



**HILLS OF GOLD  
PRESERVATION INC 1800437**

**IPC SUBMISSION  
FEBRUARY 2024  
SSD-9679**

*The view of the proposed project area from Hanging Rock lookout, photograph by Sally Alden*



*Photograph of the project area, photo by Chris Cummins.*

***We acknowledge the Traditional Custodians of the land on which we live, the Kamilaroi people. We recognise their continued connection to the land and waters of this beautiful place and acknowledge that they never ceded sovereignty. We respect all Kamilaroi Elders and Ancestors and extend that respect to all First Nations people.***

# CONTENTS

<b>1.0 INTRODUCTION</b>	<b>4</b>
<b>2.0 NON-COMPLIANCE - VISUAL</b>	<b>5</b>
2.1 Wombramurra Mountain	5
2.2 Governor's Shelf	6
2.3 Transverse Track	6
2.4 Western Connector Road	8
2.5 Private road bypass and proposed car park	9
2.6 Internal wind farm tracks and turbine hardstands	10
<b>3.0 NON-COMPLIANCE - TRANSPORT</b>	<b>11</b>
3.1 Missing Information	11
3.2 Incomplete or misleading information	14
3.4 Unexhibited new intersection, Morrisons Gap Road	16
3.5 Unexhibited OSOM route	17
3.6 Traffic and construction noise	20
<b>4.0 NON-COMPLIANCE - BIODIVERSITY</b>	<b>23</b>
4.1 Ben Halls Gap Nature Reserve setbacks	23
4.2 Moderate risk turbines	24
4.3 Incomplete information	26
4.4 Incomplete maps	27
<b>5.0 NON-COMPLIANCE - CONSTRUCTABILITY</b>	<b>31</b>
5.1 Constructability Advice omissions	31
5.2 EIS gaps identified	34
5.3 Water, Soils and Erosion	37
<b>6.0 NON-COMPLIANCE - LEGAL ACCESS &amp; TRESPASS</b>	<b>38</b>
6.1 Roads	38
6.2 Turbines and infrastructure trespass	39
<b>7.0 NON-COMPLIANCE - SEARS requirements</b>	<b>40</b>
7.1 Conflict with rural villages	42
7.2 Conflict with rural dwellings, subdivisions	42
7.3 Land of high scenic value	43
7.4 Conservation areas - Ben Halls Gap Nature Reserve	43
7.5 Triangulation Stations	44
7.6 Raw materials	46
7.7 Waste	46
7.8 Flood	47
<b>8.0 PUBLIC INTEREST</b>	<b>48</b>

8.1 Public Interest vs Individual Disbenefit	48
8.2 Land Acquisition request	48
8.3 Renewable Energy Zones	49
8.4 Capital Investment Value	49
<b>9.0 COMMUNITY CONSULTATION</b>	<b>49</b>
9.1 Jobs	50
<b>CONCLUSION</b>	<b>51</b>

# 1.0 INTRODUCTION

Hills of Gold Preservation Inc (HOGPI) members submit evidence to support presentations to the Independent Planning Commission (IPC) Hills of Gold Wind Farm Public Meetings on February 1-2, 2024.

HOGPI members are concerned about the risk of irreversible destructive impacts on both the natural and built environments and social and economic impacts to the localities of Hanging Rock, Nundle, Crawney & Timor. Negative impacts are apparent from the underestimated land clearing, biodiversity decline, habitat loss and overall constructability of the proposed project. There are apparent underestimated negative visual & noise impacts, soil & water preservation impacts, unknown risks of flooding, and no assurance of safety of the people using public infrastructure. This project has failed to address the fundamental principles of the NSW planning process, Objects of the EP&A Act as;

- a) It has not and does not promote social welfare of the community; It has irreversibly damaged the social cohesion of the community due to the threat of conserving the state's natural resources,
- b) It does not facilitate ecologically sustainable development as the project is weighted heavily towards economic benefits with little regard given to the impacts on social or environmental factors,
- c) It is not proposing to protect the environment, conserve threatened species, ecological communities or their habitats, this project does not promote conserving and enhancing the community's resources so that ecological process, on which life depends, are protected and our present and future quality of life can be increased,
- d) It does not pay respect to or promote sustainable management of the cultural heritage, including Aboriginal heritage,
- e) It is not promoting good design with the proposed scarring of the natural environment.

After six years of development and assessment the largest utility in the world, Engie, and the Department of Planning, Housing and Infrastructure (DPHI) continue to present a non-compliant, poorly sited project with important omissions. Having a project of this scale in its current unfinished form reach the IPC Determination stage demonstrates a flawed NSW Planning system. It fails the environment and the community.

Non-compliance is a common underlying theme across the major issues associated with Hills of Gold Wind Farm: Visual, Transport and Traffic Noise, Biodiversity, Constructability, Erosion Mitigation, and Flood. Many of the issues raised in the HOGPI written submission were

identified in its Amendment Report submission, December 2022 and have been ignored.

Hills of Gold Wind Farm is not approvable and HOGPI members request that the IPC Determine Rejection of the project.

## 2.0 NON-COMPLIANCE - VISUAL

The community will never be at ease with a total transformation of the ridge line, should this project eventuate. The following paragraph from the Visual Independent Expert Review, pg 24, aligns with our continuing concerns about the change in character of the highly valued Nundle/Hanging Rock landscape:

**“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. The effect of this significant change of character should be carefully considered in the evaluation of the overall project suitability and determination of Development Consent.”**

The change of character to the landscape surrounding Nundle starts on the approaches to Nundle, Hanging Rock and Timor, so, all directions. During the day, wind turbines would dominate the landscape, and during the night red steady aviation hazard lights at least every 900 m would dominate the night sky.

The SEARS states that the Environmental Impact Statement (EIS) for the development must comply with the requirements in Schedule 2 of the Environmental Planning and Assessment Regulation 2000. In particular, the EIS must include:

“... all infrastructure and facilities, such as substations, transmission lines, construction compounds, concrete batching plants, internal access roads, and road upgrades”

The EIS must include a detailed assessment of the visual impacts of all components of the project (including turbines, transmission lines, substations, and any other ancillary infrastructure) in accordance with the Wind Energy: Visual Assessment Bulletin (DPE, 2016).

**The Applicant failed to provide the following visual impact material related to the Project and its associated infrastructure:**

### 2.1 Wombramurra Mountain

**NO PHOTOMONTAGE** of this landmark mountain, the primary location of the substation, Battery Energy Storage System (BESS), Operations and Maintenance (O&M) Building, car park, concrete

batching plant, and night lighting of the complex. It is visible from Hanging Rock Lookout, the approach to Nundle, locations within Nundle, the Upper Peel Valley and the Timor area.

## 2.2 Governor's Shelf

**NO PHOTOMONTAGE** was provided by the Applicant, or assessed by DPHI, that includes the substation, BESS, O&M Building, car park, concrete batching plant and extensive associated earth works at the second (optional) location on the Governor's Shelf, at the western end of the project. This potentially impacts Nungaroo Land Council and Gomeroi land claim applicants, commuters on Crawney Road, visitors to Teamster's Rest and visitors of Crawney Pass National Park who will have a bird's eye view of this industrial complex from the National Park grounds. Not the experience National Park visitors seek.

There is also an impact on **NAD\_22, which is located 3.8 kms from the complex on the shelf**. The Department's statement that the visual impact is insignificant due to distance holds no weight. The Department failed to recognise the impact of this complex, and Western Connector road, on NAD\_22.

## 2.3 Transverse Track

**NO PHOTOMONTAGE** of the deep cuts and batters on the face of landmark Wombramurra Mountain, or large sections of fill over two deeply incised valleys supported by concrete or rock batters. No visual of the extensive erosion mitigation measures such as stilling ponds.

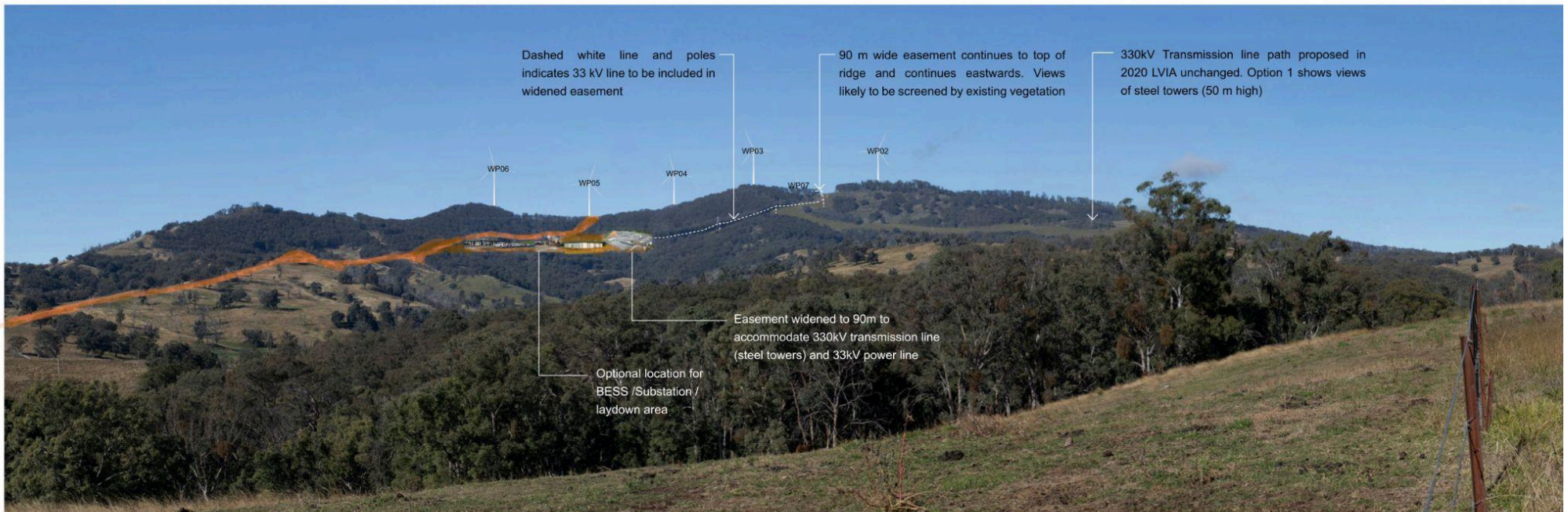


A Community member created this image to give the community an indication of how the Western Connector Rd would be placed in the landscape and infrastructure located on the Governor's Shelf. There is no photomontage provided by the Applicant, or assessed by DPPI, that includes the substation, BESS, O&M Building, car park and concrete batching plant



## 2.4 Western Connector Road

**NO PHOTOMONTAGE** depicting this OSOM road traversing steep terrain from the Crawney Road (access Option B) to the development corridor on the ridge.



