

SSD 9679

Hills Of Gold Wind Farm

ReD4NE Final Submission to IPC Planning Commission

9 February 2024

Why this project doesn't justify IPC Consent

- The Independent Planning Commission should break with its traditional default position and reject the DPE recommendation
- Consent will crush a community and the importance of its cultural legacy
- Consent will endorse the illegitimacy of poor site selection – and acceptance of big corporate advantage of individual disadvantage
- Consent is not justified -the project is awash with fatal flaws . It conflicts on a number of critical environmental and socio-economic fronts
- Consent will destroy the legitimacy of local planning and the bona fides rights of local government to exercise a jurisdiction on spatial land use planning and heritage.
- If the question before the IPC is merit assessment as to whether 47 WTG vs Zero WTG is acceptable then the answer should be the latter.
- There is no merit to the project proposition - there is no demonstrable benefit to the NSW energy economy

ReD4NE

6 Core Themes against Consent

- Red4NE focuses six core themes of these issues ;
 - 1) Public discourse on the lack of social license as illuminated in the **Electricity Infrastructure Commissioners Report** on Community Engagement Continues to throw a light on the practices that should be adopted in acceptable community engagement. Evidence in the IPC Public Meeting **confirms a disingenuous and disrespectful engagement by the Developer and assorted hanger-ons**. This is evident in many elements of their development practice. They are arrogant to their boot laces
 - 2) The project doesn't offer a realistic accessibility and constructability profile – impossible comes to mind.
 - 3) The developer's approach to Cumulative Impact is archaic and totally unacceptable on any interpretation on existing Guidelines
 - 4) The suggestion by the Developer that voluntary acquisition should be adopted is unjustified and rejected by all New England Communities
 - 5) The Rejection of this Project by the Tamworth Regional Council is a matter the IPC should put significant weight on
 - 6) The failure of the DPE and IPC to conduct appropriate inquiry as to the Projects Bankability is in breach of the Objectives of the Environmental Planning and Assessment Act 1979 **as a matter of planning principle the IPC should not entertain consent requests for projects that are demonstrable uneconomic.**
- ReD4NE is disappointed with the approach adopted by ENGIE
 - ✓ Its arrogant it assumes we can throw planning guidelines - people and their place under a bus. In the interest of profit
 - ✓ It withdraws and overdraws from the bank of social license
 - ✓ It clearly an approach that wouldn't be tolerated in France
 - ✓ It clearly questions the bankability of the project a suggestion of \$2.147m per MW doesn't appear to take account of the extraordinary infrastructure costs + BESS + grid connect – So its unclear what the total installed cost – but I think we can assume that it's a very expensive installation –
- **How is there a compelling public benefit in approving projects for the energy transition which are commercial duds ? We are asking the Community to throw their property values under a bus why shouldn't we be asking the Developer to lift his skirt on the economic justification.**
- **Doesn't the Planning Act aim to :**
 - ✓ to promote the social and **economic** welfare of the ...
 - ✓ to facilitate ecologically sustainable development by considering **economic, environmental and social** factors in planning decisions;
- **There dearth of compelling public interest – aka tangible economics on offer**

TRC – Push Back

- ReD4NE deals on behalf of communities, with originators - developers – investors - governments and LGAs
- LGAs all take varying positions on renewables – most operate as financially fragile so VPAs and other benefit incentives from Developers can often be the lure to dance with development. Some developments are responsible and offer benefit over detriment and should be encouraged.
- However when a major LGA such TRC **object** and **reject** you sit up and listen. So when TRC suggests ;
 - ✓ Developers failure proper plan and assess as to site access and constructability a fatal flaw
 - ✓ Failure to respect the cultural landscape and heritage values proposition
 - ✓ Failure to respect natural assets and associated biodiversity
 - ✓ Failure to respect social cohesion –sugar hits v the rest
- ” *...so we really think this site is not suitable. So maybe a good project but not on this site...*” TRC

Social License Visual Impact

- ReD4NE deals constantly with State Governments – it's cap and trade is to advise on and advocates on planning governance –new and old.
- It is patently aware that Agencies like DPE are trying to ensure that their regimes reflect modernity and the realities of the energy transition –Social License is of critical importance we see that in Humelink VNI –West ,CWO REZ and Offshore Wind.
- Planning guidelines as planning principles remain work in progress living documents - LVIA assessment has been a critical centre piece of these guidelines since 2002 – with
 - ✓ Draft Guidelines in 2011,
 - ✓ Renewable Energy Action Plan in 2013 ,
 - ✓ Wind Energy Guidelines in 2016
 - ✓ Visual Impact Assessment Bulletin;
 - ✓ Most recently Draft Energy Guidelines in 2023 under review

