Timor and Isis Valley Communities

The Timor and Isis Valley Communities **object** to the Hills of Gold WindFarm Development and the Assessment by the DPE

This representation is on behalf of the following Community members (reconfirmed in that past two weeks):
(Names provided separately)
We are yet to hear from (but they have been supportive previously)
(Names provide separately)
This constitutes approximately 80% of the residents and landholders of the Timor and Crawney Communities (the communities).

We include attached copies of the presentation made to the IPC by the community on the 2nd of February. We will be happy to provide copies of the videos shown if requested (these can't be attached due to IPC system limitations)

Building WindFarm infrastructure in non-REZ (Renewable Energy Zones) areas, with none of the associated supporting infrastructure, just magnifies the impacts on local communities and individuals. In addition to the WindFarm development itself, communities are also impacted by bespoke, and often inadequate supporting infrastructure developments such as roads, power lines etc; Non-REZI areas should be **excluded** from this type of development.

We **object** to the Department of Planning and Environment's (DPE) consent for approval of the Hills of Gold Wind Farm (HOG WF), proposed by Engie, and disagree with many of the assessments within its Report.

We believe that the DPE Assessment Report ("The Report") has misjudged the balance of costs versus benefits and that this project is not in the public interest.

The Isis River is the Lifeblood of these communities. Yet the Isis River and the impacts to the source of this system, has largely been unassessed.

The Isis River is one of three major rivers sourced from the Proposed Project Area for the Hills of Gold WindFarm development. Yet it is not referenced (Other than in maps and a unrelated water sharing agreement) in the Environmental Impact Statement, The Soil and Water Assessment, the Amended Environmental Impact Assessment ,the Amended Soil and Water Assessment, the DPE Assessment and Recommendation to the IPC , the PSM independent consultants report on Constructibility, Water and Soils and the conditions of Consent - How is this possible????? That a Recommendation has been made by DPE, with this assessment incomplete, poses an unacceptable risk to the communities. We have presented to and provided evidence of this to the IPC, that the Assessment has been based on incomplete information, and therefore the assessment is flawed.

Our summary of concerns include (but not all):

- Failure of Engie to engage with the community prior to the release of the EIS. The first public meeting with the community was not held until April 2021. That was Six months after the release of the EIS and three months after submissions closed to the public exhibition. The community was locked out of the process and not included in the development of the EIS. Breaching the NSW WindFarm Guidelines 2016
- After Six years there is still no legal access to the site. How can a recommendation be made for approval, without access.
- The Biodiversity Assessment (BAM) has not been completed on the "as recommended" project.
- No on the ground Noise or Vibration Testing undertaken South of the Range. No baseline.
- Inadequate Water or Soil impact assessments for the Isis and Hunter River systems
- Destruction of a Wildlife corridor linking the Wingen Maid to the Barrington's (identified in the establishment of the Crawney Nation Park in 2019). Replacing a wildlife corridor with biodiversity offset islands, will hasten the decline of threatened and endangered species in the area.
- No analysis of the Traffic impacts to the Upper Hunter Roads South of the Range
- No analysis of the Traffic impacts to the Villages, without bypasses, along the New England Highways.
- Precedence set by DPE allows the proponent to include biodiversity offsets for project area land cleared, during the planning process, by the major landholder, both unapproved clearing, and clearing approved for completely unrelated purposes (Agriculture). This land should only have been used for the purposes for which the clearing was permitted - not a WindFarm. How were the biodiversity offsets calculated for this land already cleared? Where is the integrity in this process?

This proposal reveals all of the down sides to trying to build wind farms in non-REZI areas. None of the supporting infrastructure is in place, and building the infrastructure bespoke in non-REZI areas. magnifies the impacts to the areas surrounding the proposal.

Commendation should go to the Tamworth Regional Council (TRC) for their unanimous and consistent rejection of this proposal as the predominantly affected Council, in which the HOG WF is situated. The IPC should give heavy consideration to the strong concerns raised by the TRC given they currently have 20 renewable projects in their region and this is the only one they are opposing, and for good reasons.

This development has never had social licence. For 6 long years the local communities most affected by this project have had clear and undeniable majority opposition. The ecological costs of the HOG WF far outweigh any benefits. How can it be a benefit to earth's sustainability to sacrifice multi-century old trees for a 35 year industrial wind development.

The impact of forcing this development into a fragile ecological landscape on the Great Dividing Range at elevations of 1400m; the geotechnical, near impossible, constraints associated with such; and the extensive destruction of the natural environment, on which it sits, will result in significant and irreversible environmental, visual, heritage, economic and social cohesion impacts.

The DPE assessment states that the visual integrity will remain and the wind farm will not dominate the visual landscape. The community disagrees as no amount of vegetative screening can hide structures that will sit on the natural elevation at 1600 m high. It is easy to rate a visual blight as not impactful when you do not live it day in and day out for the next 35 years.

The Hills of Gold Preservation Inc (HOGPI) commissioned an Independent Visual Expert Review which states " the resultant change of character to a combination of Natural Appearing and Wind Energy Character is significant. The proposed change will be critical to the ongoing community perception of the value of the surrounding landscape."

