corridor changes, a local eastern bypass, use or augmentation of existing infrastructure where feasible, altered connection or staging arrangements, and targeted design solutions. Undergrounding should not be assumed to be universally feasible or impact-free, but any locally credible option should be assessed on its actual engineering and environmental merits rather than a generic dismissal.

9.3 Visual demonstration is useful, but is not an engineering assessment

The proposed alternative-route video can help explain topography, separation and the landscape experience. It should be accompanied by a mapped alignment, engineering input, the known constraints and an explanation of what remains uncertain. An attractive fly-through does not establish constructability or lower overall impact.

Any filming should itself respect livestock, land access, aviation and safety requirements. Existing terrain data, ground-based imagery and other lower-impact methods should be considered before commissioning low-level flight near working horse properties.

9.4 The outcome sought

The Groups ask the Department to obtain independent review of the local alternatives comparison. Where a feasible eastern or other alternative materially reduces CIC impacts and produces the better overall outcome, the Groups seek its adoption and assessment through the appropriate amendment process, including a fair opportunity for newly affected people to comment. If EnergyCo maintains that the present alignment is preferable, it should publish the reasons and the trade-offs it is asking the determining authority to accept.

The community should not be required to produce a final engineered and costed transmission design before a credible avoidance option is examined. Equally, this submission does not represent that a particular eastern route has already been proved feasible.

10 | Wider project questions reinforce the need for a justified route

The community has additional concerns about: the appropriate network scale, generator demand, genuine staging, difficult terrain, water, road capacity, workforce accommodation, waste, biodiversity, fire and rural aviation. These should be assessed on current, traceable evidence.

10.1 Need, scale and staging

The project case should distinguish transmission transfer capacity from installed generation capacity and storage power or energy. These are not interchangeable quantities. EnergyCo should explain the current generation assumptions, their maturity and uncertainty, the role of the proposed hubs, and the consequences if expected projects are delayed, altered or not built.

The EIS needs to outline whether there remains an effective decision point to reduce or defer later investment. EnergyCo should distinguish planning approval for an ultimate configuration, physical construction, energisation and financial commitment. It should identify which investments can actually be deferred and what evidence triggers them.

The current proposal should be compared with credible smaller, staged or existing-corridor alternatives. The public-interest case for transmission does not, without that comparison, establish the necessity of the present local alignment through the CIC.

10.2 Constructability and whole-of-life access

A July 2025 design-refinement report containing substantial access-track, earthworks and complex tower-pad requirements. The substantive question remains: what access and construction method is required at each constrained location, and what additional clearing, erosion, aviation reliance, maintenance and cost does it entail?

An independent review should examine seasonal working conditions and reasonable contingencies using representative weather and terrain evidence, not infer an inevitable completion date from an isolated production rate or a single wet season.

10.3 Water, traffic and cumulative demand

The water demands of the transmission project, the wider REZ generation program and construction camps must be separately identified and then assessed together where they overlap. Lifetime megalitres and peak daily demand should not be conflated. EnergyCo should identify reliable sources, drought assumptions, conveyance, treatment, approvals and competing farm and town demand.

Road capacity is not the only transport issue. The assessment should address heavy vehicles sharing roads and entrances with horse floats, livestock movements, school and community traffic, veterinary access and emergency services and dust implications on foals. It should explain pavement damage, funded upgrades, safe passing, temporary closures and how adjacent works combine at particular properties.

Cumulative assessment should also address other reasonably foreseeable works using the same roads, water, accommodation, waste facilities and services. A broad statement that individual developments will obtain their own approvals does not resolve coincident pressure on a constrained resource.

10.4 Biodiversity, heritage, fire and aviation

CIC avoidance should not be achieved by disregarding biodiversity, waterways, Aboriginal cultural heritage or other communities. Those constraints must be visible in the same options comparison. The Groups seek proportionate surveys and assessment before decisions that foreclose alternatives, with later detailed plans used for implementation rather than to discover fundamental incompatibilities.

For aerial agriculture and firefighting, the assessment should identify actual operating areas and constraints, including airstrips, approach and departure paths, water-scooping locations and relevant operating conditions. Generic separation statements should be tested with the responsible operators and agencies. No finding is made here that all such operations would become impossible.

> RESPONSE REQUIRED

Publish a current, version-controlled account of project need, staging, constructability and resource assumptions, supported by independent scrutiny of the disputed issues. Explain how these matters affect the comparative justification for the route and the proposed CIC impacts.

11 | Consultation and assessment must remain capable of changing the outcome

The published exhibition period ends on 12 November 2026. The Groups request additional time proportionate to the volume and complexity of the material, and an opportunity to comment on substantive corrections, amended alignments and new specialist work before determination. This request is not an assumption that the existing period is legally invalid. The Groups will work to the published deadline unless an extension is formally confirmed.

The Groups request that technical corrections be carried through every report that relies on them. Correcting a map without revisiting an economic or noise conclusion based on the old distance would leave the underlying problem unresolved. Updated findings and the treatment of submissions should be accessible and traceable.

Engagement on access, safety, assessment or mitigation does not signify support for the project, acceptance of the alignment or agreement to acquisition. The Groups and participating landholders reserve their objections and rights. The same reservation applies to the fallback safeguards below.

12 | Specific determinations, information and safeguards requested

The following requests should be answered individually in the Submissions Report. The Groups ask the Department to distinguish matters essential to determining the acceptability of the route from implementation detail that can properly follow approval.

R1. Do not accept the current CIC conclusion without a corrected local assessment

Require a locality-specific assessment of the Gundy-Waverley-Kitchwin area and connected equine operations. It must address landscape, business function, health, operability, expansion and cumulative effects. Regional resilience must not substitute for a reasoned conclusion about concentrated harm.

R2. Establish one verified spatial and operating baseline

Publish the coordinated plan described in section 6, verify current operators and paddock uses, identify the Archibald receptor and reconcile the zero-distance, 800-metre and overlap statements. Reassess every material conclusion affected by a correction.

R3. Independently review landscape and visual effects

Inspect representative private and public viewpoints, disclose the modelling assumptions and compare verified current-condition photographs with the full project. Include both lines, clearing, access and ancillary works. Explain the treatment of local scenic and functional significance and revise it where the evidence requires.

R4. Assess actual business and expansion consequences

Test Kitchwin, The Barn, the Archibald operation and other affected businesses against their current operating models and credible future uses. Identify local costs and benefits, supply relationships, uncertainty and the consequences of relocating activity. Do not treat an overseas property discount or the survival of another stud as a substitute for local evidence.