Taragla V Planning Guidelines

- So the world of Visual Impact Assessment has become a lot more scientific than 2006 when the then CJ of the L&E Court had to grapple with the conflicts presented in Taragla Landscape Guardians Inc v Minister for Planning and RES Southern Cross Pty Ltd
- Context is everything that Judgement back in 2006-07 there was only 18 MW of installed wind – They did a site inspection at the very first wind farm in NSW Crook well < 7 MW . DPE now confirm there is 20,000 MW nameplate wind capacity in the planning system
- For the times 2006-07 it was a very strong decision in favour of wind it is an environmental thesis. We get why the Judge took this approach based on climate change to uphold an Appeal against the Minister decision to deny consent for the Taragla Development . It was right at the time.
- However in the Hills of Gold matter at hand the DPE confirm at page 33 of their reference there is currently 20,000 MW of nameplate capacity for wind development and that removing 11 turbines would not jeopardise the NSW emissions target.
- Taragla wouldn't be approved under newer iterations of Visual Impact Guidelines. To suggest its an applicable precedent for reversing DPE's recommendations is an absurd suggestion as to public benefit –Taragla turned out to be an economic dud of some questionable benefit to the welfare of the community.
- The proposition advanced by the Developer undermining the integrity of existing and draft Visual Impact Guidelines is of no public benefit .
- For a starter turbines are only hub height 80M not hub height 150M and Taragla had none of the constructability issues dogging the Hills of Gold.

Voluntary Land Acquisition

- The IPC very appreciate securing social license is a precious asset in the energy transition. Application of a Voluntary Land Acquisition and Mitigation Policy is not a value add. It drives another nail into the coffin of the landowners rights
- To suggest that one of the tools to securing enhanced developer profitability is to grant **voluntary land acquisition** –such a move would quickly ensure the gate closes on the transition – **clang !** .
- **Public Benefit V Individual Disbenefit** might **be** a prevailing practice in Xinjiang Province but not in the Tamworth LGA ?
- As referenced by DPE the Developer has put in a dismal and perhaps arrogant performance in failing to negotiate neighbours agreements or conjure up alternative layouts
- In terms of the project insight it would appear the most exposed landowner know DAD -01 –is not interested in an agreement .

Development
not a fit for this community

IPC should question
Project Bankability

- Clearly RE has a strong fit in the transition – but that fit respect people and their place –development that promotes from prudent planning and preparation accessibility and constructability.
 - This project just doesn't fit – that is most demonstrable in the Community's attendance and advocacy multiple fatal flaws –tourism, biodiversity, accessibility, constructability, cultural heritage and most demonstrably visual amenity -
 - It presents a case based on elementary and ill thought through legal interpretation - lets downgrade a CDC –lets throw back an assessment of visual impact to time well before Guidelines existed
 - The justification somehow being public benefits ie the economic environmental and social merits of the project somehow outweigh the private disbenefits.
 - We appreciate DPE put a lot of time and effort into their assessment over many years but we are still non the wiser whether the project is a real economic value add to the NSW Energy Economy –Hard to get a handle the CIV
 - ✓ The EIS suggests the installed cost of on around \$2m per MW installed (assuming incl BESS)
 - ✓ Assuming this cost is **not reflective of the 34% increase** in imported turbine costs since 2021 – precious minerals in turbines up 97% copper etc.
 - ✓ Assuming this cost is not reflective of concrete and gravel cost increases in the build
 - ✓ Assuming this is not reflective in the considerable transport costs from the Port of Newcastle through to the difficulties of this site access and costs
 - ✓ The Media report that based on the wholesale energy market in the last quarter of 2023 that the national energy price is \$48MW
 - ✓ Clearly the installed cost of deployment at Hills of Gold will be significantly higher in costs compared to other sites
 - ✓ How is this putting downward pressure on energy bills.
 - ✓ The National Energy price of \$48 MWh plus \$48MWh for a green certificate = \$96 MW
- How is this enhancing value to Energy Economy of NSW – Engie are a gentailer they are only selling to themselves**
- Shouldn't this be part of the IPC's Inquiry in accordance with the objectives of the EPA Act

Conclusion

- ReD4NE questions the Developers conclusion as the “..enormous environmental ,social and economic benefits ..” There is nothing we heard during the Public meeting which would support the conclusion that’s its in the public’s interest .
- ReD4NE acknowledges the depth of the global experience Engie brings to Australia –however this project detracts rather than compliments that reputation.
- You cant with all the respect we can muster but conclude –they brought a lemon in the Hills of Gold site – wrong place –poor process –zero social license .
- ReD4NE strongly supports **a non consent determination from the IPC**



Thankyou