This project site is deemed suitable by DPE and Engie because it has wind BUT does that make up for the multiple unsuitable factors of this location - a resounding NO!

Good wind does not mean a good site.

Access

After 6 years the DPE Report identifies that the HOG WF still has no access to the proposed project area. The proposed option is subject to a Native Title Claim and is on a Crown Reserve. Why has the DPE not discontinued this process and rejected this application when after multiple reports, multiple requests for information and after 3 different iterations there is still no access to this wind farm site.

NO ACCESS should be NO APPROVAL

Bushfires

The topography of this site means that the most accessible and only method, at most times, is aerial fire fighting. Hanging Rock, within the HOG WF project area, is rated as NSW's second worst site for fires due to its terrain and natural environmental factors. The IPC heard from the Local Fire Brigade during public submissions.
His determination, based on ground truth experience of fire fighting in this area, was that the wind farm will render most suitable helipad sites unusable and his conversations with pilots was that they would not be prepared to risk it.

Access to dams at the top of the ridges will not be accessible and this is where water is accessed as the steepness makes it unsuitable to lift water from low levels at such elevations.

By approving the HOG WF on this site, **DPE is exposing our communities to the risks of increased danger from fire events, and will reduce our ability to fight them.**

Constructability, Soils and Water

The DPE's confidence in its assessment on soils and water impact is misplaced and has therefore placed enormous risks on the community. This development cannot be given consent with all the gaps in soil, water, hydrology and constructibility that have been assessed and taken into true consideration within the reports by Greg Chapman and Dr Robert Banks (commissioned by HOGPI). Some of the serious concerns highlighted by these experts include:

- No project assessments address hydrology impacts
- Rainfall is underestimated and no assessed forecast of impacts of climate change and changed rainfall events has occurred
- Downstream flow impacts have not been considered - this development site will directly impact the origin and multiple water courses to 3 river systems - the Peel, Isis and Barnard. - Contour maps have not been used to make proper accurate scientific assessments, even though they are available.
- No underground water flows have been considered and these are what keep the streams flowing when there is no rain, during our increasing and more severe droughts. - The impact of massive land clearing in addition to concreting and hard stands negatively affecting the natural soil absorption
- No geotechnical data, only interpretations, for construction

- The assessment ignores mass movement instability and the huge erosion potentials - There is no assessment of blue

green algae blooms - phosphorus release from sediment - resulting in smothered aquatic habitats as a result of erosion and inability to use proper sediment controls on steep slopes.
- No assessment on the disturbance on slopes over 30 degrees for 5 km stretches over a 30 year life span of this project.
- Sediment basins cannot be built (as a mitigation) on much of this site - they need to be on flat land, not on shelves or slopes/cliffs. The weight of the water held in the sediment basin would itself then propose a further significant risk of collapse and landslip.

DPE commissioned an independent report on Constructibility, Soil and Water by PSM, published in December 2023. Some of the results were:

- no information provided on the impact to water courses and downstream impacts from construction to the 14 first order ephemeral water courses located in the footprint. - 17 WTGs (WTGs 3, 5, 6, 8, 11, 12, 15, 16, 17, 18, 22, 32, 40, 42, 50, 60, 61, 64 & 66) occur in terrain with existing slopes greater than 20 degrees and of these 6 WTGs are on terrain at/and or above 30% (WTGs 5, 6, 12, 18, 40 & 42) (page 8)
- Point 6.2 states when Foundations are on slopes greater than 25 degrees, "typical erosion mitigation measures described in EIS are unlikely to work in these areas".

- Point 6.3.2 states the following:
- Approximately 33% (10 km) of Access Tracks are located in areas where slope of existing terrain is steeper than 20 degrees and present high erosion .
- Approximately 17% (5 km) of Access Tracks are located in areas where slope of existing terrain is steeper than 30 degrees and present very high erosion potential.
- Over 60% of the Transverse Track (TT) traverses areas where existing terrain slope is steeper than 20 degrees
- 40% of the TT traverses areas where the existing terrain slope is between 30 degrees and 50 degrees.
- The approaches to manage drainage and erosion will result in a large amount of excavated material which "… will need to be removed ..reused…or disposed of away from the Project**. As far as we can tell, there are no allowances for "fill emplacement areas" as part of the application.**

The Constructability of the Transverse Track (TT), over 6.5km, remains of high concern. It is assessed that a 15-20m high embankment may be needed across valleys with slopes of 28-40 degrees and across 2 deep drainage paths for sections of this TT. Further, the Constructibility advice outlines that 40m-60m long batters would be required. **Once again there is limited design and construction details to address these steep batters, earth works, erosion mitigation, surface water and creek presence.**

After these figures the **PSM Report states on page 17 that " …given the lack of detail regarding the specialised erosion and sediment control measures, and the relatively large extent of the Project to which such measures may apply, we consider that this is a meaningful gap in assessing the impact on soil and water resulting from the Project. The EIS provides insufficient details to allow independent confirmation that the assessed disturbance footprint is sufficient to allow for the necessary specialised erosion and sediment control measures to be implemented in the areas of steep ground and particularly the TT."**

It should have been that this prompted the rejection of this development but at this late stage, after almost 6 years and multiple reports by Engie, **the DPE gave Engie yet another chance to provide answers to information provided to them - note this is not information they researched, understood or considered themselves at all!.**

The resultant answers which apparently gave PSM (and ultimately the DPE) "increased confidence" basically say that the necessary specialised mitigation measures "can be developed" in future design phases.

