

6

**Good morning, my name is Lucy Knight, I am here on behalf of our family's commercial mixed farming business at Gunning. Thank you for the opportunity to address this hearing today.**

**My involvement with, and opposition to, this proposed wind farm development at Biala is largely in relation to the transmission line which was initially mooted to run south west from the wind farm for about seven kilometres through the property where I live. We said no to this proposal, and so have at least another 27 farmers on neighbouring or nearby properties.**

**Commissioners - the issue that sets this wind farm apart from any other you've had to assess is the project's transmission line, and more particularly the flawed way in which it has been separated from the project and secondly the fact Newtricity has failed to satisfy specific planning requirements stipulating it demonstrates a viable transmission line connection to the grid in its application.**

**We can prove Newtricity was unable to demonstrate any viable connection in the environmental impact statement, and even today it is unclear where the line is actually going - yet this vital detail has been ignored by the Department of Planning in its recommendation to approve the wind farm.**

**Conditions to approve the wind farm and allow them more time to get the line are not good enough, particularly as I understand that this hearing now means we lose our right to an appeal.**

**It is for these reasons that we urge you to reject this project, or at the very least a decision on it be deferred until**

- (a) the validity of the transmission line's removal from the project can be independently scrutinised, and**
- (b) the proponent secures an actual easement for the line which can then also be properly scrutinised.**

**While the proponent has applied for approval of the transmission line under Part 5 of the EP & A Act, according to the NSW Department of Planning and Environment's own advice on Part 5, the regulations are for public authorities. Newtricity is not a public authority.**

**Part 5 regulations are for projects that do not require development consent, such as roads and railways. As the necessary supporting infrastructure for a project which does require development consent, we argue the application does not meet the government's own Part 5 requirements, and the project application is flawed, as is any determination of the transmission lines under**

**Part 5. We would like this point examined by your commission.**

**Newtricity, states Essential Energy will be gifted the lines on completion of construction, and will be considered the “proponent” in any Review of Environmental Factors. But advice from Essential Energy reveals it will play no role in determining the route for the line. (Full letter attached – document 1) .**

**I argue the responsibility for any environmental review should lie with the party which selects the corridor, registers easements, designs and constructs and ultimately pays for the line. That is not Essential Energy, and the proponent is therefore not a public authority. The application to have the lines assessed under Part Five makes absolutely no sense and is flawed given a private entity is financing and overseeing the line construction.**

**Our submission referred to concerns raised by NSW Planning authorities over the application to split the project and in a freedom of information search we found correspondence from the department making it clear that if Newtricity chose to pursue Part Five for the transmission line (quote) ‘the EIS must satisfy the department that there is a feasible and certain grid option connection’.**

**In a meeting between the Department of Planning and parties acting on behalf of Newtricity early in 2015 the Planning Department’s Energy Projects Team Leader, Neville Osborne, cautioned against the removal of the transmission line from the project. Newtricity (or those acting on its behalf) were advised by Mr Osborne “the EIS will need to contain information to satisfy the department of the certainty of the TL connection, detail the corridor and address environmental, social and access to land impacts. Should these issues be determined to be considered marginal then the project may be considered marginal”.**

**Commissioners – we have not seen that detail, the environmental and social impacts have not been addressed because despite it being a requirement Newtricity has not provided these details.**

**As stated in our opposing submission, the failure alone of the proponent to definitively identify the corridor for the transmission line should be grounds enough for the project application to be refused.**

**In public statements in relation to commercial or environmental constraints made by Newtricity or those working on its behalf a couple of years ago, Newtricity all but ruled out options which the company is now apparently pursuing so it can run the transmission line to the Gullen Range wind farm.**

**Earlier this option had been completely dismissed “for technical and commercial reasons”.**

**In file notes also obtained under a freedom of information search the Department of Planning was advised by Clarence Consultants, who work for Newtricity, that (and I quote) “only the southern option would be pursued due to commercial risks and potential impacts with the eastern (Gullen Range connection) option, including higher infrastructure investment (4-5 times more expensive on 330kV than 132 kV) and Aboriginal and vegetation issues”.**

**What are neighbouring landholders to make of all of this? What is the community to believe?**

**I also point to correspondence between the Office of Environment and Heritage to the Department of Environment and Planning which states “The transmission line has the potential to have large impacts on the local and regional biodiversity and Aboriginal Cultural Heritage must be thoroughly surveyed by the proponents as we have previously outlined” (ANNEX A, p. 9, letter dated 9 Jan 2015).**

**This issue has been ignored by the department in its recommendation.**

**Many landholders and residents in this area already feel defeated by this process. That is evidenced by the number of people speaking here today. Valid concerns are ignored in what seems like little more than a pre-determined process.**

**I implore you to look at the transmission line concerns which make this project and assessment unique, and reject or defer this application because of the insufficient detail we have about the line and the flawed manner in which it has been split from the wind farm project.**