**Figure B.1.1.2.** Transmission Line (Option 1) Photomontage PM01 (Representative of AD\_74)

*Note: The photomontage demonstrates location and course of power lines for representation purposes only. The proposed power lines will be of subtle colour and will blend with the existing landscape.*

## HILLS OF GOLD WIND FARM | LANDSCAPE & VISUAL IMPACT ASSESSMENT ADDENDUM

MOIR LANDSCAPE ARCHITECTURE

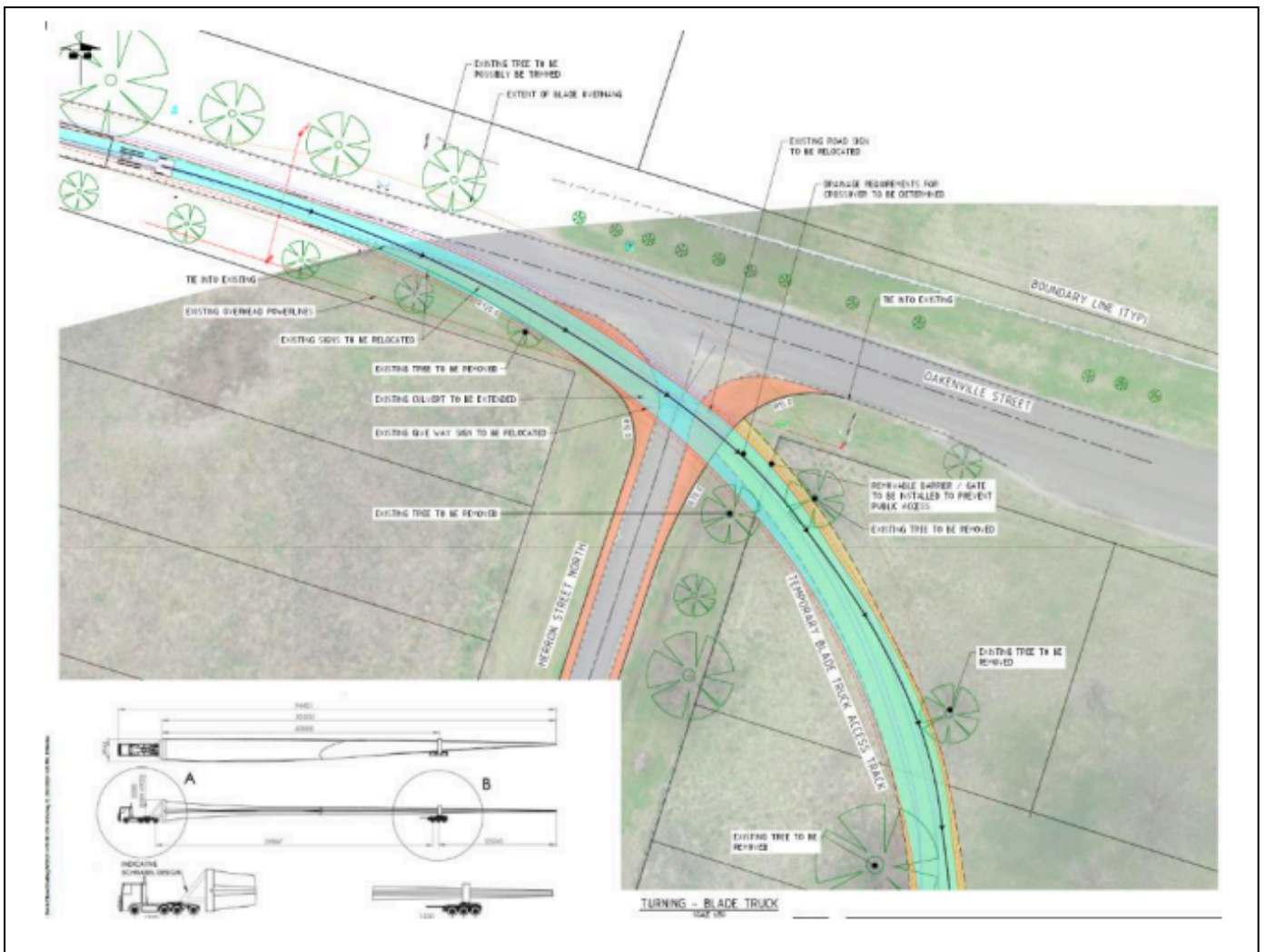
*The above photomontage was created by a community member to give an indication of the visual impact and physical location of the infrastructure located on the Governor’s Shelf and the Western Connector Rd. The base for this homemade photomontage was an image supplied by Engie with turbines and power line easement indicated. The rest of the infrastructure (shed, battery bank, concrete batching plant, substation) was added using images supplied by Engie depicting typical elements of the wind farm. Images were scaled down and placed on the shelf. It might not be an accurate representation, but this is the length the community has to go to in order to get a grasp on the potential impact, due to the Applicant’s failure to present the material. **This location and infrastructure is 5.4 km and visible from The DAG Sheep Station wedding venue.***

## 2.5 Private road bypass and proposed car park

**NO PHOTOMONTAGE** of the proposed raised road behind The Peel Inn at the entrance to the township (photomontage was previously provided for the now discarded Devils Elbow bypass option). This would create an industrial site, including barrier fencing, signage, layby, and all weather track, at the entrance to a tourism focused township that relies on road accessibility and scenic beauty for business operation.

The visual impact assessment of this vital component of the project was never carried out with over 600 residents and over 100,000 visitors becoming VIZ1 receivers. DPHI can't dismiss this due to distance.

Important mature street trees on Oakenville St, Innes St and Jenkins St would need removal. This is a significant loss to residents and visitors who value autumn colour, cooling shade trees and sense of arrival.



**NO PHOTOMONTAGE** for the proposed construction vehicle commuter car park in some unknown location, somewhere in Nundle, within walking distance of the village.

## 2.6 Internal wind farm tracks and turbine hardstands

**NO PHOTOMONTAGES** of the visual impact of cuts and batters on the slopes exceeding 20 and 30%. These hardstands can not be rehabilitated and will become permanent features of the landscape. Wind turbines are not placed in the landscape like birthday candles.



*Kaban Wind Farm hard stand on narrow ridgeline with steep escarpment similar to Turbine 42. Inset, WTG 42 Layout Plan, Appendix L Constructibility Advice, Appendix B.*

## SUMMARY:

- Applicant and DPHI underestimate visual impact to residents and the tourism economy on the approach to Nundle from turbines and private road construction impacts.
- The Applicant failed to provide required visual impact material.
- The Independent Visual Advice by O’Hanlon failed to identify missing information.
- DPHI proceeded to project recommendation without this visual information being provided to, or assessed by the DPHI.

The assessment process has failed to accurately determine the extent of the visual impacts of this project & it does not meet the EP&A Object of promoting good design & amenity by the imposition of these negative visual impacts.

**HOGPI recommendation: reject Hills of Gold wind farm.**

## 3.0 NON-COMPLIANCE - TRANSPORT

### 3.1 Missing Information

#### Transport routes

There is no proof that the project has a viable access to site to deliver oversized components such as blades and tower sections, and very heavy components such as nacelles with drive motors and transformer.

#### Via Western access

- The Access Option B from Crawney Rd is subject to outstanding agreements with Nungaroo and Gomeroi groups, and Crown Lands.
- No exhibited evidence of the environmental impact of Western Connector Road construction, especially final climb (excluded from Constructability Advice).

#### Via Northern access

- No exhibited evidence that components can be delivered via Oakenville Creek Bridge and cutting on Old Hanging Rock Rd (both excluded from assessments).
- No evidence that components can navigate Devil’s Elbow and manage the gradients.
- No evidence that these loads can access Morrisons Gap Rd (trespass).

While the Commissioners visited the existing sink hole on Barry Rd, the Applicant and DPHI have not addressed this road obstacle or the historic void under the road.

The original EIS, two subsequent Amendments and the DPHI Assessment Report **failed to identify** the following features on the transport routes:

- Six culverts on Lindsay's Gap Road.
- Bridge over Oakenville Creek on Old Hanging Rock Rd.
- Cutting, bends and gradient of Old Hanging Rock Rd past bridge.
- Extent of Antimony Mine void past Oakenville Creek bridge..
- Existing sinkhole and under road void on Barry Rd, Hanging Rock.
- Power poles and wires on Barry Rd and Morrisons Gap Rd.
- Road crests and dips on Barry Rd and Morrisons Gap Rd.
- Six culverts on Crawney Rd.
- Three dwellings within 20 metres of Oakenville St.
- Eight dwellings within 20 metres of Barry Rd, Hanging Rock Village.
- Any dwellings on Jenkins St or Crawney Rd following November 2022 route change.
- Road gradients from Lindsay Gap Rd to site (6% gradient noted on Golden highway, multiple prime movers recommended).
- Proposed new bridge at site access Option B from Crawney Rd.

Photograph below of northern access route for light, heavy and OSOM vehicles showing Oakenville Creek Bridge and steep, twisting cutting on Old Hanging Rock Rd (both excluded from any assessments). There is a signposted historic Antimony Mine in the western hillside north of the bridge, void extent unknown.



**HOGPI recommendation: reject Hills of Gold wind farm due to incomplete EIS**

### 3.2 Incomplete or misleading information

It is not specified whether the estimate of 141 light and heavy vehicle movements daily for 6-14 months is one-way or bi-directional. We assume it is one way.

#### Private road behind Peel Inn

The applicant does not address the change in elevation of the proposed access road from Oakenville/Herring St North to Innes/Jenkins St, nor the steep verge on the south western corner of Innes/Jenkins St. It is unclear how much disturbance to the streetscape is required. This is a much valued and used corner of the Nundle streetscape including a walking/cycling path, public art, and civic facilities (including TRC Nundle Office, Nundle Library, Community Garden, War Memorials, Anzac Day Wreath Laying Ceremony location and All Saints’ Anglican Church for weekly services, funerals, and weddings). “No Parking” restrictions on these village streets have not been exhibited.

#### Wombramurra Creek bridge and site access Option B

Additional information 290523 appendix E WGA Technical Memo contains following diagrams:

- Crawney Road - Lower Entrance (Access Option A - not recommended), and
- Crawney Road - Lower Entrance 2 (Access Option B - recommended)

Lower Entrance 2 diagram **does not contain any detail** relating to the Wombramurra Creek crossing. Rex Andrews Route study provides the following limited information regarding Option B: “bridge will be constructed over Wombramurra Creek accordingly”. No details of the bridge, or its exact position are available.

Table 7.2 of the Recommended Instrument of Consent **does not include** the bridge at Crawney Road site access. Which site access is specified in Table 7.2?

Option B is recommended by the DPHI but the description provided better fits Option A. Where is the consent to construct a **new** intersection at Option B location? Where is the bridge?

	From 320.4	Upgrade as necessary to proposed sealed standard	Prior to commencement of construction
Crawney Road Site Access <i>This chainage appears to bring them to Access A, is this correct?</i>	322.2	Widening of site access intersection and appropriate treatment on Crawney Road <i>There is no intersection at Option B. Words "widening of intersection" only applicable to Option A. Is this an attempt to authorise the use of Option A??</i>	Prior to commencement of construction
Crawney Road – Back Creek Bridge	328.2	Upgrade/Replace bridge as necessary to provide access for OSOM vehicles. A trafficable width	Prior to use by OSOM vehicles

In the last two years the Project’s main host landholder has spent considerable time and effort upgrading a farm track, since identified as access Option A. DPHI recommends access Option B. When crossing Crown Reserve, a landholder is entitled to one access only. If access

Option B is recommended, there needs to be a Condition stipulating closure and rehabilitation of access Option A.

**HOGPI recommendation: update table 7.2 to specify Crawney Road Site Access Option B, its GPS location as well as chainage, identify construction of new intersection, appropriate treatment on Crawney Rd and new bridge over Wombramurra Creek.**

**Additionally, a condition must be inserted that once the Crawney Road Site Access Option B is constructed, the existing access at Option A location must be removed and site rehabilitated within 12 months of the Option B access becoming operational.**

### **Devils Elbow**

The DPHI Assessment Report and Recommended Conditions of Consent give the Applicant and Planning Secretary an open licence to alter the Transport Route at Devil's Elbow by using non standard phraseology 'Upgrades required to allow for access for heavy and OSOM vehicles.'

The Applicant has not exhibited the changes that it intends to make at Devils Elbow. The Applicant and DPHI reference safety upgrades to Devil's Elbow, however there is no further detail provided. No diagrams are included. It is not clear if these changes are proposed to be within or outside the road corridor.

The Conditions, Part C3-C6, pg 21, give the Planning Secretary power to approve any 'strategy, plan or program' without consultation being undertaken with all parties. This approval can supersede previous versions and without addressing particular requirements of the relevant condition. Therefore, the Conditions don't offer any protection to Tamworth Regional Council or the community.