The answers provided by Engie under section 8 of the PSM Report are a master class in management speak and do not provide any actual information at all - everything is still thinking of a plan or a concept.

Engie will provide " a description of a process for design development"

Engie will provide " plans showing development of design alignment from early EIS to a more detailed concept stage"

Engie answers that " The EIS development footprint is "representative" of the likely final disturbance footprint…However the actual alignment is unlikely to fully coincide with the Development Footprint" ***= nothing certain now about where this project is sited***

There can be no confidence in the information provided by Engie on Constructibility, Soils and Water. The DPE's additional review by PSM exposed the continued concern about the location of a wind farm on a mountain ridgeline and its steep slopes, on Class 8 soils, with high erosion and landslides.

Class 8 soils are defined by the Office of Environment and Heritage land and soil capability assessment scheme as "Extremely low capability land: limitations are so severe that the land is incapable of sustaining any land use apart from nature conservation. There should be no disturbance of native vegetation." Recommended usages of Class 8 soil land are restricted to]

those compatible with the preservation of natural vegetation, including water supply catchments, wildlife refuges, National and State parks, and scenic areas.

The response by Engie provides no detail - just thoughts about what plans they could look to design. After 6 years and these issues raised from the beginning this is unacceptable. The risks that DPE are exposing the environment and the community to, are unacceptable. Their Consent is based on accepting that Engie may develop a design in the future.

The DPE assessment says they feel satisfied that Engie can manage the significant erosion and sediment controls - they are not available now but will be produced by Engie during the "detailed design and construction phase! So how such an assessment could possibly be made is unthinkable! The bearers of the ensuing risks and the dire consequences all fall on the local communities and they are severe and irreversible.

The IPC must reject this HOG WF development - the location cannot support the construction and all the serious and irreversible impacts it will impose on the human community, the environment, the native flora and fauna, the waterways and their aquatic life, the soils and endangered species.

Environment and Offsets

This development will cause the fragmentation of the environmental corridors. The consequences of massive clearing, road construction and transport vehicles on this mountain landscape will see massive weed dispersal and spread - including introduced weeds that have not been part of this
ecosystem. The dangers to the native flora from weed introduction and spread will be uncontrollable given the terrain of the slopes.

It is impossible to use the system of Biodiversity Offsets, in whatever form, to compensate for the destruction of the land where this development is proposed. It is impossible to offset sub-alpine communities - they are island communities that can't be replicated in an offset place. Once they are gone, they are gone for good! **Biodiversity offsets cannot mitigate real losses, as the DPE chooses to believe. They make appeasement through legislation only.**

The assessment lists all the endangered flora and fauna communities. The reality is that the Crawney Pass National Park and Ben Halls Gap Nature Reserve are all interconnecting forestry - their native vegetation and coverage are the very reasons why these endangered species are still alive here on this site. If their habitat is destroyed, as it will be by this
development, through vegetation removal and erosion, "endangered" has the high risk to fast track to extinction.

NPWS (DPE Report page 206) raised concerns about potential for sedimentation of waterways in BHGNR and the impact on the EPBC listed Sphagnum Moss Cool Temperate Rainforest. By now it should be clear that no Soil and Water Report produced by the developer nor by DPE has addressed the severe risks of erosion and sedimentation due to the steep slopes and terrain. No geotechnical reports have been tendered to give any indication that it can be managed and independent expert advice has advised of the high impact and high risk. This fragile and threatened environment must be protected and the only way to do that is to remove the hazard - no mitigation, except removing the hazard, will be enough.

For the sake of the natural environment, the IPC must reject the HOG WF. If the IPC does approve this

development additional conditions of Consent must be included.

Condition of Consent to remove 17 turbines to to protect the BHGNR waterways from sedimentation impacting EPBC listed Sphagnum Moss Cool Temperate Rainforest and also to minimise the risks to avifauna in line with concerns raised by NPWS and BCS (page 63
Point 206 of DPE Assessment Report). The nominated WTGs have proximity to key habitat features such as tree canopies, hollow bearing trees and the BHGNR.

Condition of Consent to Remove WTGs 6, 9, 16, 18, 21, 22, 32, 33, 40, 42, 43, 49, 50, 51, 58, 59, 61.

Bats and Caves

It is hoped that the IPS presentation by Melissa Hadley, a member of the Newcastle and Hunter Valley Speleological Society (NHVSS) and a regular caver in the exact area of this development, gave cause for grave concern about the DPE assessment of the impacts to high species diversity and density of microbat and other bat species in the development area.