R5. Obtain an independent equine-health and farm-operability review

Use specialists with appropriate equine, acoustic and environmental expertise, with access to the affected operations and their veterinary advisers. Address mares, foals, young stock, spelling horses, handling, helicopters, dust and relevant cattle-management interfaces. Explain how the evidence supports the criteria and controls proposed.

R6. Publish and independently test the eastern options

Identify the relevant Appendix B analysis and any subsequent local options. Publish maps, constraints, whole-of-life costs, uncertainty and reasons for rejection. Adopt and assess a feasible alternative that delivers a better overall outcome, rather than treating modest micro-siting as the only available response to a corridor-level objection.

R7. Demonstrate a workable construction and maintenance method

Before determination, establish that the significant activities can be undertaken without unacceptable interference with the verified breeding, foaling and calving calendars. Identify local durations and overlapping works. Do not rely on untested relocation capacity or a vague undertaking to consider sensitive periods.

R8. Define the protection required if residual impacts are accepted

Any approval should identify applicable no-tower, no-new-access, vegetation-retention and high-impact-work exclusion areas, with justified buffers and explicit performance requirements. These are requested site-specific safeguards, not assertions that a particular universal setback already applies. They should be linked to the verified baseline and the independent reviews.

R9. Control dust and intrusive aerial activity before relevant works

Require sealing or independently demonstrated equivalent protection for project access routes near sensitive equine areas, together with controls for construction dust and other disturbed surfaces. Establish a planned-flight protocol, clear responsibilities and pause or abort criteria. Notice alone must not be treated as effective mitigation where the underlying risk is unresolved.

R10. Apply safeguards to enabling works and later design changes

Ensure that the controls relevant to each activity are approved and operative before that activity starts, including road works, vegetation clearance and access-track construction. Detailed design must not move infrastructure closer to sensitive uses or introduce materially different impacts without the appropriate reassessment, consultation and approval process.

R11. Provide monitoring, accountability and a practical remedy process

Specify the responsible proponent and contractor obligations, monitoring locations and methods, reporting, independent audit and corrective action. Establish an accessible complaint and incident process, urgent veterinary and safety response arrangements, and mechanisms to document and resolve demonstrated losses. Compensation or insurance must not be used as a reason to accept otherwise unacceptable impacts.

R12. Allow a meaningful response to revised evidence

Publish material corrections and supplementary assessments before determination and allow a proportionate opportunity for affected people to respond. Where the required evidence does not establish that the alignment is acceptable, refuse that alignment rather than defer the fundamental question to a property-management plan.

Conclusion

The Groups' objection is not answered by saying that the Upper Hunter will remain an important breeding region after this project is built. The decision concerns whether the particular harm proposed here is justified, whether it can be avoided, and whether the practical operation and future capacity of this part of the CIC have been properly assessed.

Kitchwin's history, the supplied landscape photographs and the Archibald operational evidence put substance behind that question. The primary technical reports also identify the need for scrutiny: important receptor information was not verified on site; distance descriptions require reconciliation; the health analysis depends on qualified evidence and management assumptions; and the economic analysis relies heavily on regional resilience and the continued operation of businesses elsewhere.

The Groups seek a decision based on verified facts, genuine alternatives and protection that can be checked and enforced. If an acceptable alignment cannot be demonstrated through that process, the present alignment through the affected CIC locality should not be approved. The cumulative integrity of the cluster must not be reduced, project by project, to whatever is left after avoidable harm has been accepted.

Appendix A
Kitchwin photographic evidence and viewpoints for verification

All eleven landscape are photographs at Kitchwin. They are reproduced without adding proposed towers or altering their landscape content. They are a visual record and a basis for selecting assessment viewpoints.

The first image appears at the opening of the report.



> A2 - Stud Visual Amenity.
Open paddocks and enclosing ridgeline.



> A3 - Broad paddock view with mature trees and low hills.
Assess the connected landscape rather than an isolated tower footprint.



> A4



> A5 - Tree-lined access route.
How do energy Co propose they are to get 70m transmission lines past these trees, some dated at 200 years old



> A6 - Fenced working paddocks and hill backdrop with significant visual amenity impacts.



> A7 - Horses and young stock in an open paddock. **Dust virus issues remain an unanswered concern.**



> A8 - Mature tree beside managed equine land on Waverly Road. Assess retention and landscape contribution where works may interact.



> A9. Elevated view across the valley at Kitchwin top farm. The proposed transmission line is expected to significantly imact the studs visual amenity and therefore destroy Kitchwin's key appeal to breeders.



> A10 - Valley view with vegetation and proposed line visual to surrounding hills.



> A11 - Impacted hills, paddocks and vegetation in a closer landscape view.





SECTION **21**

Part B - Effects on the Upper Hunter Equine Critical Industry Cluster

EXECUTIVE SUMMARY

1. **The EIS concedes that the Equine CIC's landscape underpins the industry's reputation, then rates the part of it this project crosses as "relatively less critical".** It accepts that "the scenic values of the equine CIC are integral to the ongoing reputation of the industry" and that towers "may appear visually dominant in close proximity", but concludes that the corridor sits in "parts of the equine CIC that are relatively less critical to its core scenic and functional values". No property-level visual assessment of the Waverley–Kitchwin area supports that ranking. (Ch 11 §11.5.5, pp. 439–440)

2. **The economic test applied is whether the cluster survives, not whether the cluster is protected.** TR22 states that "even in the unlikely event that Kitchwin Hills were to relocate, the resilience and competitiveness of the Equine CIC would remain intact". It treats the Hunter Thoroughbred Breeders Association's concern about land identified for future breeding expansion as a matter of "individual properties rather than the capacity of the Equine CIC as a whole". It does not claim that the region's breeding environment, the attribute most exposed to the project, would remain unaffected. (TR22 §2.4.1, p. 19; §6.2, pp. 42–43)

3. **The basic facts about the most-affected business are inconsistent.** TR22 records Kitchwin Hills' Bottom Farm at "~0.0 km" from the transmission corridor, then rests its property-value conclusion on Kitchwin being "approximately 800 metres from the proposed corridor" and on the selected operations not intersecting the corridor. TR21 says Kitchwin paddocks "may partially overlap" the corridor; the same page says no paddocks are within it. At TR22's own tabled distance, the literature TR22 relies on reports a 16.3% sale-price discount. (TR22 Table 4.1, p. 24; §6.1.2, pp. 40–42; TR21 §6.3, p. 37)