Recommended Instrument of Consent pg 35 Table 7.2

Road/Intersection	Chainage	Treatment	Timing
Lindsays Gap Road intersection with Nundle Road	306.8	Upgrade as necessary within road reserve to allow access for OSOM vehicles.	Prior to use by heavy vehicles
Barry Road (at Devils Elbow)	316.3	Upgrades required to allow access for heavy and OSOM vehicles.	Prior to use by heavy vehicles
Barry Road intersection with Morrisons Gap Road	322.7	Upgrades required to allow for access for heavy and OSOM vehicles	Prior to use by heavy vehicles
Morrisons Gap Road	From 332.7	Upgrade as necessary to proposed sealed standard	Prior to use by heavy vehicles
Oakenville Street intersection with Herron Street	310.8	Upgrade as necessary to allow access for heavy and OSOM vehicles	Prior to use by heavy and OSOM vehicles
Herron Street intersection with Innes Street	311.1	Upgrade as necessary to allow access for OSOM vehicles	Prior to use by OSOM vehicles
Innes Street intersection with Jenkins Street	311.4	Upgrade as necessary to allow access for heavy and OSOM vehicles	Prior to use by heavy vehicles

Language changes from ‘upgrade as necessary’ (a consent to carry out the upgrades), to a less formal ‘upgrades required’. Clarification needed in respect to permissibility to carry out the upgrades.

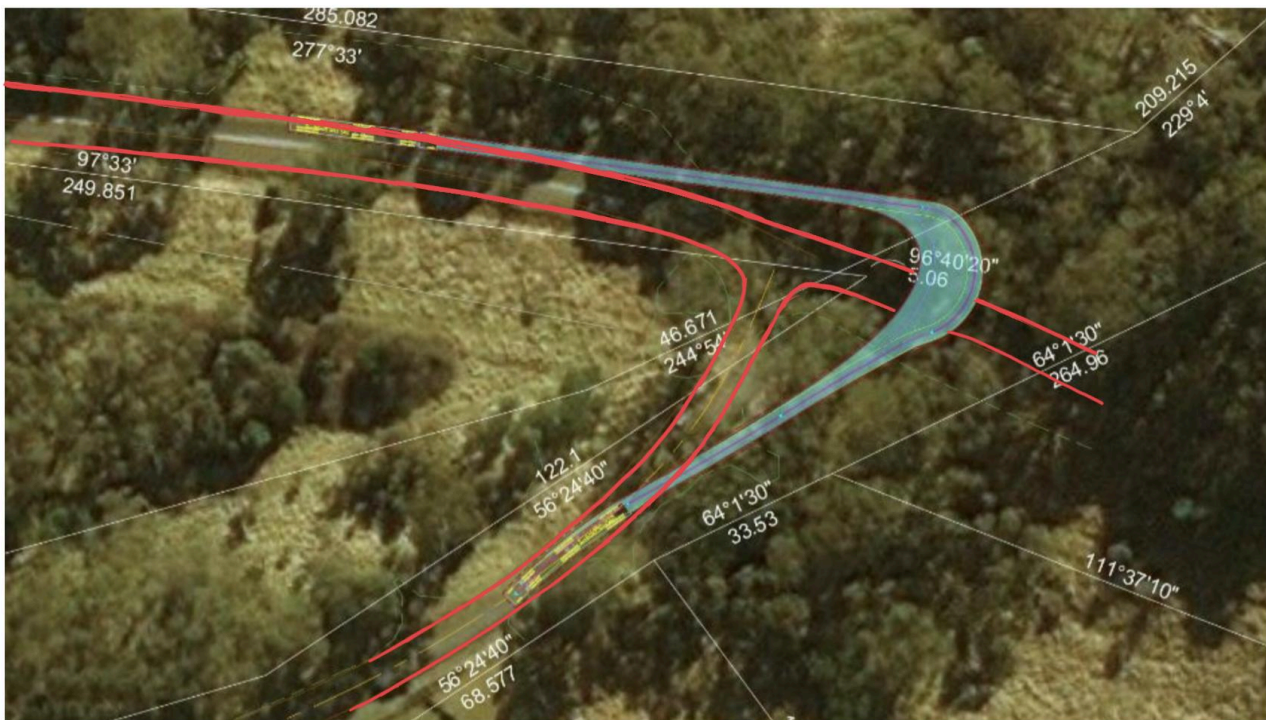
**HOGPI Recommendation: remove Barry Rd (at Devils Elbow) and Barry Rd intersection with Morrisons Gap Rd from Table 7.2.**

**3.4 Unexhibited new intersection, Morrisons Gap Road**

Table 7.2 of the Recommended Conditions of Consent also gives the Applicant an opportunity to carry out unspecified upgrades at Barry/Morrisons Gap Rd intersection by using the non standard language ‘Upgrades required to allow for access for heavy and OSOM vehicles.’

The Applicant supplied additional information **postdating the project exhibition** regarding Barry Rd/ Morrisons Gap Rd intersection. The following diagram was inserted in Rex Andrews route study and supplied to the DPHI in May 2023 (the outline of the existing road in red is added by HOGPI).

The below diagram depicts a B-Double truck movement around Barry Rd/Morrisons Gap Rd intersection. The transport is proposed to turn from the correct site to the correct side of a NON EXISTENT road. **The diagram states that no modifications are required.** The footprint of the B-Double turn depicted does not follow the road in place. This might be an attempt to solve the encroachment on private property. Is this a proposal to construct a new intersection? If so, when was the council and community notified?



**PROCEDURE:** Right hand turn

**GPS LINK FOR SECTION OF ROAD:** <https://goo.gl/maps/CLZDJSjENx8rjfAgZ>

**COMMENTS:** Loads to turn right from the correct side to the correct side of the road.

**ROAD MODIFICATIONS:** No modifications required. ??

**HOGPI recommendation:** prohibit the use of Morrisons Gap road by heavy vehicles and heavy vehicles requiring escort.

### 3.5 Unexhibited OSOM route

**OSOM route change during the second amendment, November 2022:**

The amended proposal reduces the impacts on the road network through:

- Reduction in traffic forecast to use Barry Road and Morrisons Gap Road.
- The project will no longer require the Devils Elbow upgrade.
- Reducing the number of upgrades required for Morrisons Gap Road.
- Reducing the number of vehicles forecast to use Barry Road which would reduce the risk of crashes on this road.

## Oversized Over Mass Volumes and Routes

The routes available by vehicle type are presented in Table 1.

**Table 1: Estimated number of OSOM Trips**

Component	Vehicle Type	Total Number of Trips	Route 1 Nundle Loop	Route 2 Nundle Bypass	Route 3 Barry Road	Return Trip Via Route 3
Blades (root section)	Prime Mover with extender Blade Trailer	192	✓	✓*	✗	✓
Blades (tip section)**	Prime Mover with Platform Trailer	64	✗	✓	✓	✓
Nacelles	Prime Mover with Platform Trailer	64	✗	✓	✗	✗
Drivetrain	Prime Mover with Platform Trailer	64	✗	✓	✗	✓
Hubs	Prime Mover with Platform Trailer	64	✗	✓	✓	✓
Tower Sections	Prime Mover Platform Trailer and Dolly Jinker	448	✗	✓	✗	✗
Other (40ft Container)	Prime Mover with Platform Trailer	128	✗	✓	✗	✓
Substation	Prime Mover with Platform Trailer	20	✗	✓	✗	✓
Switching Station	Prime Mover with Platform Trailer	20	✗	✓	✗	✓
Overhead Cabling	Prime Mover with Platform Trailer	120	✗	✓	✗	✓
Underground Cabling	Prime Mover with Platform Trailer	20	✗	✓	✗	✓
Battery System	Standard Semi-Trailer	158	✗	✓	✗	✓
Mobile Batch Plant	Standard Semi-Trailer	2	✗	✓	✗	✓
Transformer	Low Loader	2	✗	✓	✗	✗

\*Potential route requiring new hardstand

\*\* Blade (tip section) - these movement would only occur if blades are split into two units. Note: Three tips can be transported on one truck

November 2022 Traffic and Transport Addendum pg 2 reads: “use of Barry Road for Oversize Overmass vehicles, has now been removed from the scheme. The alternative OSOM routes now focus on accessing the site via Crawney Road”.

### Route 3 Morrisons Gap Road via Barry Road

The route to site via Barry Road and Morrisons Gap Road (see Figure 5) remains to be utilised by general construction traffic and heavy vehicles. The route could potentially be used for some OSOM vehicles that have shorter loads and lower weight, such as the WTG blade tips and hubs. This route requires no additional infrastructure on Barry Road. Minor widening upgrades to Morrisons Gap Road would be required to accommodate the larger vehicles and create an opportunity for improved road management during construction use and as a long term improvement for road users. However, it has been assumed that no OSOM vehicles will use this route on the way to the site as part of this assessment.

Most returning OSOM vehicles can be 'packed down'. This means that trailers for OSOM vehicles can be reduced to standard sized trailers and therefore are able to make the return trip along this route using Morrisons Gap Road and Barry Road. This would promote a positive 'circular' flow of OSOM project traffic and spread the traffic impact on the local roads.

Engie distributed the newsletter stating the same: "The proposed OSOM route would follow Crawney Rd beyond the Pearly Gates Bridge with access to the site from three possible locations off Crawney Rd. To support the new route, we are proposing to seal Crawney Rd up to the determined access site."

Publicly available information to date leads the community to believe that the preferred route for OSOM vehicles is via Crawney Rd. It has been confirmed since the IPC Public Meeting that many community members are confused about what route is proposed for Oversize Overmass vehicles.

**In stark contrast, condition B30 of the Recommended Instrument of Consent attempts to authorise the use of Oakenville St, Old Hanging Rock Rd, Barry Rd and Morrisons Gap Rd for heavy vehicles requiring escort, especially for loads over 5.2 metres in height (such as nacelle and all tower sections).**

## Table 7.2 attempts to re-introduce unspecified upgrades at Devils Elbow and Morrison's Gap Rd intersection.

### Heavy Vehicles Requiring Escort and Heavy Vehicles Routes

- B30. The Applicant must ensure that all heavy vehicles associated with the development access to and from the site is via Selwyn Street, George Street, Industrial Drive, Maitland Road, New England Highway and:
- (a) for vehicles transporting turbine blades, the Golden Highway, Denman Road, Bengalla Road, Wybong Road, Kayuga Road, Invermein Street, Stair Street, New England Highway, Lindsays Gap Road, Nundle Road, Crosby Street, Oakenville Street, Innes Street bypass, Jenkins Street and Crawney Road;
  - (b) for vehicles with loads exceeding 5.2 m in height, the Golden Highway, Denman Road, Bengalla Road, Wybong Road, Kayuga Road, Invermein Street, Stair Street, New England Highway, Lindsays Gap Road, Nundle Road and either:
    - (i) Old Hanging Rock Road, Barry Road and Morrisons Gap Road; or
    - (ii) Herring Street, Innes Street, Jenkins Street and Crawney Road;
  - (c) for vehicles with loads up to 5.2 m in height, Lindsays Gap Road, Nundle Road, Crosby Street, Oakenville Street and either:
    - (i) Old Hanging Rock Road, Barry Road and Morrisons Gap Road; or
    - (ii) Herring Street, Innes Street, Jenkins Street and Crawney Road; and
  - (d) only vehicles constructing or accessing the switching station can use Old Wallabadah Road, Wallabadah Creek Road and Basin Creek Road;

The DPHI Conditions enable the option of using Barry Rd and Morrisons Gap Rd as OSOM route by allowing the Applicant to nominate just one OSOM component, turbine hubs. The overall dimensions of hub transport without the push truck are: 26.0l x 4.49w x 5.2h x 95T. One or more push trucks will be required to manage the gradient of Barry Rd. In this configuration, the load will not fit through Devils Elbow.

From the initial proposal of a single OSOM route, the Applicant has now duplicated the impact to the community by proposing two OSOM routes. It will impact Oakenville St, require modification of Devil's Elbow, construction of laybys on Barry Rd and Morrisons Gap Rd, trespass on Morrisons Gap Rd corner, widening of Morrisons Gap Rd and unspecified roadside vegetation clearing...**just to transport one component**. It doesn't add up.

Why can't this component be transported the same way as the rest of the OSOM loads?