The information that Engie used to inform its assessment and responses to DPE, is inaccurate and grossly outdated. The DPE appears to have accepted this information without proper assessment and/or consideration, notwithstanding multiple Submissions they received throughout this process by the NHVSS and other Speleological groups.

Engie were made aware of the rich resource of the NHVSS and their decades of experience in this exact location of the HOG WF. They chose not to use this resource to inform or assist their assessment. One would have to ask why? Could it be that they did not want information that raised many issues about the impact this project would have on present avifauna.

Engie instead consulted Dr Susan White from Victoria (Appendix E.6 Updated BDAR Amendment Report Nov 2022) to provide testament for caves with bats in the Tamworth area, excluding any clarification that the exact area of interest for the wind farm was part of the Upper Hunter Valley caving areas of Barrington, Crawney Pass, Barry, Lawler and GlenRock.

Engie provided a "Geomorphology and Geology & Potential Microbat Roosting Habitat" report as part of the same Updated BDAR Nov 2022. This totally desktop review was outsourced by Biosis, the consultant used by Engie for the BDAR reports, the following:

Under 3.2 Known Habitat Occurrence I quote:

" Biosis supplied the location of three known cave roosting sites in proximity to the HOGWF areas - Timor Caves, Travelling Stock Route and Barry Cave (Figure 7). No details of the cave sites were provided."

Under 3.2.1 Timor Caves, I quote:

" Timor caves are developed in the Timor Limestone Member of the Yarrimie Formation located in the valley of the Isis River. Cave and geological details are provided by Connolly and Francis (1979). Limestone of the Yarrimie **Formation crops out across nearly 900ha along the Isis River but caves are known from only two small localities.**"

Under 3.3.2 :

" After examining Point Cloud LiDAR and orthnophotography of the HOGWF precinct and immediately adjacent terrain the conclusion of this desktop review is that while these techniques can be applicable for exposed ground surfaces, they cannot be conclusive in identifying (or dismissing) the likelihood of potential geological habitat. It is unlikely that large caverns …have remained undetected in the immediate and adjacent study area."

The author of Engie's expert report "Geomorphology and Geology & Potential Microbat Roosting Habitat" is using desktop references from 1979 and 1986 - if he had used current documented and evidence based references he would know just how wrong he is on so much of his report!

I refer you to Eyrie Cave photograph (presented in slides by Mr. Chris Eagles to the IPC panel), which was discovered in 2021 and is located directly behind dwelling NAD 70. This cave's formations have been assessed as the most decorated in the Timor Caves network region by NHVSS, not to mention the added discovery of a new species of crustacean within.

There is a staggering amount of inaccurate and outdated information in the reports relied upon by DPE and highlights the inadequacy therefore to inform critical decisions about environmental conservation. The data used is taken from a 1985 reference book (Australian Karst Index 1985), which fails to reflect the current documented caves (and their inhabitants) in the development area of concern. As just one example, the references cited only 3 of the known 9 caves at Crawney Pass, 1 of 2 known in Barrington, and does not even mention the further 171 caves.

The reliance on the outdated , inaccurate information negates the DPE's entire assessment of the threats to Bats (and Birds); it undermines the accuracy of the proposed Bird and Bat Adaptive Management Plan (BBAMP); it renders as useless Engie's Environmental Impact Statement studies; and puts into jeopardy the long term viability of our ecosystems.

The DPE had an obligation to ensure that decisions affecting our environment are based on the best, current scientific data. This did not happen.

The mitigation measures in the Report are woefully insufficient, ignoring the complexities of bat ecology and behaviour and the interconnectedness of their habitats.

The DPE has Recommended that a Bird and Bat Adaptive Management Plan (BBAMP) be prepared by Engie PRIOR TO commissioning of any wind turbine. Does this mean that the turbines will be built, but not turned on unless the BBAMP is approved by the Planning Secretary?

By then the destruction has occurred to forage habitat, caves and caverns, adits have potentially collapsed under mass movement and construction. What if the 12 months of baseline data on threatened and "at risk" bird and bat species and populations affected by the development depicts a picture that says no wind farm should be on this site? Will the DPE then decommission the HOGWF immediately, before one turbine is turned on?

It is unconscionable to trust the accuracy of yet another data collection from Engie when they have had 6 years to provide such and have not done so. They have not used site specific accurate information and their answers about curtailment were totally unsatisfying to the IPC. Engie have suggested they will be using curtailment now for both noise and bat and bird strike - will the turbines be off more than on?

I find it incredible that BCS in DPE point 201 (page 62) confirmed its advice that SAII to cave dwelling microbats and their breeding habitat has been avoided through turbine removal and relocation. The removal of WTGs 1, 19, 23, 27, 31 and 41 and relocation of 23 others **happened prior to the current DPE assessment information we are submitting on.**

Clearly the BCS (and NPWS) continued to raise concerns about another 17 turbines.

A further Point 206 within the DPE Report (page 63) states that both BCS and NPWS raised concerns about proximity of turbines to important habitat features (tree canopies, hollow bearing trees, and the BHGNR) and the resultant threats to bats and birds. WTGs 6, 9, 16, 18, 21, 22, 32, 33, 40, 42, 43, 49, 50, 51, 58, 59, 61.