4. **The horse-health conclusions rest on qualified evidence.** The 65 dB(A) threshold comes from a concert-noise study of horses in Flemington stables, which stated that "definitive criteria for exposing Thoroughbred horses to noise could not be established". Helicopter noise may exceed that threshold within about 550 metres; access-track works next to The Barn are predicted at up to about 75 dBA. TR21's own literature review identifies "a potential risk to foals" from *Rhodococcus equi* in construction soil, which the body of the report then sets aside. (TR21 pp. 30, 37, 39, 79, 95; TR22 §7.2.1, p. 50)

5. **"Temporary and manageable" is not tested against the way the farm works.** Breeding runs September to November and foaling August to December, every year of a construction program that runs from 2028 to 2034. Waverley Road also carries Camp 2 (a 780 ha acquisition), road upgrades, an optical repeater site and construction traffic. The management answer is to move horses "away from potential stressors", without saying where they would go. (TR22 p. v; Ch 3 Table 3.5, p. 103; Ch 13 §13.7, Measure EQ1, p. 548)

EXECUTIVE SUMMARY

6. **The route is defended by assertion.** The EIS says the Gundy and Waverly alignment was moved "as far east as practicable within the bounds of topography" but shows no eastern options, costs or reasons for rejection in the main volume. An option that cannot be built is different from one that costs more. (Ch 11 §11.3, p. 429; Ch 2 §2.7, p. 56)

7. **Every equine mitigation measure is consultation, notice or "consideration". None is a defined protection.** The EIS shows that binding limits are possible: it commits that "no transmission towers will be located within the 377 metre visual setback" for another receiver. No equivalent applies to any equine receiver in the CIC. (Ch 13 §13.7, EH1–EH9, EQ1–EQ2, pp. 546–548; Ch 11, Measure LV10, p. 467)

8. **What we ask:** (a) an independent, property-specific landscape and visual assessment of the Waverley–Kitchwin area before determination; (b) one verified map of the Kitchwin holdings against the corridor, with every distance-dependent conclusion re-run; (c) a CIC economic assessment that tests investment, expansion land and business attractiveness at the place affected, not only cluster survival; (d) an independent, property-specific equine health review; (e) a combined construction schedule for Waverley Road and the Kitchwin access tracks, with no high-impact works during breeding and foaling; (f) publication of the eastern route options with reasons for rejection, and adoption of a feasible eastern alignment through an amendment report if one exists; (g) binding no-tower and no-new-access areas, retained screening and measurable limits, applying from enabling works onward.

9. **Every one of these asks serves a single condition.** The Equine CIC is mapped NSW planning land that recognises an industry of national and international importance. Its value lies in connected businesses working in a particular landscape. The EIS assesses that land as a regional average and concludes that the cluster will survive. Until the impact on the CIC is assessed at the place where the project crosses it, with verified facts and tested alternatives, no conclusion that the impact on the CIC is acceptable should be accepted.

Contents

1. A recognised landscape rated "Less Critical" 26

2. The Wrong Test: Cluster survival instead of cluster protection 27

3. Basic facts about Kitchwin Hills are inconsistent 30

4. Horse-health conclusions rest on qualified evidence 32

5. "Temporary and Manageable" is not tested against the Working Farm 34

6. The Route: "As far east as practicable" is asserted, not shown 36

7. Mitigation is consultation, not protection 37

8. The CIC test the EIS did not apply 38

Sources 39

1 | A recognised landscape rated "Less Critical"

1.1 Evidence

What the EIS concedes. The visual chapter accepts that the CIC's scenic quality is part of how the industry functions. The landscape character table rates equine CIC land at moderate sensitivity because "its scenic qualities and landscape setting contribute to its ongoing function, reputation and regional identity" (Ch 11, Table 11.1, footnote 12, p. 419). The chapter also identifies Waverley Road as one of the public corridors that "provide views to multiple studs, polo fields, and associated facilities, contributing to the collective perception and experience of the equine CIC" (Ch 11 §11.5.5, p. 440).

What the EIS concludes. The same section then finds that the Waverley Road and Timor Crawney Road areas "tend to be less strongly associated with the defining scenic and functional features of the equine CIC", and that the project sits "within parts of the equine CIC that are relatively less critical to its core scenic and functional values" (Ch 11 §11.5.5, p. 440).

Topic	What the EIS concedes	What the EIS concludes	Citation
Role of landscape	"The scenic values of the equine CIC are integral to the ongoing reputation of the industry"	The project would not "diminish the overall scenic quality and character that underpin the equine CIC at a regional level"	Ch 11 §11.5.5, p. 440
Local effect	Towers "may appear visually dominant in close proximity"	"These effects are generally confined and do not extend consistently across the broader landscape"	Ch 11 §11.5.5, p. 440
Waverley Road	Provides "views to multiple studs, polo fields, and associated facilities"	Not a "protected scenic route" or tourist drive, so has "a more limited role" in the CIC experience	Ch 11 §11.5.5, p. 440
Kitchwin Hills	Natural landscapes viewable from the property are "a key differentiator between Kitchwin Hills and other thoroughbred breeding businesses"	Changes in visual amenity near the Bottom Farm "would be minimal"	TR22 §7.1.2, pp. 48–49
Landscape sensitivity	CIC scenic qualities "contribute to its ongoing function, reputation and regional identity"	Rated "Moderate", the same rating given to forested foothills outside the CIC	Ch 11 Table 11.1, p. 419
Scope of assessment	Access tracks and road works are part of the project on and next to Kitchwin land	The landscape character study "does not include components such as roads and ancillary infrastructure"	Ch 11 §11.1.1, p. 415; Ch 12 §12.2.4.1, p. 484

> Table 1 - **What the EIS concedes about the CIC landscape, and what it concludes**

Scale of what is proposed. The project is a dual 500 kV double-circuit line on towers typically 45–75 metres high, spaced about 450 metres apart, on a 140-metre easement (TR22 §1.2.2, p. 2). The visual assessment assumes towers of 80 metres and applies a 377-metre visual setback for sensitive receivers on RU1 land (Ch 11 §11.1.2, p. 415).

Kitchwin and The Barn. TR22 relies on a desktop judgement that The Barn's main entertaining areas face north while the line lies to the east, and on a visual impact rating of "low" (TR22 §7.2.2, p. 51). It does not consider the stud tours, paddock visits and arrival views that make up The Barn's offering, which TR22 itself describes (TR22 §4.2.2, p. 30).

The Barn Scone's entire internal and external amenity is north facing with views to the north east and north west. This foundational amenity will without question be impacted by the proposed transmission route. The

yearling parade and entertainment area looks due East directly at the proposed route. Mare paddocks are located directly adjacent to the proposed route. Foaling paddocks and inspection lawn and client guest fcilities are again facing due east with direct impact on the visual amenity of this area. Mare paddocks 200m for Towers. Foaling 500m. Yearling and Stallion facilities 750m whilst The Barn has access road on its fron doorstep literally 10 metres away.