**HOGPI recommendation: amend B30 to remove 'Old Hanging Rock Road, Barry Road and Morrisons Gap Road'. Delete B30 (b)(i) and B30(c)(i)**

### 3.6 Traffic and construction noise

SEARS requirement:

the EIS must **assess traffic noise** under the NSW Road Noise Policy (DECCW, 2011)

## Sonus' Noise and Vibration assessment Amendment 2 (Nov 2022) reads:

To assist with consideration of the access routes, residences have been identified where they are within 20m of a road proposed for access to the site between Nundle and the Crawney Road and Morrison Gap Road entry locations. The following table provides the residences, the coordinates and the worst case 1 hour traffic noise level. These dwellings are all located on sub-arterial roads and therefore subject to the 60 dB(A) criterion, not 55 dB(A).

Table 17: Traffic affected residences

Residence ID	Distance to the Road	Coordinates		Predicted Noise Level (dB(A))
		Easting	Northing	
TR1	11m	322218	6517795	58
TR2	11m	328439	6514703	58
TR3	12m	322240	6517788	57
TR4	12m	322230	6517792	57
TR5	16m	322292	6517743	56
TR6 (RQ5)	17m	328126	6515339	56
TR7	18m	322107	6517801	56
TR8	19m	324386	6516929	55
TR9	19m	328019	6515604	55
TR10	20m	323395	6517912	55
TR11	20m	322111	6517839	55

Following the OSOM route and the redirection of the OSOM traffic down Crawney Rd, NO ADDITIONAL RESIDENCES were identified or included in Table 17 of Sonus Report. The Table above only identifies dwellings along Oakenville St and Barry Rd. Sonus changed the wording to include Crawney Rd, but **failed to update the table**.

**None of the houses on Jenkins St or Crawney Rd have been assessed for transport noise.**

Eight houses at Hanging Rock, between Forest Way and Morrisons Gap Rd, were NOT identified in the Traffic Noise Assessment Report.

One of the identified houses, TR\_2, is only 5.3 m from the road edge. TR\_2 is within 4.8km of the nearest turbine and is eligible for a Neighbour Benefit Agreement offered to residents within 5km, but chose to remain Non-Associated.

In Nundle there are three houses on Oakenville St NOT identified in the Traffic Noise Assessment Report, one of them is 8.2 metres from the road.

TR\_1, TR\_3, and TR\_4 are between 7.8 and 10 metres.

The omission of dwellings, or incorrect distances from the road were identified in the Amendment Report HOGPI Submission December 2022 and was ignored by both the Applicant and DPHI.

The Applicant and DPHI relied on the classification of the roads as sub-arterial for noise compliance. This is incorrect for two roads classified as **local roads**.

**Tamworth Regional Council confirmed the classification of the roads as following:**

Oakenville St (collector - 26m B-Double Route)

Old Hanging Rock Rd (collector - 26m B-Double Route)

Barry Rd (Happy Valley Road to Forest Way) (collector - 23m B-Double Route)

**Barry Rd (Forest Way to Morrisons Gap Rd) (local – not a B-Double Route)**

**Morrisons Gap Rd (local – not a B-Double Route)**

Crawney Rd (collector - 26m B-Double Route)

Jenkins St (collector - 26m B-Double Route)

Innes St (collector - 26m B-Double Route)

Nundle Rd (sub-arterial/regional road)

Lindsay's Gap Rd (sub-arterial/regional road)

In the EPA Road Noise Policy - collector roads are considered 'sub-arterial'. Some of the B-double routes noted above are arguably local roads based on low traffic volumes, however due to the traffic mix and roads being 'principal haulage routes' the noise criteria for collector/sub-arterial would apply.

**If Barry Rd and Morrison's Gap Rd are classified as Local roads, is the Applicant's general construction traffic Transport Route permissible?**

The project again fails to meet EP&A Act Objects with regard to promoting good design and amenity of the built environment with inaccurate assessment and the imposition of traffic and construction noise to the community.

**HOGPI recommendation: amend B30 to remove 'Old Hanging Rock Road, Barry Road and Morrisons Gap Road'. Delete B30 (b)(i) and B30(c)(i)**

**Construction noise and nearby receivers - Private Road behind The Peel Inn**

Construction of this road would be disturbing to neighbouring residents, business owners, visitors, and civic government service providers (NSW Education, Hunter New England Health, and Tamworth Regional Council). If there is delivery of components at night it introduces issues regarding lighting and sleep disturbance in a residential and tourism area.

Environmental Aspect	Mitigation Measure	Responsibility	Stage
Noise	<p><b>Noise Management Plan and Mitigation Measures</b></p> <p>A Noise Management Plan will be prepared and implemented incorporating the mitigation and management measures outlined below:</p> <ul style="list-style-type: none"> <li>■ Construction works will be restricted to the hours between 7am and 6pm Monday to Friday, and between 8am and 1pm on Saturdays. No construction activities will be undertaken on Sundays or NSW public holidays;</li> <li>■ Works carried outside of these hours will only entail:                             <ul style="list-style-type: none"> <li>- works that do not cause noise emissions above 35 dB(A) at any nearby dwellings not located on the site; or</li> <li>- <u>the delivery of materials as requested by Police or other authorities for safety reasons; or</u></li> </ul> </li> </ul>	Proponent and Construction Contractor	Construction and Operation
			<b>Delivery of large components outside approved hours</b>

The applicant proposes to rehabilitate the access road on The Peel Inn curtilage post construction and reinstate again “when necessary” potentially exposing Nundle residents to multiple road works on Oakenville/Herring St and Innes/Jenkins Sts intersections. It is an unacceptable, unpredictable burden on neighbouring properties for the 35-year life of the project.

**SUMMARY**

- **The Applicant failed to provide complete, accurate, or at times any information at all, related to transport routes.**
- **The classification of Barry Rd and Morrisons Gap Rd as local roads does not support the use by heavy vehicles or heavy vehicles requiring escort.**
- **DPHI failed to ensure accuracy or completeness of the information and advanced the project to the recommendation stage.**

**HOGPI recommendation: No construction or delivery activities should be permitted on Saturdays or outside approved hours.**

**4.0 NON-COMPLIANCE - BIODIVERSITY**

**4.1 Ben Halls Gap Nature Reserve setbacks**

The project fails to meet the EP&A Act Object of protecting the environment, conserving the threatened species of native animals & plants, ecological communities or their habitats.

The Development Consent, pg 6, states that ‘No wind turbine blade tip may be located within 130 metres from the surveyed boundary of Ben Halls Gap Nature Reserve’ and ‘micro-sited wind turbine blades must remain 50 metres from the existing native vegetation canopy’.



In the case of turbines 40, 42 (recommended for removal, supported by HOGPI) and 43, the allowed 100 metres micro siting is not sufficient to achieve the 130 metre buffer.

**HOGPI recommendation: Turbines 39, 40, 43 and 45 are unable to comply due to terrain or vegetation constraints and we ask that they are removed.**

## 4.2 Moderate risk turbines

In February 2022 the NSW National Parks and Wildlife Service requested the removal of all turbines next to Ben Halls Gap Nature Reserve, questioning whether a moderate level of risk to threatened species is acceptable adjacent to high quality habitat or national park? (RFI February 2022, NPWS Reply to Updated BDAR and Bushfire Risk Assessment and proponent's Response to Submissions, pg 1 of 5).

A key question is whether a moderate level of risk to threatened species acceptable adjacent to high quality habitat on national park? For these reasons and for potential impacts on NPWS operations, **NPWS recommends the removal from the proposal of all turbines adjacent to Ben Halls Gap Nature Reserve.**

Thirteen moderate risk turbines remain in the recommended 47-turbine layout. HOGPI requests removal of moderate risk turbines next to the Ben Halls Gap Nature Reserve, having no confidence in the Applicant's capacity for self-monitoring of bird and bat carcasses, or scavenging by foxes, cats, dogs, pigs, and raptors, to inform potential curtailment of turbines.

The Biodiversity, Conservation and Science Directorate raises residual concerns about retaining moderate risk turbines close to tree canopies and Ben Halls Gap Nature Reserve. BCS says non-relocatable moderate risk turbines should be prioritised for removal. (BCS Advice on Amendment Report 2).

### Bird/Bat strike Moderate Risk Turbines

**WP 6** - remains a moderate risk, unable to be relocated due to proximity to non-associated landholder boundary. Located on terrain steeper than 30%. **Should be removed from the Project.** Will provide additional visual impact relief to NAD 34 (DAG), NAD 33, NAD 22

**WP7** - remains a moderate risk. Already relocated, unable to be relocated further due to proximity to WP3 (less than 400 metres)

**WP 9** - remains a moderate risk, unable to be relocated, recommended for removal from the project due to visual impacts to non-associated landholders. **Should not be reinstated.**

**WP 16** - remains a moderate risk, located on a very narrow ridge less than 50 metres from potential bat movement corridor. Located on terrain steeper than 20%.

**WP 18** - remains a moderate risk, located on a very narrow ridge less than 50 metres from potential bat movement corridor. Located on terrain steeper than 20%.

**WP 21** - remains a moderate risk due to buffer distance <50m and potential movement corridor. Unable to be relocated due to proximity to the substation to the south.

**WP 22** - remains a moderate risk due to buffer distance <50m and potential movement corridor. Unable to be relocated due to proximity to the WP21 to the south. Located on terrain steeper than 20%

**WP 24** - remains a moderate risk, recommended for removal from the project due to additional impact on TEC and visual impact on non-associated residence. **Should not be reinstated.**

**WP 28** - remains a moderate risk, recommended for removal from the project due to additional impact on TEC and visual impact on non-associated residence. **Should not be reinstated.**

**WP 32** - remains a moderate risk due to buffer distance <50m (to bat movement) and proximity to BHGMR. Located on terrain steeper than 20%

**WP 33** - remains a moderate risk due to buffer distance <50m (to bat movement) and proximity to BHGMR.

**WP 40** - already relocated, remains a moderate risk, unable to be relocated further, unable to achieve 130 buffer to Ben Halls Nature reserve boundary with 100 metre micro siting. Located on terrain steeper than 30%. **Should be removed from the Project.**

**WP 42** - already relocated, remains a moderate risk, unable to be relocated further, unable to achieve 130 buffer to Ben Halls Nature reserve boundary. Located on terrain steeper than 30%. Recommended for removal from the Project, **should not be reinstated.**

**WP 43** - already relocated, remains a moderate risk, currently within 90 meters to Ben Halls Nature reserve boundary. May not be able to be relocated

**WP 49** - currently a moderate risk, might be revised to low risk during micro siting. In very close proximity to Crown road reserve (5 meters) and State Forest boundary (25 meters). Unable to be relocated West due to terrain, East due to trespass. Relocation South will result

in <400 meters to WP48. **Should be removed from the Project** due to interference of the turbine foundation and associated hardstand with the Crown road - a legal access to Ben Halls Nature Reserve.

**WP 50** - already relocated from private land onto Crown land to reduce risk rating from high to moderate. Unable to be relocated further. Located on terrain steeper than 20% **Should be removed from the Project. Trespassing.**

**WP 51** - remains a moderate risk, constrained by steep terrain to the West. Constrained in movement North or South due to spacing to other turbines.