DPE sought a response from Engie on this issue and the response provided was about smart curtailment strategies. Engie in its oral response to the IPC on 1st and 2nd Feb 2024 highlighted that knew next to nothing about this strategy, except to say that curtailment technology exists! Added to that the significant gaps in the accurate data about bats in this location (as opposed to
that of the NHVSS) there should be no reliance nor confidence nor willingness to risk the threat to cave dwelling bats under SAII.

If the IPC decides to approve the HOG WF at the very least I urge that they express their disregard of the totally inadequate Reports on Bat and Birds done by Engie, and DPE's assessment of such, and give some protection to the threatened avifauna.

Condition of Consent to remove 17 turbines to minimise the risks to avifauna in line with concerns raised by NPWS and BCS (page 63 Point 206 of DPE Assessment Report) and in addition, to protect the BHGNR waterways from sedimentation impacting EPBC listed Sphagnum Moss Cool Temperate Rainforest. The nominated WTGs have proximity to key habitat features such as tree canopies, hollow bearing trees and the BHGNR.

Condition of Consent to Remove WTGs 6, 9, 16, 18, 21, 22, 32, 33, 40, 42, 43, 49, 50, 51, 58, 59, 61

<u>Koalas</u>

The DPE assessment states the Koala habitat impact is to 42.45 ha and the threatened vulnerable species remains on the BC Act and the EPBC Act.

The assessment is that DPE don't think the existing populations will diminish, even though Engie's revised BDAR concluded there was potential for significant impacts to both the Koala and Spotted- tail quoll.

Advice to the DPE from BCS was that yes, the project will reduce the availability of resources within the locality for these species and that the removal of resources will be in already fragmented areas of the project footprint. This last statement about fragmentation was made as though this made things ok. I refer you to the list of most threats to koalas below to see that this is an erroneous assessment. Fragmentation itself is a threat.

Of the range of threats the NSW government notes all of them apply to the koalas in the HOGWF area :
- habitat loss
- Fragmentation and degradation
- Climate change
- Disease
- Declining genetic diversity
- Vehicle strike
- Bushfire
- Dog attack

The NSW Koala strategy Pillar 1 is, most relevantly, Koala Habitat Conservation. The NSW Government set the ambitious goal of doubling koala numbers in NSW by 2050, which is the year, if actions are not undertaken it is feared koalas could be extinct in NSW.

It is unfathomable that DPE is approving Engie's development, knowing 42.45 ha will be destroyed. It should be noted that Tamworth Regional Land is creating 45 ha of new koala habitat in Gunnedah - erstwhile almost the same amount is being bulldozed for this project.

The DPE has accepted Engie's assessment of seven Commonwealth threatened fauna species (and 1 threatened ecological community), including the koala. The assessment advice is that although " there is potential for impacts to occur to seven EPBC listed threatened fauna species, these are not considered significant".

The DPE's assessment is unacceptable, especially when considering Engie's record of assessing bat and bird threats!

<u>Connectivity Issues</u>

The DPE assessment shows that the BDAR itself identified that the operation of a wind farm of 64 turbines operating over a

linear distance of 30 kilometres along ridge lines has a potential to create an obstacle to movement through the wind farm, impacting upon habitat connectivity in an east to west , and north to south, direction within different portions of the development footprint.

Despite turbine removal or change to layout, within the site, the project's development footprint is still the same size in length and breadth. BCS advice is that it expects some impacts to habitat connectivity to remain.

- This development causes the fragmentation of the natural environmental corridors between Crawney Pass National Park and Ben Halls Gap Nature Reserve (BHGNR). These two natural settings are themselves part of the wider network of conservation reserves located on top of the Liverpool Range (part of the Great Dividing Range where the HOG WF is proposed) that also includes Coolah Tops, Murrurundi Pass NP and Towarri NP, Cedar Brush/ Wallabadah and Wingen Maid Nature Reserves.

This assessment shows no understanding of the connectivity of the wider network of conservation reserves located on this Liverpool Range (as part of the Great Dividing Range) that includes Crawney Pass NP, Coolah Tops, Murrurundi Pass NP, Towarri NP, Ben Halls Gap NR, Cedar Brush, Wallabadah and Wingen Maid Nature Reserves.

These form part of a regional corridor providing habitat connectivity corridor along the Liverpool Range and is located within the broader Great Eastern Ranges Initiative conservation corridor.

The destruction and fragmentation of 30 kms of natural habitat, comprising KNOWN threatened ecological flora and fauna communities, destroys the connectivity corridor and further puts these species at risk of species loss and certain profound ecological consequences.

Noise

There does not appear to be any assessment results for noise from road traffic for "**noise sensitive land use" .** Engie's assessment (Sonus Nov 2022 page 10) advises it must assess traffic noise under the NSW Road Noise Policy.