1.2 EIS shortcoming

- The "less critical" ranking is a regional judgement made from public roads. It is not supported by any assessment from the homes, guest accommodation, working paddocks or visitor areas of the CIC businesses closest to the line.
- Lower-order roads are treated as less important because they are not designated scenic routes or tourist drives. The CIC is a planning designation of land and industry, not of roads. Scenic-route status is not the test of whether an equine landscape matters.
- The landscape assessment excludes access tracks and road works (Ch 11 §11.1.1, p. 415), yet these are the elements placed on and beside Kitchwin land.
- A rating of "Moderate" sensitivity for land the EIS itself describes as integral to the reputation of an internationally significant industry is not explained.

1.3 Consequences

- Decision-makers are told that the part of the CIC affected matters less, without evidence from that part of the CIC. If the ranking is wrong, every downstream conclusion that relies on it (business attractiveness, visitor demand, property value) is wrong with it.
- A conclusion reached "at a regional level" cannot settle the impact here. The CIC is made up of individual places, and its reputation is experienced at them.

1.4 Position Sought

More work. Require an independent, property-specific landscape and visual impact assessment of the Waverley–Kitchwin area before determination. It should model both circuits, towers, access tracks, road works, Camp 2 and vegetation clearing, from the homes, The Barn and its outdoor areas, working paddocks, visitor areas and Waverley Road. The "relatively less critical" finding should not be accepted unless that assessment supports it.

2 | The Wrong Test: Cluster survival instead of cluster protection

2.1 Evidence

What the CIC is. CICs are "concentrations of highly productive industries within a region that are related to each other, contribute to the identity of that region, and provide significant employment opportunities" (TR22 §2.1, p. 8; Ch 12 §12.2.4.1, p. 484). The Upper Hunter Equine CIC covers 254,900 hectares and is described in TR22 as "one of the largest and most important thoroughbred breeding clusters in the world" (TR22 §2.1, p. 8). The EIS records that protecting this land is a regional strategic goal under Objective 9 of the Hunter Regional Plan 2041 (Ch 2, p. 40).

Measure	Hunter Valley	Share of NSW	Share of Australia	Citation
Broodmares covered (FY23)	5,537	67%	28%	TR22 Table 2.1, p. 12
Live foals produced (FY23)	3,582	67%	28%	TR22 Table 2.1, p. 12
Stallions (FY23)	101	61%	20%	TR22 Table 2.1, p. 12
Full-time equivalent employment	3,756	79%	41%	TR22 Table 2.1, p. 12
Total value added	$757.4 million	n/a	45%	TR22 Table 2.2, p. 12

> Table 2 - **Scale of the Hunter Valley thoroughbred breeding industry (as reported in TR22)**
Source: TR22 analysis of IER, Measurement of economic impact of the Australian thoroughbred breeding industry, March 2025.

How TR22 tests the impact. TR22 asks whether "an exodus of thoroughbred operations" could compromise the cluster and concludes that it could not (TR22 §6.2, p. 42). It then states:

> *"Even in the unlikely event that Kitchwin Hills were to relocate, the resilience and competitiveness of the Equine CIC would remain intact. In the past, the CIC has withstood the relocation or closure of prominent stud facilities." (TR22 §6.2, p. 43)*

The attribute TR22 does not defend. TR22 lists four reasons the Upper Hunter is attractive for breeding: proximity to ports and markets; reputation; service providers; and "an ideal environment for breeding thoroughbreds, including a temperate climate, protected aspect and varied terrain". It then says only that "at a minimum, the first three of these four attributes would remain unaffected" (TR22 §6.2, pp. 42–43). The fourth, the physical and landscape environment, is the attribute the project changes. TR22 nonetheless concludes from this that the project "is unlikely to deter studs from establishing or expanding into areas of the cluster near the corridor" (TR22 §6.2, p. 43).

Expansion land. In February 2026 the HTBA told EnergyCo that the project is located in areas it had identified as potential locations for expanded thoroughbred breeding, and that the project may make certain landholdings less suitable for breeding. TR22 records this as relating to "potential future land use decisions on individual properties rather than the capacity of the Equine CIC as a whole to continue operating or expand" (TR22 §2.4.1, p. 19). The EIS separately notes that "the total mapped area of equine CIC is considerably larger than the actual extent of established equine operations" (Ch 13 §13.2.2.2, p. 515). That mapped land beyond today's operations is the cluster's room to grow.

The brief TR22 was given. TR22's own scope included "implications for investment decisions, buyer and seller behaviour and demand for equine related land holdings" and the "ability of affected enterprises to retain and attract staff, clients and horses" (TR22 §1.3, p. 6). These are answered at cluster scale, not for the businesses and land the corridor crosses.

No industry data. HoustonKemp sought to engage equine stakeholders and "received no responses". Its conclusions "rely on publicly available information" (TR22 §1.3, p. 6). The Kitchwin profile is built from the stud's website, press interviews and Google Maps measurements (TR22 §4.2.1, pp. 26–30; footnote 124, p. 46). Kitchwin Hills have not been approached by Houstonkemp.

2.2 EIS shortcoming

- The CIC exists to protect a concentration of related businesses and the land they depend on. Asking only whether the cluster would collapse sets a test almost no single project could fail, and it does not measure the harm done to the cluster where the project crosses it.
- Describing the most-affected thoroughbred business as "comparatively small" (TR22 §6.2, p. 43), and its relocation as survivable, treats loss of CIC businesses as acceptable when it is the outcome the CIC designation exists to prevent.
- The HTBA's concern about expansion land is reclassified as an individual-property matter. The future capacity of a cluster is made up of individual properties.
- The conclusion that the project will not deter expansion near the corridor is drawn from three attributes TR22 says are unaffected, while the one attribute the project does affect is left unassessed.

2.3 Consequences

- If this test is accepted, any future project can cross the CIC on the same reasoning: the cluster is large, so the part affected does not matter. The CIC would protect only its centre, which is not what it was mapped to do.
- Investment decisions on land near the corridor (new studs, expansion, sale to breeders) are left unassessed. Lost investment does not appear in a regional competitiveness test.

> POSITION SOUGHT

More work. Require the Equine CIC assessment to be redone with industry participation (HTBA, affected businesses and agents who sell equine property). It should test: (a) whether the project reduces the attractiveness of existing businesses near the corridor to clients, staff and buyers; (b) the effect on mapped CIC land identified for future breeding; (c) the landscape attribute TR22 did not assess. The Department should not accept cluster survival as the test of acceptable impact on a Critical Industry Cluster.