**WP 58**- remains a moderate risk. Recommended for removal from the project due to noise/visual/shadow flicker impact to DAD\_01 and visual impact to additional residences. **Should not be reinstated.**

**WP 59** - remains a moderate risk, recommended for removal from the Project due to visual impact to a number of residences. **Should not be reinstated.**

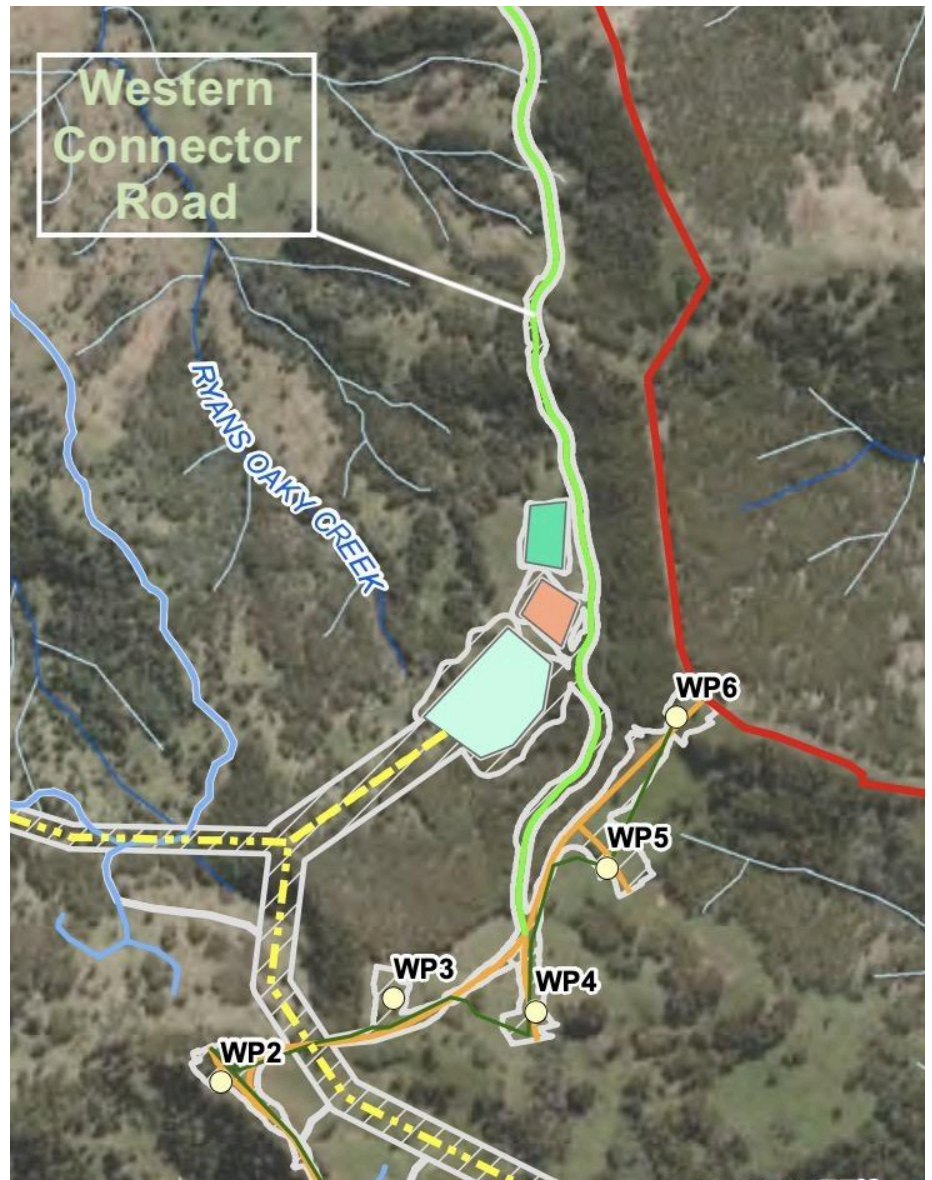
**WP 61** - remains a moderate risk, recommended for removal from the Project due to visual impact to a number of residences. Located on terrain steeper than 20% **Should not be reinstated.**

### 4.3 Incomplete information

Biodiversity, Conservation and Science Directorate raises concern about proposed access tracks, the terrain, and narrow width (BCS Advice on Amendment Report 2).

BCS questions whether the tracks are fit for purpose, and the engineering specifications are adequate for transporting the required infrastructure. BCS already flags that a Modification would be required if the track footprint needs widening to accommodate traffic and internal cabling.

The southern end of the Western Connector road (green) climbs above the shelf housing the substation complex and proceeds diagonally across a slope greater than 40%. The narrow footprint of this section of the OSOM access road, which was excluded from the constructibility advice, is completely unrealistic.



#### 4.4 Incomplete maps

**The maps included with the most up to date BDAR (May 2023) do not reflect project amendments exhibited in November 2022.**

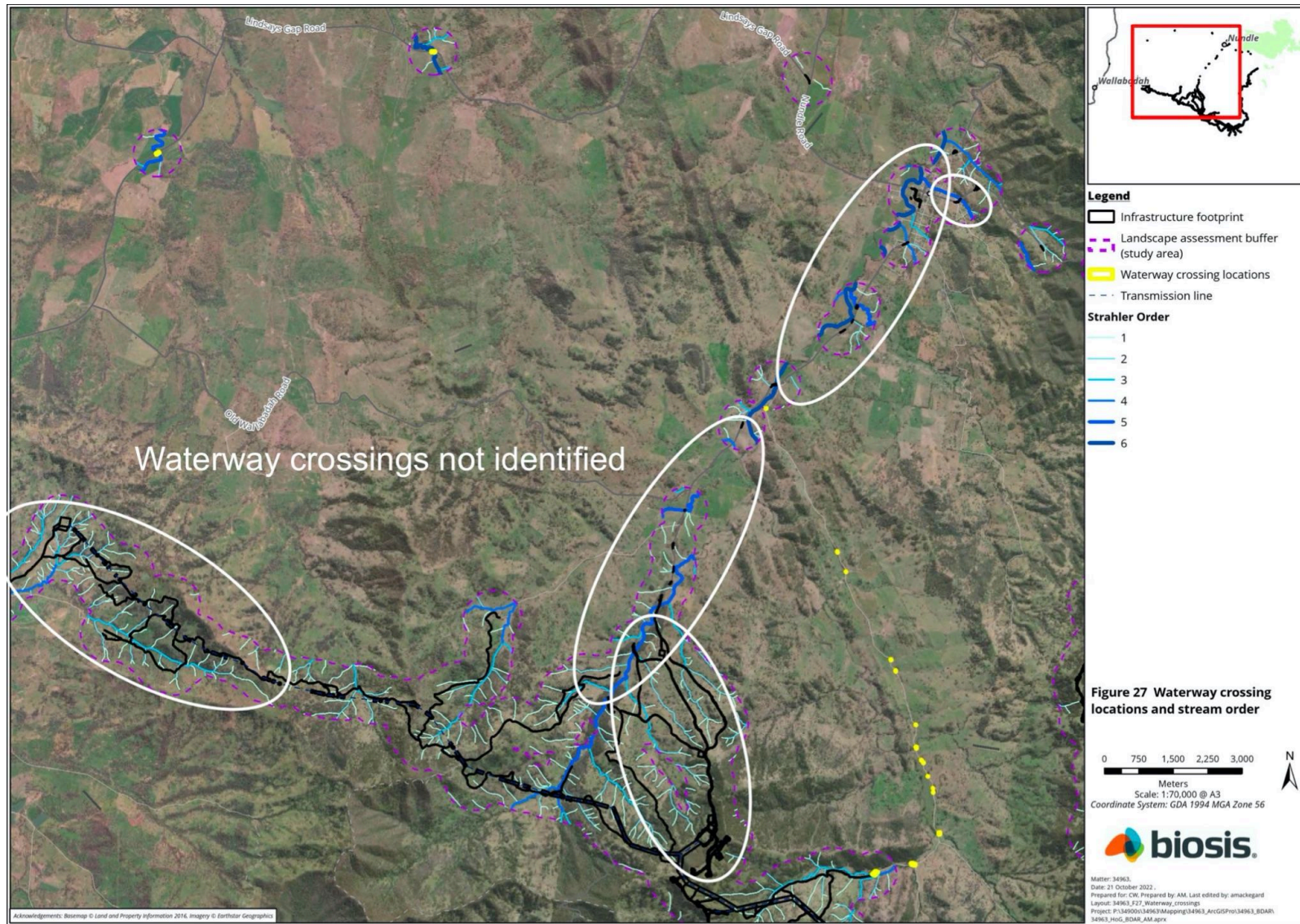
The updated BDAR includes an October 2022 map and a chapter 8.4 identifying 15 waterway crossings. It identifies two crossings on Lindsay's Gap Rd and the remainder of crossings are located on non-associated property, which is not a part of the project.

Biosis failed to identify and map any additional crossings on Crawney Rd and western end of the project (new OSOM route and **the only** access for delivery of blades) on the map.

Chapter 8.4 did identify Wombramurra creek crossing.

Yellow dots - identified waterway crossings.

Biosis relied on desktop studies rather than the field work and didn't identify a requirement for a **new bridge** at Wombramurra Creek.





## 8.4 Waterway crossings

A desktop assessment was carried out to identify and map aquatic habitat values and potentially occurring threatened aquatic species for the development footprint. The assessment incorporated the review of relevant spatial datasets and documentation as outlined in Section 1.8 of this document and was supported by general observations of aquatic values during fieldwork.

There is no suitable habitat for any threatened aquatic species within the development footprint and any indirect impacts are not considered likely to result in any impacts to potential habitat downstream.

Streams identified for the assessment area were classified according to the Strahler (1952) stream ordering system. Riparian buffers were identified and mapped for each stream in accordance with Appendix E of the BAM. The majority of the streams within the development footprint for the turbines, internal roads, transmission line and access tracks are first order streams being located high in the catchment. There is limited value for any aquatic threatened species within these environments and no targeted surveys for aquatic species were required under the BAM.

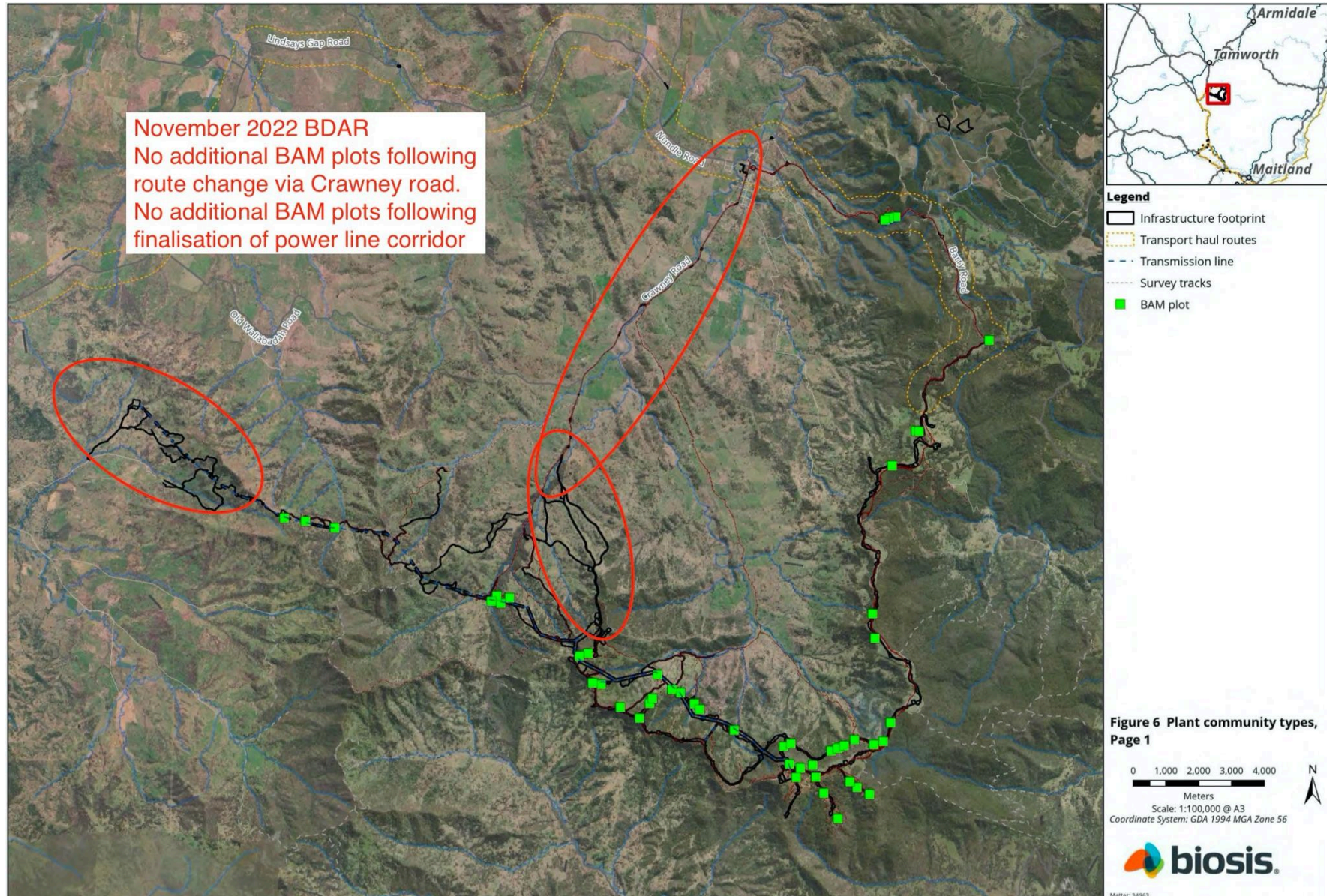
There are 15 locations that require upgrades of creek crossings along the transport haul route. In these locations there is an existing crossing structure that is likely to require upgrading to allow for the safe transport of turbine infrastructure, raising the vertical clearance of the crossing to allow clearance of long elements such as turbine blades.