The Crawney Pass NP, Ben Halls Gap Nature Reserve and the Teamsters Rest parkland area would all be considered noise sensitive/open space passive use sites under the NSW Road Noise Policy. (RNP Table 4 page 13). There is supposed to be an assessment of noise level at times and location regularly attended by people using these spaces. The RNP states its primary role under Section 4.4 is "…to provide a basis for measuring and defining the extent of any existing traffic noise impacts". Again, it is contended that you must have accurate data of before a development to know its impact after.

Factors to be considered when assessing criteria are : existing level of noise exposure; whether volume or composition of traffic flows would substantially change. (2.1)

2.4 Relative Increase Criteria states that "In addition to the assessment criteria outlined in Tables 3-5, any increase in the total traffic noise level at a location due to a proposed project or traffic generating development must be considered".

How can an increase in noise level be measured without baseline data of existing levels? There does not appear to be any exact measurements of noise pre-development on the Timor side of this site and for these 3 noise sensitive areas.

Conditions of Consent that baseline, on the ground, noise assessments for traffic must be done for Timor community dwellings and for the The Crawney Pass NP, Ben Halls Gap Nature Reserve and the Teamsters Rest parkland area, the three latter which would all be considered noise sensitive/open space passive use sites under the NSW Road Noise Policy. This must be conducted prior to any work commencing on the HOG WF.

Additional Transport Issues

In the presentation by the community to the IPC,, the transport routes through local UHSC roads leaving the New England Hwy at either Aberdeen or Blandford will substantially reduce travel time to the proposed Option B access, just over Crawney Pass. It was estimated a return trip via these local roads would save 50 minutes and 70 kms in travelling distance.

Engie has continued to dismiss that any traffic - except maybe 1 to 2 vehicles- will come over this road - we disagree! These local routes will also serve as a convenient alternative for any and all traffic trying to travel north and elude the blogging of the New England Hwy by the 6 OSOM trucks movements, 6 times each day for 9 months.

This high potential for use of local roads has been disregarded and no assessment of this made. The roads are narrow, winding and on steep slopes, a high proportion unsealed and highly erosive. Multiple significant landslides are a feature of this road as it crosses over Crawney Pass.

There has not been any on-ground assessment of impacts like increased noise, dust suppression or road maintenance or safety assessment for local residents in these areas for these roads.

This is a potentially large impact for the South side of the project (Timor and Isis River valley communities) and don't feel any assessment has been done , or any adequate assessment, of these impacts and needs to be.

Condition of Consent that no local Upper Hunter Shire Council (UHSC) local roads be used for any part of this project.

Decommissioning

The DPE report notes that many public submissions raised concerns about the lack of any detail from Engie for the decommissioning of the HOG WF, and noting there is no comment about decommissioning at all in Engie's Amendment Report.

Engie's EIS stated it would leave in situ the below ground infrastructure including the turbine hard stands, which amount in the order of 49,000 cubic metres of concrete.

There must be the requirement for the removal of below ground infrastructure included in the DPE Conditions relating to Rehabilitation Objectives - if the aim is to restore the site to its native vegetation then that is a forested landscape. No large forest trees can put down roots through 49,000 cubic metres of concrete!

The UHSC made comment on the installment of a decommissioning bond to ensure the project does not become a stranded project with insufficient funds.

At the IPC public meeting the Panel asked the DPE about these issues and the DPE said it was happy to have trigger objectives when the time came - I note that B49 sets a time frame of 18 months of the cessation of operations. What is concerning is the amount of times within this Condition of Consent that there is wriggle room for things not to happen/ or not to have to happen if the "Planning Secretary" agrees or otherwise.

There is no certainty for the community with such loose parameters. All Objectives must not be able to be weakened by the Applicant and the Planning Secretary.
Additionally at the IPC public meeting, Engie offered its opinion about how good a company they are at decommissioning and therefore no need of a bond should be required - they were proud to boast of their achievement at Hazelwood Power Station.

This invited a look at this assertion and from a factual perspective shows that Engie closed and ceased operations at Hazelwood in March 2017, giving 5 months notice only to the Victorian Government. Engie's website today shows a magical story whereby a giant lake will be on the Hazelwood site, completed by 2023.

Fact - in April 2023 the Victorian Government released terms of reference to go through an environmental effects statement (EES) process under both State and Federal laws due to the concerns brought to their attention about Engie's proposal.

The planning.vic.gov.au website as of 5th February 2024 has the status showing **Engie is preparing a consultation plan for EES** (2021-R06).

As part of this process, Engie still has to submit an EES to decommission - roads, car parks, buildings, pump houses on the Hazelwood site.

The proposed "pit lake" project proposes a filling period of between 10-20 years, with a fill of up to 35 years under the worst case scenario.

The Minister decided an EES was needed as the project has the potential for significant environmental effects and cumulative adverse effects including on:
- surface water and ground water resources, including hydrology, water quality, availability and associated environmental values;
- Existing land uses and landscape values;
- The Gippsland Lakes Ramsar site (internationally recognised for very significant environmental values);
- Native vegetation, listed ecological communities and species of flora and fauna; and - Aboriginal and non-Aboriginal heritage values.