3 | Basic facts about Kitchwin Hills are inconsistent

3.1 Evidence

Kitchwin Hills is the receptor the EIS identifies as having "the greatest potential to experience project-related impacts" (Ch 13 §13.3.4.2, p. 532). It operates two properties on Waverley Road about four kilometres apart, manages about 200 to 300 thoroughbreds and employs 20 staff (TR22 §4.2.1, pp. 26, 29). The EIS and its two equine reports describe its relationship to the project in at least six different ways.

Document	What it says	Citation
EIS Ch 12	Access-track infrastructure "is proposed on a landholding associated with the Kitchwin Hills Horse Stud", on a parcel "located on the opposite side of Waverley Road from the main property"	Ch 12 §12.2.4.1, p. 484
EIS Ch 13	Impacts arise "due to the location of the transmission corridor and associated access tracks within and adjacent to the property"	Ch 13 §13.3.4.2, p. 532
TR21	"Portions of the property overlap with, or are immediately adjacent to, the project area and transmission corridor"	TR21 §6.1, p. 35
TR21	Identified paddocks "are located immediately adjacent to, and may partially overlap with, sections of the transmission corridor where helicopter stringing activities may occur". Same page: "No identified equine facilities or paddocks are located within the transmission corridor"	TR21 §6.3, p. 37
TR22	Bottom Farm: ~0.0 km to project area, ~0.2 km to transmission corridor. 10metres from access tracks. TopFarm: ~2.0 km to project area, ~2.6 km to corridor	TR22 Table 4.1, p. 24
TR22	Kitchwin "is approximately 800 metres from the proposed corridor"; the conclusion "holds for all of the selected operations given that they do not intersect with the proposed transmission corridor"	TR22 §6.1.2, p. 42
TR22	Five other studs are "situated closer to 330 kV transmission infrastructure than is Kitchwin Hills to the proposed transmission corridor"	TR22 §7.1.2, p. 48
TR22	Distances to paddocks and buildings were estimated "using Google Maps' measurement feature"	TR22 footnote 124, p. 46

> Table 3 - **How the EIS describes the position of Kitchwin Hills**

Why the distance matters: TR22's own literature. TR22's finding that sale prices are unlikely to be affected depends on the 800-metre figure. It cites Chalmers (2012), who found no significant effect beyond 305 metres, and the EirGrid study (2016), which found none beyond 250 metres (TR22 §6.1.2, p. 42). The same Chalmers study found that rural lots within 152 metres of a 500 kV line sold at a 16.3% discount, and lots 153–305 metres away at a 13.9% discount (TR22 §6.1.1, p. 40). The EirGrid survey of estate agents reported a median 10% decline in the value of agricultural property near a line during construction, falling to 5% after (TR22 §6.1.1, p. 41). At the "~0.0 km" distance in TR22's own Table 4.1, its own sources point the other way.

Why the distance matters: the floating footprint. The EIS seeks approval for final siting anywhere within the project area (Ch 6 §6.3, pp. 211–212). Distances measured to an indicative alignment can change at detailed design.

3.2 EIS shortcoming

- No single, verified map in the EIS shows Kitchwin's property boundaries, working paddocks, homes, guest areas, towers, easement and access tracks together.
- Different measurement points may explain some of the differences, but none is identified. Distances were measured by desktop estimate rather than survey.
- A conclusion (no effect on sale price) rests on a distance that another table in the same report contradicts.

3.3 Consequences

- The property-value conclusion, the noise and helicopter conclusions and the visual conclusion all depend on separation distance. If the distance is wrong, the conclusions need to be re-run, not just reworded.
- Mitigation measures EH1, EH2, EH4 and EH5 apply to facilities "within 800 m" of the project area or corridor (Ch 13 §13.7, pp. 546–547). An unverified distance determines who is covered.

> POSITION SOUGHT

More work. Require EnergyCo to publish one surveyed map of the Kitchwin holdings, agreed with the landholder, showing property boundaries, working paddocks, homes, The Barn, guest and visitor areas, towers, easement, access tracks and road works. Every conclusion in Chapters 11 and 13, TR21 and TR22 that depends on separation distance should then be reassessed against it, and the result published before determination.

4 | Horse-health conclusions rest on qualified evidence

4.1 Evidence

The noise threshold. TR21 applies a threshold of 65 dB(A) LAeq, described as "recommended by Huybregts (2008) for horses in stables" (TR21 §5.2.1.3, p. 30). That study assessed whether a music festival at Flemington Racecourse would be acceptable for horses stabled there. Its authors "concluded that, although definitive criteria for exposing Thoroughbred horses to noise could not be established, a practical threshold level would be valuable", and recommended that stable noise "not exceed 65 dBA" (TR21 Appendix B, p. 79). The horses concerned were racehorses in stables, already exposed to race-day noise of 65–90 dB(A).

Activity	Exceeds 65 dB(A) within	Relevance to Kitchwin	Citation
Access track construction	About 140 m	Access tracks run "adjacent to the existing property boundary / fence line" of a Kitchwin parcel	TR21 §6.1, p. 35; Ch 12, p. 484
Vegetation clearing	About 160 m	Easement and track clearing within and beside Kitchwin land	TR21 §6.1, p. 35
Foundation works with rock breaking	About 200 m	Nearest indicative tower to working paddocks	TR21 §6.1, p. 35
Helicopter operations (stringing)	About 550 m	Bottom Farm paddocks "immediately adjacent to, and may partially overlap with" stringing sections	TR21 §6.3, p. 37
Access-track works next to The Barn	Predicted at up to about 75 dBA at The Barn	Guest accommodation on the Bottom Farm	TR22 §7.2.1, p. 50 ("figures provided by EnergyCo")

> Table 4 - **Predicted distances at which construction noise exceeds 65 dB(A), against Kitchwin Hills**

What TR21 itself says about thoroughbreds. Thoroughbreds "may be disproportionately affected", showing "stronger internal reactions and emotional agitation to unfamiliar sounds"; about 22% of horses "display persistent noise anxiety that does not resolve with exposure"; and intermittent helicopter activity "may limit habituation by reintroducing occasional unpredictable noise events" (TR21 §5.2.1.4, p. 31). Habituation to a new noise type "takes approximately one month" (TR21 Appendix B2, p. 80), while construction moves through the area in campaigns of different activities.

Dust and Rattles. In the body of the report, TR21 says the *Rhodococcus equi* risk "is generally associated with existing horse-related land uses and is not expected to represent a significant project-related risk" (TR21 §6.5, p. 39). Its own literature review concludes: "A potential risk to foals therefore exists from increased short-term dust exposure, especially where R equi bacteria may be present in significant concentrations within the topsoil of areas earmarked for construction" (TR21 Appendix D1.5.2, p. 95). An established stud is exactly that land use. No soil testing is proposed.