Where there is an existing bridge that has been identified for upgrades, the works will generally include additional strengthening to accommodate additional weight or widening. This may involve new foundations, piers and carriageway with these works resulting in minimal impacts to the existing waterway channel. A similar approach will be adopted for any existing culverts that are required to be strengthened.

Where there is an existing causeway, additional assessment will be required during detailed design to determine if any upgrade works are required. If the causeway crossing is suitable for the transport requirements no works will be completed. If added vertical clearance is required a culvert will be the likely crossing structure. A summary of the existing crossing locations which may potentially require upgrades subject to further assessment, and the type of fish habitat for each crossing is provided in [Table 77](#).

**Table 77 Assessment of fish habitat class at waterway crossings**

Crossing location and existing structure type	Stream order	Fish habitat class
Goonoo Goonoo Creek crossing, Lindsay's Gap Road, Garoo Bridge	3	Class 2
Middlebrook Creek crossing, Lindsay's Gap Road, Garoo Bridge	3	Class 2
Wardens Brook, Head of Peel Road, Nundle Causeway	3	Class 2
Back Creek Bridge (all Crawney Road access options)	5	Class 2
Wombramurra Creek bridge near teamsters rest (Crawney Road access option C only)	5	Class 1
Wombramurra Creek new crossings (Crawney Road access options A and B)	5	Class 1



HOGPI members are concerned that insufficient field work was carried out following project amendments.

The DPHI Assessment states that the Booroolong Frog was not recorded within the development footprint during the assessment. HOGPI members remain concerned about the potential impact of sedimentation on Booroolong Frog populations identified approximately 400 m north of the transmission line along Wombramurra Creek, and 2.4 km north west along the Peel River.

Crawney Pass NP Plan of Management states that local ecologist Phil Spark revealed populations in the Wombramurra Creek area in 2013. It states, ‘...**Major soil erosion may also lead to reduced water quality in the catchment.** The protection of water quality is also **important to protect the Booroolong frogs that occur in the park.**’

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Parks-plans-of-management/crawney-pass-national-park-plan-of-management-190485.pdf>

## 4.5 Biodiversity Credits

The DPHI Assessment acknowledges that some clearing occurred with approval of Local Land Services, which are included in the calculation of the offset credit liability for the project. HOGPI asks that this is a Condition, and this area cannot be removed from the offset credit liability for the project. We note the Inquiry into the Integrity of the NSW Biodiversity Offsets Scheme, February 2023, Recommendation 11:

‘That the Department of Planning and the Environment and Local Land Services, in consultation with landholders, develop and implement a plan to prevent land clearing on rural land regulated by the *Local Land Services Act 2013* that would have otherwise triggered or increased obligations under the Biodiversity Offsets Scheme’.

## 5.0 NON-COMPLIANCE - CONSTRUCTABILITY

Following community concerns about the steepness of the site, DPHI sought independent advice regarding the Constructability of the Project.

### 5.1 Constructability Advice omissions

The Constructability Advice included the following components of the Project:

- Internal project roads which were divided as following:
  - a) Western Track along the crest of the ridge from WTG 2 to WTG 18
  - b) Southern Track on the ridge from WTG 20 to WTG 40
  - c) Eastern Track connecting WTG42 to WTG70



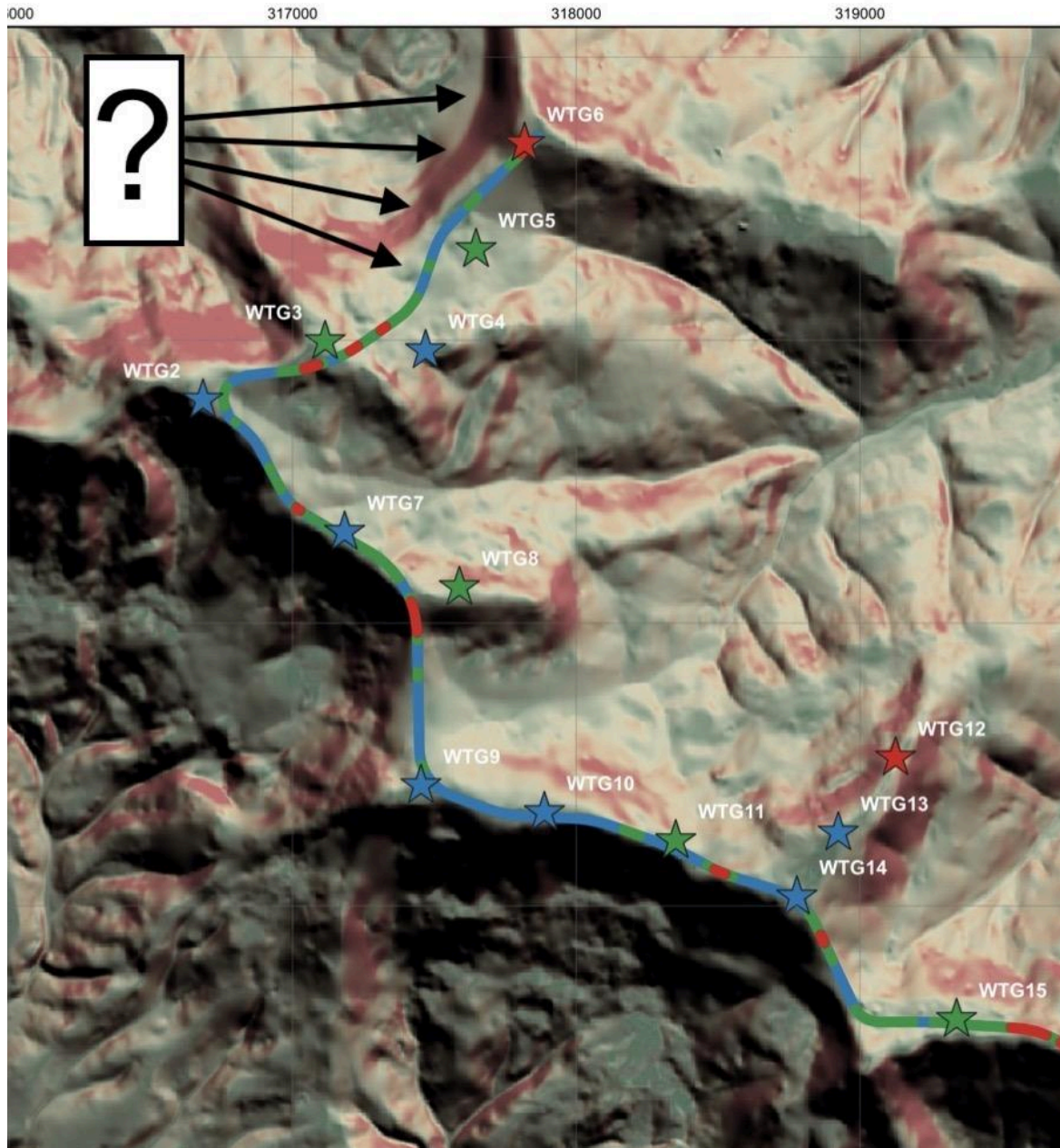
- The Transverse Track (TT) on the side of the escarpment connecting two halves of the wind farm from WTG 18 to WTG 40.

Constructability advice **failed to identify** following two important components of the Project:

**1) The Western Connector road - the only blade access option and main OSOM route.**

This OSOM route from the Site Access (Option B) on Crawney Road to the Development corridor on the ridge near WTG 4 terminates with a 450m section with an average gradient of 40%. The Western Connector Rd is **not included in the Constructability Advice**. This important road was entirely omitted from the text of the Advice or any of the maps provided.

**WITHOUT THIS ROAD THERE IS NO WIND FARM !!**



No exhibited or published design or engineering provided to accommodate vehicle length of 91 metres required to transport blades up to 83.5 m (DPHI Assessment Report, pg 47).

The lack of detail for the Western Connector Track was raised by HOGPI during the Amendment Report Public Exhibition in December 2022 and there has been no progress to alleviate our concern.

In the IPC Hills of Gold Wind Farm Public Meeting Transcript Day 2, pg 51, Mr Mead indicates that the transport contractor and engineers have contributed to preliminary modelling of the Western Connector Rd. Why wasn't this exhibited in the Amendment Report, Revised

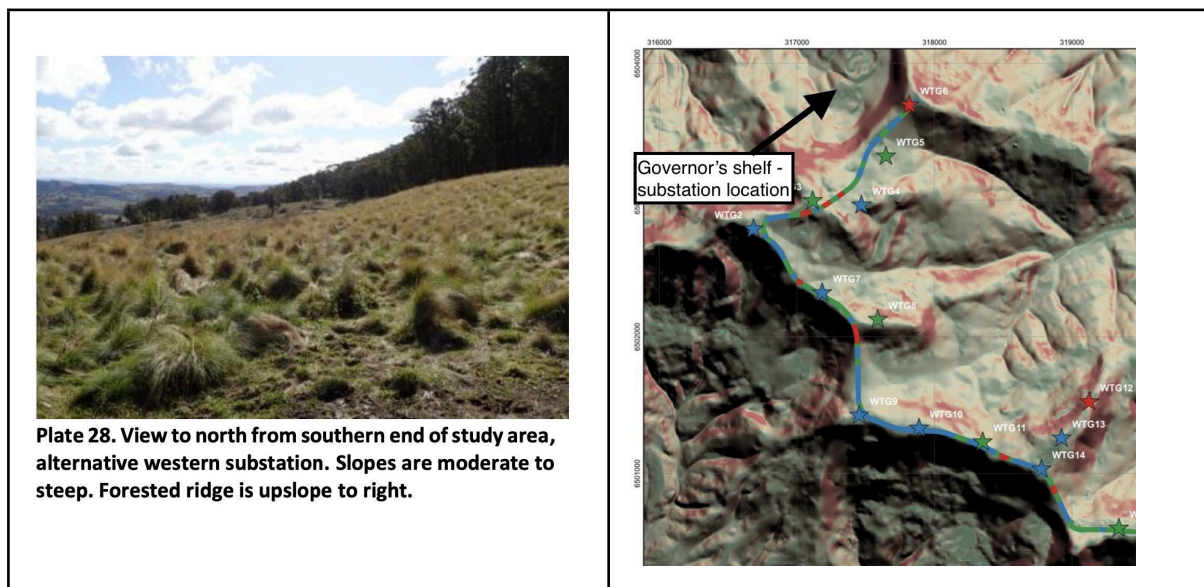
RJA Route Survey or WGA Technical Memo? Why wasn't it mapped in the Appendix N Soils and Water Addendum Report, or included in the Constructability advice?

## 2) Optional substation location on the Governor's shelf.

The optional location of the substation complex also escaped the scrutiny of the Advice being **excluded** from the document itself or any maps provided.

In the Aboriginal Heritage assessment a photograph was taken from the shelf noting "moderate to steep" slopes.

"Forested ridge upslope to the right" is the location of the Western Connector Road, mounting above the the cuts required to level the shelf.



### SUMMARY:

DPHI has commissioned the Constructability Advice to assist in determination of the Project's feasibility. DPHI subsequently proceeded to the Project's Recommendation for Approval with the Assessment based on an **INCOMPLETE** report.