It is 7 years since the closure at Hazelwood and Engie is telling the IPC to look at its track record, citing Hazelwood as the jewel in the crown for its ability to decommission well. Such glacial timelines for regeneration, hardly provide the community with confidence that the decommissioning process timelines will be met. Interestingly, Engie doesn't mention the 2014 Hazelwood Brown Coal Pit Fire, estimated to have caused 11 deaths in the area.

The issues concerning the Victorian government about Engie's decommissioning are disturbingly and scarily almost identical to **all the issues raised about the HOG WF on the location of the Great Dividing Range by the objectors to the development.**

Engie's planning and assessments are inadequate, flawed, unscientific, poorly referenced or simply not even done.

If the IPC approves the HOG WF the following Conditions of Consent relating to Decommissioning should be applied:

Condition of Consent should state that a suitable and meaningful decommissioning bond must be instituted which starts at the commencement of construction and continues throughout the operation of the project ; the "within 18 month timeframe" must stand firm as the beginning of decommissioning with a finished rehabilitation

time frame of no more than 3 years from the rehabilitation commencement date; all rehabilitation objectives should remain firm and not be able to be waived by the Planning Secretary; additionally all the underground concreting and other underground infrastructure must be removed to enable the restoration of the development site to its natural vegetation and landscape value.

Other Issues

1) **Clearing by the Major Landholder**

DPE Report page 56, Point 186 - " the **Department is aware that land clearing has occurred on the project site prior to any approval of vegetation clearing under this development application"**

The community find it unacceptable that DPE have effectively sanctioned unauthorised clearing in the area of the WindFarm. In addition, the issuing of a clearing permit for agricultural purposes in the area of WindTurbines 21 and 22 (and in the previous iteration - The BESS and operation centre), during the planning process, is a breach of process. Allowing the proponents to offset this very dubious clearing, during the Assessment process, will set a very dangerous precedent for all future developments. Where is the credibility of this process?

Whilst the EU seeks to remove deforestation within the supply lines of EU based companies, here we have an EU based company turning a blind eye to unapproved and dubiously approved deforestation that has occurred on the major landholders property, in the planning stages of this project.

The NSW Government should step in to stop this project and the unacceptable precedent it will set for all future projects in NSW.

The response to this breach is totally inadequate. A fairer consequence to the developer, Engie, and landholder for such behaviour, and some sense of justice to the community, and a strong message to future developments, should be that any turbines in the vicinity of the cleared land should be removed. The community believes that the area in question is the site of WTG 21 and 22.

Condition of consent is for removal of WTGs 21 and 22 which are situated on the site of the recognised cleared land.

2) DPE's Development Consent A7 & A10 (c) state no blade tip may be located within 130 metres from the surveyed boundary of Ben Halls Gap Nature Reserve" and "the revised location of the blade of a wind turbine is at least 50 metres away from the canopy of existing native vegetation".

WTGs 39, 40, 43 and 45 are unable to comply with these Conditions of Consent. **Condition of Consent to**

remove WTGs 39, 40, 43 and 45 as they are non-compliant.

3) The Timor, Crawney and Isis valley communities will be severely impacted from the environmental impacts occurring to the Isis river and the springs and streams, which feed it, that are all lying within the HOG WF development.

The Isis river is used for stock use, domestic use and irrigation. Sediment from erosion in the catchment has deeper impacts than just to these local communities mentioned. Sediment deposits flow downstream into the Hunter River and then into Newcastle Harbour. There is considerable impact, not at the least expense, in dredging the Harbour to keep it navigable.

The DPE Conditions of Consent B21 (b) (iv) only mention avoidance of impacts to water quality of water flowing into the Chaffey and Glenbawn Dams. However most of the southern drainage is into the Hunter River catchment downstream of Glenbawn Dam. For this reason the condition should be amended to include impacts on the quality of water flows into the Isis River.

Condition of Consent listed as B21 (b) (iv) needs to be amended and strengthened to include "avoid impacts on the quality of water flowing into the Chaffey and Glenbawn catchments and Isis River."

Conditions of Consent added to B21 (b) to include "avoid impacts on the quality of water flowing into Perry's Creek, Pages Creek, Dead Eye Creek and Whites Creek" to protect the quality of water flowing into the Isis River."

4) In the event that the IPC approves the HOG WF, the IPC should uphold the **Conditions of Consent made by the DPE for removal of 17 WTGs due to non-compliance with visual, noise and biodiversity guidelines - removal of WTGs 9, 10,11, 24, 28, 42, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63**
5) IPC should **reject outright any "Voluntary Acquisition" as posed by Engie.**

6) **Condition of Consent that no local Upper Hunter Shire Council UHSC) local roads be used for any part of this project**.

7) To respect and honour the township of Nundle and surrounding areas as tourist havens and their evidenced reliance on tourism for their livelihoods, the construction hours should be amended.

Condition of Consent that construction, road upgrades, commissioning, demolition, upgrading or decommissioning activities may only be undertaken from Monday - Friday 7am - 6pm.

Condition of Consent that Blasting may only be carried out between Monday - Friday between 9am - 5pm

8) DPE Report page 55 point 178 says that Engie has "**committed as far as practicable**" to limit heavy vehicles operations during school bus peaks. This is not currently a Condition of Consent and not enforceable.