The nine independent reports compiled, including research by Muscatello and colleagues (2006 and 2009), the RIRDC stud-management report, the ACVIM veterinary consensus statement, the 2025 Australian equine antimicrobial guidelines, recent AgriFutures research, and the NSW EPA and international construction dust guidelines, identify a significant equine health risk requiring specific consideration in the EIS. The research establishes that Rhodococcus equi, the bacterium responsible for rattles pneumonia in young foals, is commonly acquired through inhalation of contaminated airborne dust, with Australian studies identifying

associations between disease prevalence, airborne bacterial concentrations, dry conditions and sparsely grassed laneways and holding areas. The reports also highlight the potentially serious animal health, veterinary treatment and commercial consequences for thoroughbred breeding operations. Construction dust guidance identifies unsealed access roads and heavy vehicle movements as important sources of airborne particulates.

These findings warrant an independent, property-specific veterinary and environmental assessment of construction activities, access roads, vehicle movements and dust dispersal around Kitchwin's breeding paddocks, including examination of historical foal health records and existing biosecurity practices. Section 4.2 should require EnergyCo to demonstrate how these risks will be prevented, including sealing all proposed access roads near breeding operations unless independently verified alternative controls provide equivalent protection, rather than relying on generic dust suppression commitments. Importantly, the research does not establish that the project will cause rattles outbreaks, but it provides a scientifically credible basis for requiring EnergyCo to assess and mitigate this potentially serious risk before concluding that impacts on breeding operations are manageable.

Source: https://drive.google.com/file/d/1PxUjibxLgFhEEVdYz5oEdXmOaYAQ2lA0/view?usp=drive_link
@https://drive.google.com/file/d/1qRM86dQP7oYzfTLkc0ysqnW1AAxODkE4/view?usp=sharing
@https://drive.google.com/file/d/16344DQNVosBj_EsMExblF5W1Gi5Oo-zL/view?usp=sharing
@https://drive.google.com/file/d/1lPh1F6we0BGpWZQSRWuAk-dNiVeYmgdZ/view?usp=sharing
@https://drive.google.com/file/d/1PZOnO5wpULiu6O2aKNNDp-NKsSygWiNb/view?usp=drive_link
@https://drive.google.com/file/d/1aaXwQuroKV7d3m_tCxE1z4PLi1nfNevy/view?usp=drive_link
@https://drive.google.com/file/d/1yMwmMSGSxCVAqqsBrOV3bmJHQxPhwrVc/view?usp=drive_link
@https://drive.google.com/file/d/1zwgCH_ntL_2rNIyQgwWF7AxmyAVR1gGo/view?usp=drive_link
@https://drive.google.com/file/d/1d32MxHabhmCEMGzeIgx44mu4581wGP7_/view?usp=drive_link

EMF and light. "No controlled studies have examined the effects of EMF on horses. The evidence base for equine-specific effects is entirely absent" (TR21 §5.1.6, p. 28). Light of 10 lux can influence a mare's breeding cycle (TR21 §5.5, p. 34). Night works near equine paddocks are excluded only "where practicable" (TR21 §6.7, p. 40).

Towers in horse paddocks. TR21's fencing guidance begins: "Any transmission tower located in a paddock accessible by horses must have appropriate fencing erected around it" (TR21 Appendix E1.1, p. 96). The main assessment says no equine paddocks are within the corridor (TR21 §6.3, p. 37).

4.2 EIS shortcoming

- A threshold its source study called provisional, set for stabled racehorses during a concert, is applied as a settled criterion to broodmares, foals and young stock running free in open paddocks.
- The qualifications in TR21's appendices (no definitive criteria, a potential risk to foals, no equine EMF studies) do not carry through to the executive summary, which concludes that impacts are "localised, temporary and manageable" (TR21 p. i).
- No assessment is made of the outcomes a breeder would measure: conception, pregnancy loss, foaling problems, foal health, yearling preparation and sale value.

4.3 Consequences

- If the threshold is not valid for open-paddock breeding stock, the distances in Table 4 understate the area of disturbance, and paddocks beyond them are also at risk.
- Losses in a thoroughbred breeding operation are concentrated in a few high-value animals. A single lost foal or injured mare is a material loss that does not appear in a "short-term behavioural response" finding.

> POSITION SOUGHT

More work and specific protection. Require an independent, property-specific equine health review for Kitchwin Hills before determination, prepared with the stud's veterinarians. It should cover noise criteria suitable for mares and foals in outdoor paddocks, helicopter exposure, pre-construction soil testing for *R. equi* along tracks and work areas, lighting and the qualifications in TR21's appendices. Its findings should set conditioned, measurable limits (noise at the paddock boundary, helicopter exclusion distances and dust controls).

5 | "Temporary and Manageable" is not tested against the Working Farm

5.1 Evidence

The breeding calendar. TR22 records that Kitchwin's sensitive periods are breeding from September to November and foaling from August to December (TR22 p. v; §4.2.1, p. 29). Construction of the project runs about six years, from 2028 to 2034 (TR22 §1.2.3, p. 5). Each tower takes "two to three months, or longer" across three separate crews "with some pauses in work between each crew" (TR22 §2.2, p. 13).

Month	Kitchwin activity	Share of each construction year
August	Foaling	5 of 12 months (about 42%) fall in breeding and/or foaling, in each of the six construction years 2028–2034
September–November	Breeding and foaling	
December	Foaling	
January–July	Weanling and yearling sales preparation and other operations	Remaining 7 months

> Table 5 - **Kitchwin Hills sensitive periods against the construction program**

Source: TR22 p. v and Figure 4.2, p. 29; TR22 §1.2.3, p. 5.

Everything else on Waverley Road. The construction picture around Kitchwin is not one tower. It combines:

- Camp 2, Waverley Road: a workforce accommodation camp on a 780 ha full acquisition, used for the duration of construction, with a highly noise-affected receiver and a medium unmitigated dust risk (Ch 3 Table 3.5, p. 103; TR22 §1.2.2, p. 3; Ch 16, p. 602; Ch 20, p. 726).
- An optical repeater station proposed at Waverley Road, beside the dual 500 kV line (Ch 3, p. 95).
- Road upgrades on Waverley Road and at the Waverley Road–Gundy Road intersection, and access tracks beside the Kitchwin parcel (TR22 §4.2.3, p. 30; Ch 12, p. 484).
- Construction traffic: about 56 light and 12 heavy vehicles at peak (128 passenger car units) on a road with a capacity of 270 passenger car units per lane per hour. Waverley Road's level of service falls to B or C at peak and it is named among the roads most at risk of accelerated pavement damage (TR22 §7.1.1, pp. 44–45; Ch 14, pp. 560, 564).
- Helicopter stringing along sections next to Bottom Farm paddocks, and later helicopter inspections, for which Kitchwin is "the receptor most likely to experience operational impacts" (TR21 §6.3, p. 37; Ch 13 §13.4.4.2, p. 538).