**HOGPI recommendation: reject the Hills of Gold Wind Farm due to incomplete Constructability Advice, DPHI Assessment Report, and the Environmental Risk.**

## 5.2 EIS gaps identified

Constructability Advice Pg 4

The EIS does not:

- Clearly identify or quantify the areas where 2H:1V batters are unlikely to be able to be constructed and where supported batters (e.g. rock fill batters or retaining walls) are likely to be required.
- Clearly identify or at least quantify the areas where the specialised erosion and sediment control measures may be necessary.
- Clearly identify the extent of disturbance associated with the tracks, and WTG foundations and hardstand areas located in areas of steep terrain.
- Provide conceptual or detailed information on the proposed specialised erosion and sediment control measures.

Steep topography within the Development footprint results in:

- Approximately 33% (10km) of all Access Tracks (Western Connector not assessed) are located in areas where existing terrain slope is steeper than 20% and present high erosion potential.
- Approximately 17% (5km) of all Access Tracks (Western Connector not assessed) are located in areas where existing terrain is steeper than 30% and present very high erosion potential.
- Approximately 25% of the turbines and associated hardstand locations and close to 33% of the Access Tracks (Western Connector not assessed) will require specialised erosion control measures.

**The Constructability Advice concluded: “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 Transverse Track (TT) - connecting two halves of the wind farm:**

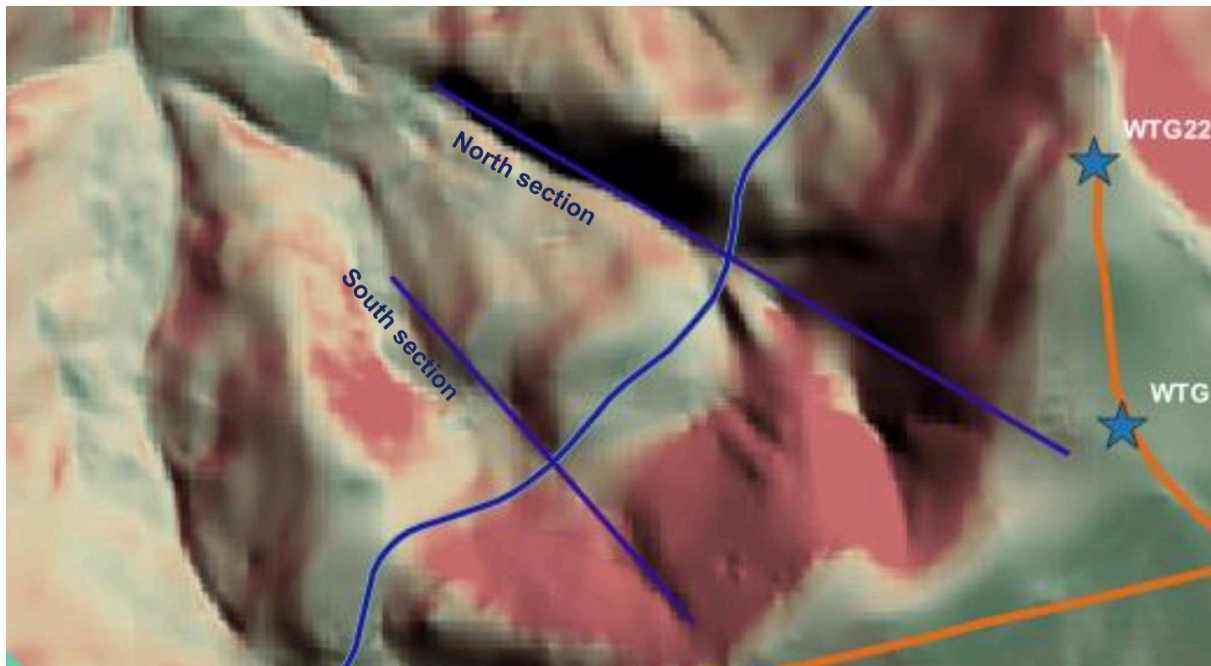
HOGPI continues to be concerned about the constructability of the 6.7km long Transverse Track, particularly the section across two deep gullies, one of which is Talbots creek.

David Piccolo, the author of the Constructability Advice, shares our concerns.

Pg 13 of the Advice highlights following:

- Over 60% of the TT traverses areas where the existing terrain slope is steeper than 20%
- 40% of this track traverses areas where the existing terrain slope is between 30% and 50%
- The TT crosses a number of more deeply incised drainage paths

Pg 15 presents more detail at the two locations where the TT crosses the more deeply incised drainage paths



Pg 16 of the Advice reads:

*“10 m to 20 m high embankments could be required across these valleys. The valleys themselves are steep with slopes of between 28% and 40%.*

*The downhill sides of the embankments will need to be constructed with batters steeper than 2H:1V and the use of retaining structures or select material (e.g. rockfill) is likely to be required. **There are no details with regards the proposed approach to design and construct these steeper batters.***

*The batters will be steep and over 40 m [up to 60m] long and present increased risk of erosion upon exposure. **Rehabilitation will also be challenging.** Should specialised erosion mitigation measures include sediment basins, these themselves would result in embankments with steep batters. **It is not clear whether allowances have been made to include these within the disturbance footprint.***

*Overall, this emphasises **the need for further details** regarding the proposed earthworks design, erosion mitigation measures and surface water design measures associated with the TT.”*

## **SUMMARY:**

**Constructability Advice itself failed to identify two major components of the Project. It has identified important omissions, lack of information and need for further detail regarding the assessed part of the Project.**

**DPHI proceeded to Recommendation disregarding the outstanding information.**

**The project fails to meet the EP&A Object of delivering good design & amenity of the built environment with the proposal of un-constructible infrastructure such as the access roads**

**HOGPI recommendation: reject the Hills of Gold wind farm**

### **5.3 Water, Soils and Erosion**

HOGPI supports soil scientist Greg Chapman's request that the Soil and Land Assessment team within the Department of Climate Change, Energy, the Environment and Water be asked to conduct a rapid, independent/unbiased review of the Soil and Land components of the Hills of Gold Wind Farm EIS and subsequent documents.

Water and Soils are examined in detail in public meeting presentations and written submissions by Greg Chapman, Brian Tomalin and Chris Eagles. Greg Chapman cautions, ...'the development is being proposed for the wrong place and there is risk to society, the viability of the development, and the environment if it is to proceed.'

HOGPI resubmits Professor Martin Thoms response to the Amendment Report for the Commissioners' information. Professor Thoms states that the ...'technical documentation and the EIS provided significantly underestimate the environmental risk of the proposed wind farm.'

Key issues are the lack of site specific rainfall data to understand the potential erosion on Class 8 soils on steep terrain with high velocity runoff and risk of mass movement.

Community members are aware of historical and current landslips, filmed, photographed and visible on aerial images. Some occurred while this project was in assessment.

There is evidence of landslips within the project footprint. For example, between turbines 54 and 56 and on the track proposed to be used by the project between turbines 12 and 13. DPIE Water and Natural Resources Access Regulator previously noted that securing entitlement from the unregulated Chaffey Water Source would be challenging with less than 400ML of issued entitlement at time of writing in February 2021 (Hills of Gold Wind Farm Submissions, Water Group Comment).

The DPHI Assessment Report and Applicant EIS do not address the following essential information:

- identify surface and groundwater sources, including licensing requirements, and determine whether an adequate and secure water supply is available for the life of the development;

- access potential impacts on the quantity and quality of surface and groundwater resources, including impacts on other water users and watercourses;
- describe the measures to minimise surface and groundwater impacts, including how works on steep gradient land or erodible soil types would be managed and any contingency requirements to address residual impacts.

## 6.0 NON-COMPLIANCE - LEGAL ACCESS & TRESPASS

### 6.1 Roads

The DPHI Assessment Report identifies that Hills of Gold Wind Farm currently **has no access to the proposed project area.**

**Via Crawney road** for light, heavy and OSOM traffic:

The Applicant is unable to demonstrate legal Site access via Option B from Crawney Rd:

- No Indigenous Land Use Agreement with native title claimants Nungaroo Lands Council, nor any agreement, as per the IPC presentation from Peter White, with the Gomeri Claimants, for proposed route traversing Crown Land (DPE Assessment Report pg 19).
- No authority to use Crown Land under the Crown Land Management Act 2016 (pg 19). *"...the Applicant will be required to negotiate an Indigenous Land Use Agreement before any Crown land authorisation can be considered."* (Assessment Report pg 53)

**Via Barry road** for heavy and OSOM traffic:

Barry Rd (from Forest Way intersection) and Morrisons Gap Rd are classified as Local Roads, not for B-Double use. Implications for Hills of Gold Wind Farm Transport Route require clarification.

If Old Hanging Rock Rd/Barry Rd/Morrisons Gap Rd route is approved for OSOM use, trespass by OSOM vehicles on private property will occur at the intersections of Oakenville St/Old Hanging Rock Rd.

Trespass by all heavy vehicles will occur at Barry Rd/Morrisons Gap Rd intersection. There is no consent from the affected landowners.

**Via Head of Peel Rd** for any traffic:

Head of Peel Rd is nominated as an Emergency Access only, however Transmission Line construction tracks and a Logging track are identified on maps connecting Head of Peel Rd and the development footprint. The Applicant does not have permission to use private easement at the end of Head of Peel Rd as transmission line construction access.

**HOGPI recommendation: reject Hills of gold wind farm.**

## 6.2 Turbines and infrastructure trespass

### Morrison's Gap Road

Within the project area blades overhanging the Morrison's Gap Rd reserve, there are compounds either side of the road reserve and access tracks and underground cabling intersecting Morrison's Gap Rd. Seven turbines (WTG 64-70) remain proposed within 85 to 310m of Morrison Gap Rd. The road users of this section will be subject to visual impact, shadow flicker and ice throw or blade throw risks. The DPHI Assessment Report downplays the use of this public road accounting only for low volume residential use, and does not take into account its use as tourist access to Arc-en-ciel Trout Farm which attracts thousands of visitors annually, plus general visitor usage admiring the scenic landscape and government access (Tamworth Regional Council, Crown Land, National Parks and Wildlife Service, State Water, and Rural Fire Service).

**HOGPI recommendation: remove turbines 64, 65, 66, 67, 68, 69 and 70.**

### State Forest

Turbine 47 is located on NSW government land. Who is receiving hosting income from this turbine? NSW tax payers might be ultimately responsible for decommissioning.

**HOGPI recommendation: remove turbine 47 or relocate onto private land with appropriate setback.**

### Crown Road

Turbines 50 and 49 and their associated foundations and hardstands are trespassing on the Crown Road (a legal access) to Ben Halls Gap Nature Reserve. Turbine blades are overhanging the road reserve.

**HOGPI recommendation: remove turbines 50 and 49 or relocate onto private land with appropriate setbacks.**

### SUMMARY:

- The Applicant failed to investigate a feasible access to the wind farm development corridor prior to submitting EIS.
- The Department progressed the Project to the recommendation stage without constructible or legal access in place.