It is not in Engie's commercial interests to limit any of its construction and development and as such this commitment is not meaningful or real and will not happen. Unless it is made as a Condition, with oversight and consequences, it will not happen.

Additionally the UHSC children resident in Timor and Crawney are equally affected by the risks posed by heavy vehicles, as their bus routes are through Blandford and Murrurundi for school there as well as on to Scone. These children equally deserve the protection against the on road dangers of OSOM travelling through rural townships. This is not just a risk for children in Nundle.

There also needs to be strict schedules that transport vehicles must adhere to and significant consequences for breaches.

Conditions of Consent that no OSOM transport vehicle and associated escorts (both laden and unladen) must operate during school hours transport times (8am - 9:30 and 2:30 - 4 pm) through the townships of Blandford and Murrurundi in the UHSC as well as those in Nundle.

Conclusion

Engie's planning and assessments are inadequate, flawed, unscientific, poorly referenced or simply not even done. Engie are Masters of words and paper theory - the magical "design phase" as the catchphrase to when Engie will actually produce factual information, after 6 long years, for so many vital aspects of this project, is not a leap of faith that any responsible entity should take.

The consequences and impacts of this development to the native flora and fauna, the human inhabitants, its waterways and aquatic life and its heritage are too great, too serious and irreversible.

The Biodiversity Assessment (BAM) has not been updated for the "as recommended" project

The proponents do not have Legal Access to the Site (and may never have!!) What is the basis for approval?

A Renewable Energy development in a NON-Rezi Zone magnifies the impact to the local communities, requiring substantial bespoke supporting infrastructure development, with consequent impacts.

The DPE assessment based on incomplete site information, in approving this HOG WF project is deeply Flawed.

This is an Unsuitable Location posing Unacceptable Risks

The IPC should reject the Hills of Gold Wind Farm application.

If the IPC does approve the Hills of Gold Wind Farm I seek that they implement the additional Conditions of Consent set out in this Submission. (see below)

LIST OF ALL PROPOSED CONDITIONS OF CONSENT

1. **Condition of Consent to remove 17 turbines to protect the BHGNR waterways from sedimentation impacting EPBC listed Sphagnum Moss Cool Temperate Rainforest and also to minimise the risks to avifauna in line with concerns raised by NPWS and BCS (page 63 Point 206 of DPE Assessment Report). The nominated WTGs have proximity to key habitat features such as tree canopies, hollow bearing tress and the BHGNR.**

Condition of Consent to Remove WTGs 6, 9, 16, 18, 21, 22, 32, 33, 40, 42, 43, 49, 50, 51, 58, 59, 61.

2.**Conditions of Consent that baseline, on the ground, noise assessments for traffic must be done for Timor community dwellings and for the The Crawney Pass NP, Ben Halls Gap Nature Reserve and the Teamsters Rest parkland area, which would all be considered noise sensitive/open space passive use sites under the NSW Road Noise Policy. This must be conducted prior to any work on the HOG WF commences.**

3. **Condition of Consent should state that a suitable and meaningful decommissioning bond must be instituted which starts at the commencement of construction and continues throughout the operation of the project ; the "within 18 month timeframe" must stand firm as the beginning of decommissioning with a finished rehabilitation time frame of no more than 3 years from the rehabilitation commencement date; all rehabilitation objectives should remain firm and not be able to be waived by the Planning Secretary; additionally all the underground concreting and other underground infrastructure must be removed to enable the restoration of the development site to its natural vegetation and landscape value.**

4. **Condition of consent is for removal of WTGs 21 and 22 which are situated on the site of the recognised unauthorised cleared land**.

5. **Condition of Consent to remove WTGs 39, 40, 43 and 45 as they do non-compliant with distance from boundaries of the BHGNR.**

6. **Condition of Consent listed as B21 (b) (iv) needs to be amended and strengthened to include "avoid impacts on the quality of water flowing into the Chaffey and Glenbawn catchments and the Isis River."**

7. Conditions of Consent added to B21 (b) to include "avoid impacts on the quality of water flowing into Perry's Creek, Pages Creek, Dead Eye Creek and Whites Creek" to protect the quality of water flowing into the Isis River."

8. **Conditions of Consent made by the DPE for removal of 17 WTGs due to non-compliance with visual, noise and biodiversity guidelines - removal of WTGs 9, 10,11, 24, 28, 42, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63**

9. Condition of Consent that no local Upper Hunter Shire Council (UHSC) local roads be used for any part of this project.

10. **Condition of Consent that construction, road upgrades, commissioning, demolition, upgrading or decommissioning activities may only be undertaken from Monday - Friday 7am - 6pm.**

11. Condition of Consent that Blasting may only be carried out between Monday - Friday between 9am - 5pm

12. **Conditions of Consent that no OSOM transport vehicle and associated escorts (both laden and unladen) must operate during school hours transport times (8am - 9:30 and 2:30 - 4 pm) through the townships of Blandford and Murrurundi in the UHSC as well as those in Nundle.**