The management answer. Measure EQ1 provides for a property management plan covering, among other things, the "movement of horses away from potential stressors created by construction activities" (Ch 13 §13.7, Measure EQ1, p. 548). TR21 refers to "temporary management or relocation of horses from paddocks" (TR21 §6.1, p. 36). Neither says where the horses would go, whether there is enough suitable land on the holdings, what happens to mares close to foaling, or who bears the cost.

Mares and foals bottom farm Aug-December 100/70. Paddocks within 140m = 15. 200 = +5. 550m +10>Alternative paddocks do not exist as most of bottom farm breeding paddocks are on the eastern side of Waverly road. Cost of agistment - https://kitchwin.com.au/wp-content/uploads/2022/08/Agistment-Rates-NEW-2022.pdf

The Barn Scone's entire being is centred on a serene, clean, peaceful experience. With access tracks literally metres away from the back door this is expected to destroy the environment it was established for with bookings to collapse.

5.2 EIS shortcoming

- "Temporary" is measured per tower. For a business with fixed annual breeding and foaling seasons, a six-year program with campaign works, a camp on the same road and later helicopter inspections is not temporary in any practical sense.
- Traffic is assessed against road capacity, not against the effect of heavy vehicles on horse floats, mares and foals moving on a single access road. Totals across the project are not the relevant figures; Waverley Road and the Kitchwin tracks are.
- No combined schedule of road works, tracks, towers, camp operation and helicopters is presented for Waverley Road.

5.3 Consequences

- The real disruption, and its cost, is left to a post-determination property management plan written without a standard.
- If works cannot be scheduled outside breeding and foaling, the costs fall on the business: agistment elsewhere, lost covers, lost guest income and lost sale value.

> POSITION SOUGHT

Specific protection and more work.

a. Require a combined construction schedule for Waverley Road, the Kitchwin access tracks and nearby tower sites before determination.

b. Condition that no high-impact works (helicopter operations, vegetation clearing, track construction or rock breaking) occur within a defined distance of Kitchwin paddocks during August to December.

c. (c) Require EnergyCo to identify, with the landholder, where horses could be moved, to confirm the area is adequate, and to bear the cost of relocation, agistment and lost income.

6 | The Route: "As far east as practicable" is asserted, not shown

6.1 Evidence

The visual chapter records that at both Gundy and Waverly the community asked for the alignment to be moved "as far east as possible". At Gundy, this was to "limit impacts to dwellings and equine facilities (including Scone Polo Club)". In both places the EIS says the project area "has been moved east as far as practicable within the bounds of topography" (Ch 11 §11.3, p. 429).

The EIS also states that the move to a new study corridor in October 2025 "improved constructability, reduced steep terrain constraints and construction risks", and that there are "ongoing opportunities for further avoidance and minimisation to be considered during detailed design" (Ch 2 §2.7, p. 56). It says route selection "largely avoided" (not wholly avoided) direct impacts to equine facilities and paddocks (Ch 13 §13.3.4.2, p. 532). Route options are set out in Appendix B (Route options and avoidance paper).

The EIS already has a process for changes. TR22 notes that two recently identified camp sites "will be assessed as part of the Submissions Report/Amendment Report" (TR22 §1.2.2, p. 3). A realignment can be assessed in the same way.

6.2 EIS shortcoming

- "Practicable" is not defined. The main volume does not show whether an eastern alignment is physically impossible, or is possible at higher cost, with more steel, longer access tracks or harder construction.
- No comparison is presented of the CIC impact of the current alignment against an eastern alternative, including access tracks, construction arrangements, other landholders and environmental effects.
- The justification for crossing the CIC here is the justification for the project as a whole. The EIS does not show why this particular damage is necessary.

6.3 Consequences

If a credible eastern alternative exists, the impacts described in Sections 1 to 5 are avoidable rather than necessary. Avoidable harm to a Critical Industry Cluster is a different matter for a decision-maker from unavoidable harm.

> POSITION SOUGHT

More work. Require EnergyCo to publish, before determination, the alignment options considered east of the current Gundy–Waverly alignment, each with its constructability constraints, cost difference, access-track requirements and impacts on other landholders and the environment, and the reason for rejection. Where an option is feasible and reduces the CIC impact, require its adoption. If it lies outside the assessed project area, require it to be assessed through an amendment report on which affected parties can comment.

7 | Mitigation is consultation, not protection

7.1 Evidence

Measure	What it requires	What it does not require	Citation
EH1	Verify equine facilities and paddocks within 800 m before construction	Any change to tower or track siting as a result	Ch 13 §13.7, p. 546
EH2, EH3	Consultation with landholders, including on timing of works next to Kitchwin paddocks	Any outcome of that consultation	Ch 13 §13.7, p. 546
EH4	At least 72 hours' notice of helicopter stringing and similar works	Any limit on when or where they occur	Ch 13 §13.7, p. 546
EH5	Timing of noisy works "will consider" breeding and foaling, "where reasonably practicable"	Avoidance of breeding and foaling seasons	Ch 13 §13.7, p. 547
EH6–EH9	Standard dust, erosion, fencing repair and earthing measures	Equine-specific limits; R. equi soil testing	Ch 13 §13.7, p. 547
EQ1	Property management plan for Kitchwin and The Barn, covering access, timing, noise in sensitive periods and moving horses	Any defined standard, limit or no-go area	Ch 13 §13.7, p. 548
EQ2	Consultation with Gundy Park Equine and Scone Polo Club to avoid or minimise impacts "where practicable"	Any outcome	Ch 13 §13.7, p. 548

> Table 6 - **Equine mitigation measures and what each one binds**

Clear restrictions are possible. For private receiver I-7 DB1, the EIS commits: "No transmission towers will be located within the 377 metre visual setback identified for receiver I-7 DB1. This setback will be mapped and managed as a visual exclusion zone" (Ch 11, Measure LV10, p. 467). The EIS also uses mapped no-impact areas for heritage and biodiversity (Ch 2 §2.7, p. 56). No equivalent measure applies to any equine receptor in the CIC.

Enabling works come first. Enabling works, which include access tracks and road upgrades, "can begin prior to the approval of environmental management plans for main construction activities, including the CEMP" (Ch 25 §25.2.1, p. 820; TR22 §1.2.3, p. 5).

7.2 EIS shortcoming

- Every equine measure depends on consultation and good will after approval. None gives the landholder or the Department a standard against which compliance can be checked.
- Defined protections are applied to a visual receiver, Aboriginal heritage and biodiversity, but not to the receptor the EIS itself identifies as most exposed in a Critical Industry Cluster.
- Access tracks and road works next to Kitchwin may be built as enabling works, before the main environmental management plans exist.

7.3 Consequences

Protection of the CIC at this location is deferred until after approval, when the alignment is fixed and the landholder's position is weakest.

> POSITION SOUGHT

Specific protection. Before the route is accepted, condition: (a) mapped no-tower and no-new-access areas for Kitchwin's working paddocks, homes and The Barn, on the model of Measure LV10; (b) retention of existing screening vegetation and agreed supplementary planting; (c) measurable noise, dust and helicopter limits at equine paddock boundaries; (d) a seasonal restriction on high-impact works during August to December; (e) that these protections, and an agreed property management plan, apply before any enabling works on or next to the property.

8 | The CIC test the EIS did not apply

8.1 The record

The EIS gives Kitchwin Hills and The Barn more specific attention than any other landholding in the CIC. They are the only equine businesses named in a dedicated management measure (EQ1), and the only equine receptor named in Measure EH3. That attention confirms what the EIS concedes elsewhere: this is the most sensitive part of the proposed route through the CIC.

This section is not one landowner objecting to transmission lines. Kitchwin Hills is an established thoroughbred breeding operation inside a Critical Industry Cluster that the NSW Government mapped for its importance to the region, and that the Hunter Regional Plan 2041 seeks to protect (Ch 2, p. 40). Gundy Park Equine, Scone Polo Club, Main Camp Brooker and Bydand Stock Horses sit along the same corridor and roads (TR22 §4.2, pp. 26–32).

8.2 What the EIS never assessed

- The landscape of the affected part of the CIC, from the places where the industry operates (Section 1).
- The effect on investment, expansion land and business attractiveness at the place affected, rather than on the cluster's survival (Section 2).
- A verified position of the most-affected business relative to the corridor and tracks (Section 3).
- Equine health criteria suited to breeding stock in open paddocks (Section 4).
- The combined construction program on Waverley Road against the breeding calendar (Section 5).
- The eastern alternatives and why they were rejected (Section 6).

> POSITION SOUGHT

More work before determination. The Department should find that the EIS does not adequately assess the project's impact on the Upper Hunter Equine CIC. It should require the work in Sections 1 to 7 to be completed and published before any determination. It should not accept the current alignment through the Gundy–Waverly section of the CIC until a feasible eastern alternative has been shown not to exist, or, if one exists, until it has been adopted and assessed.

Sources

EIS (primary)

- EnergyCo (2026) New England Renewable Energy Zone Network Infrastructure Project, Environmental Impact Statement (SSI-74175972), main volume. Chapters cited: Ch 2 (pp. 40, 56); Ch 3 (pp. 67, 95, 103); Ch 6 §6.3 (pp. 211–212); Ch 11 (pp. 415, 419, 429, 432, 439–440, 447, 467); Ch 12 (pp. 484, 497); Ch 13 (pp. 511–515, 532–533, 537–538, 546–548); Ch 14 (pp. 560, 564); Ch 16 (p. 602); Ch 20 (p. 726); Ch 25 §25.2.1 (p. 820).
- EnergyCo (2026) EIS Appendix B: Route options and avoidance paper.

EnergyCo technical reports (secondary)

- Kannegieter Equine Specialists (2026) Equine Health Impact Assessment: New England REZ Network Infrastructure Project, August 2026. EIS Technical Report 21 (TR21).
- HoustonKemp (Houston, G., Mulready-Zenere, K. and Vyas, A.) (2026) Impact assessment of New England REZ on the Upper Hunter Equine CIC: A report for EnergyCo, September 2026. EIS Technical Report 22 (TR22).
- Moir Studio (2026) Landscape Character and Visual Impact Assessment, EIS Technical Report 5 (as cited in Ch 11 and TR22 §7.2.2).
- SLR (2026) Noise and Vibration Impact Assessment; Aurecon (2026) Traffic and Transport Impact Assessment, Revision J (as cited in TR21 and TR22).

Research cited in the EnergyCo reports

- Huybregts, C. (2008) noise impact assessment for a proposed music festival at Flemington Racecourse (as cited in TR21 Appendix B, p. 79).
- Chalmers, J. (2012) Transmission line impacts on rural property value. Right of Way, May/June 2012, pp. 31–34 (as cited in TR22 §6.1.1).
- Corr and Insight (2016) An investigation into the potential relationship between property values and high voltage overhead transmission lines in Ireland, part one – report. EirGrid (as cited in TR22 §6.1.1).
- Muscatello, G., Gilkerson, J.R. and Browning, G.F. (2006) Rattles in horses: effects of stud management on ecology of virulent Rhodococcus equi. RIRDC Publication No. 06/097 (as cited in TR21 Appendix D).
- Riva, M.G. et al. (2022), on persistent noise anxiety in horses (as cited in TR21 §5.2.1.4, p. 31).
- IER (2025) Measurement of economic impact of the Australian thoroughbred breeding industry, March 2025 (as cited in TR22 §2.1.3).

Planning and policy

- NSW Department of Planning and Infrastructure (2012) Upper Hunter Strategic Regional Land Use Plan.
- NSW Government (2014) Frequently Asked Questions: Critical Industry Clusters Upper Hunter, January 2014.
- NSW Department of Planning and Environment (2022) Hunter Regional Plan 2041, Objective 9 (as cited in EIS Ch 2, p. 40).
- State Environmental Planning Policy (Resources and Energy) 2021 (NSW).

Media and public record

- Devney, E. (2026) "'We've got to make a stand': renowned breeder ready to face down energy giant." The Land, 14 January 2026 (as cited in TR22).
- Jenkins, P. (2026) "Top stud owner warns energy project will 'ruin' Hunter's elite horse precinct." The Daily Telegraph, 11 June 2026 (as cited in TR22).

Community and landholder data

- Kitchwin Hills, review of the EIS provided to the committee, October 2026.

WALCHA HIGH COUNTRY GUARDIANS

Rouchel Brook ACTION GROUP

PROTECT THE VALLEY
UPPER HUNTER
RESPONSIBLE INFRASTRUCTURE GROUP

Voice for Walcha