## 7.0 NON-COMPLIANCE - SEARS requirements

The DPHI Environmental Assessment Requirements outline that the EIS must include:

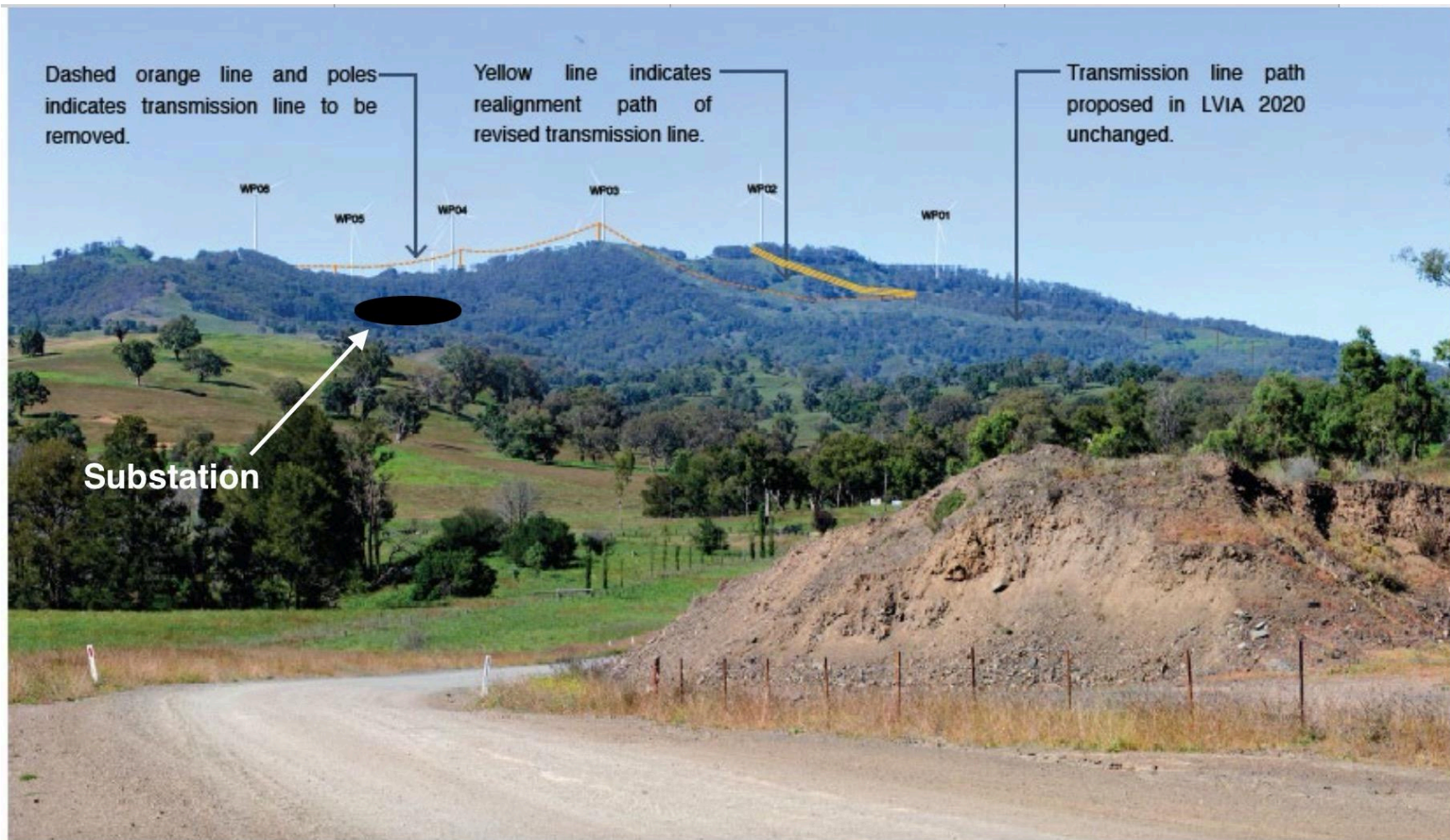
‘...**the suitability of the site with respect to potential land use conflicts with** existing and future surrounding land uses, including **rural villages, rural dwellings**, subdivisions, **land of high scenic value, conservation areas (including National Parks / Reserves)**, strategic agricultural land, state forests, mineral resources, **triangulation stations, tourism facilities**, existing or proposed wind farms, and the capacity of the existing electricity transmission network to accommodate the development...’

The Applicant’s EIS and Amendment Report and the DPHI Assessment Report and Conditions inadequately recognise the extension of Visual and Transport impacts of Hills of Gold Wind Farm to Nundle and Hanging Rock villages, their residents, and tourists.

Hills of Gold Wind Farm infrastructure extends into Nundle and Hanging Rock villages as a result of road modifications for transport, transportation of Oversize Overmass vehicles through Hanging Rock and Nundle, and on surrounding residential and rural roads.

The Nundle and Hanging Rock landscape is recognised as a significant tourist attraction for Tamworth Regional Council and contributes to attracting and retaining visitors in the LGA and north west NSW region. Hills of Gold Wind Farm documentation underestimates the potential impact of Transport and Visual impacts on rural villages, rural dwellings, land of high scenic value, conservation areas, triangulation stations and tourism facilities. The image below shows Hills of Gold Wind Farm transmission line infrastructure and Governor’s Shelf optional substation and ancillary infrastructure located 5.4km from The DAG Sheep Station wedding venue. This award-winning venue will close if Hills of Gold Wind Farm is approved. Award winning Nundle retailer Odgers and McClelland Exchange Stores will close if Hills of Gold Wind Farm is approved. This demonstrates conflict with existing land use.

Basic photomontage of transmission line infrastructure and Governor’s Shelf optional substation (and ancillary infrastructure) location, 5.4km from The DAG Sheep Station wedding venue.



**Figure 6-9: Transmission Line – Photomontage representative of NAD\_34**

## 7.1 Conflict with rural villages



**There is no protection of the heritage and rural character of Nundle and Hanging Rock, or the tourism appeal of the entrance to the village.**

(The project fails to meet the EP&A Object of promoting the sustainable management of built and cultural heritage of the villages and also does not facilitate ecologically sustainable development in regard to economic considerations. The adverse impacts of the change in character of the area will contribute to the loss in Tourism revenue for local businesses.)

## 7.2 Conflict with rural dwellings, subdivisions

Multiple DA dwellings and lots with dwelling entitlements have not been thoroughly assessed for visual impacts.

The future development of Morrisons Gap road rural lifestyle subdivision in close proximity to the wind farm has not been taken into account.

## 7.3 Land of high scenic value



*Image from a property near Nundle road/ Lindsay Gap road intersection*

Independent Expert Advice by O’Hanlon and Francis advises careful consideration in the evaluation of the overall project suitability and Determination of Consent of the significant change of character caused by the turbine array on the extended ridgeline of the Great Dividing Range Key Landscape Feature.

The advice describes partial industrialisation of the character of LCU05 Forested Mountain Ranges and states that the change of character to Natural Appearing and Wind Energy Character is significant.

DPHI underestimates the impact of the change of character on the broader landscape character, including its impact on pre-existing heritage and nature based tourism.

## 7.4 Conservation areas - Ben Halls Gap Nature Reserve

In particular, the EIS must include:

...the reasons why the development should be approved having regard to - the suitability of the site with respect to potential land use conflicts with...**conservation areas (including National Parks / Reserves)**

There remains concern about the unsuitability of the wind farm siting in such close proximity to the Scientific Reference Nature reserve which is closed to the Public.

Ben Halls Gap National Park Plan of Management link follows

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Parks-plans-of-management/ben-halls-gap-national-park-plan-of-management-020091.pdf>



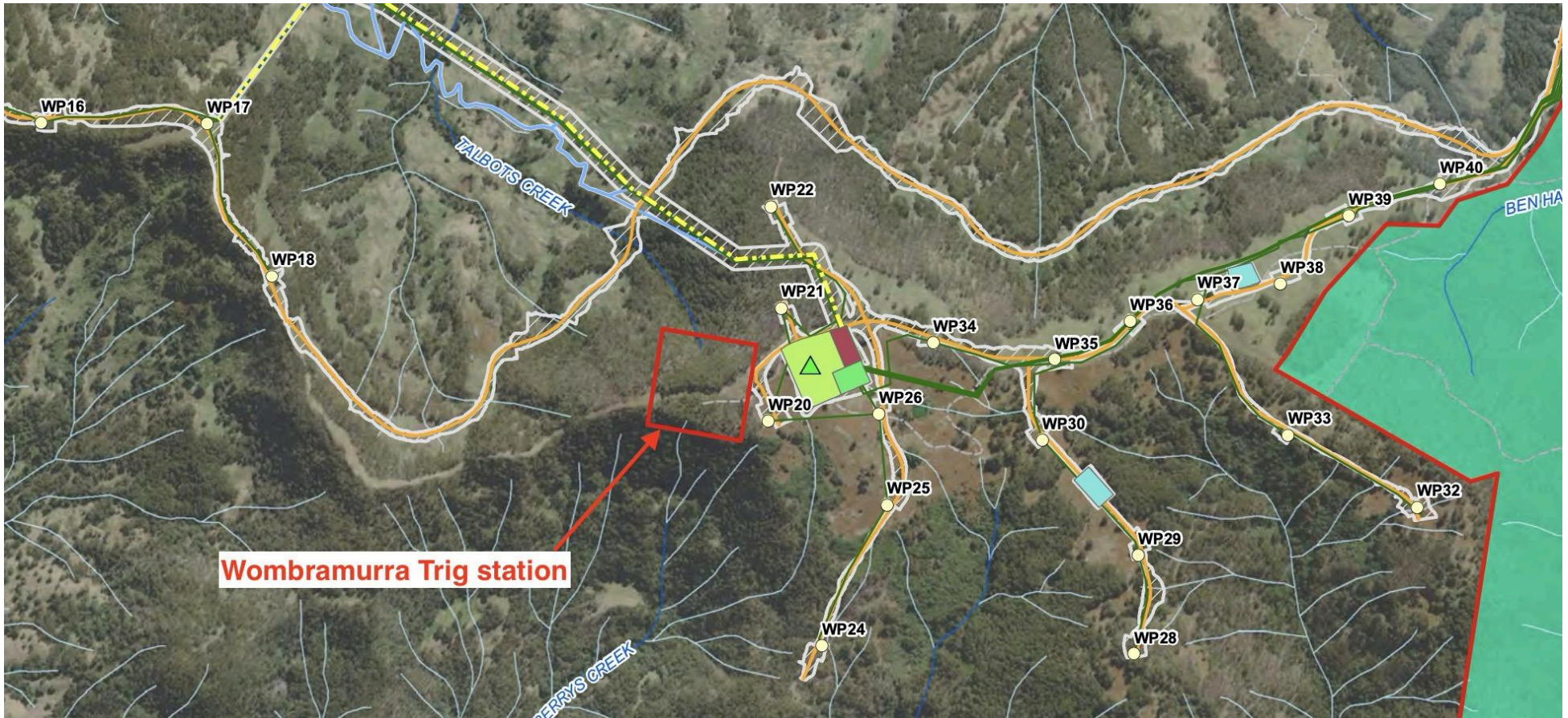
Ben Halls Gap Sphagnum Moss Cool Temperate Rainforest © Doug Beckers

## 7.5 Triangulation Stations

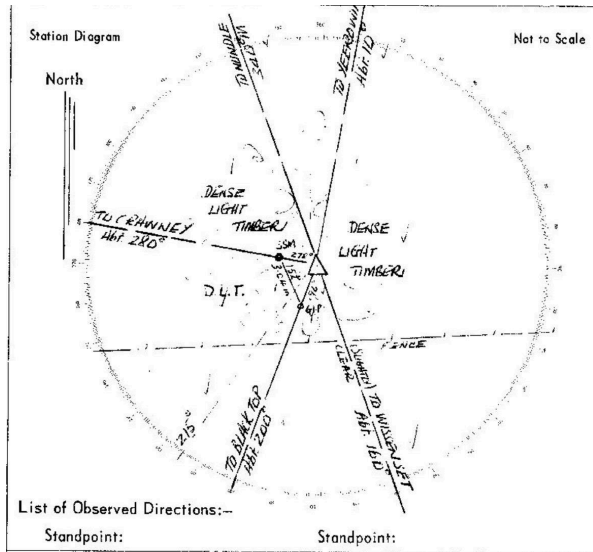
In particular, the EIS must include:

...the reasons why the development should be approved having regard to - the suitability of the site with respect to potential land use conflicts with... **triangulation stations**

Location of the Wombrumurra trig station within the Project was never addressed. This was previously raised in submissions and ignored by the Applicant and the DPHI.



STATION <i>WARRAMUREA</i> ✓		TS <i>6152</i>	
Co:		Ph:	
Map Sheet: <i>ELLERSTON</i>		No: <i>9134 N</i>	
Inspected by: <i>PCHEN</i> ✓		Date: <i>23/4/77</i>	
Authority: <i>C.M.A.</i> ✓		Field Book: <i>1565</i>	
Beacon Diagram <span style="float: right;">Not to Scale</span>			
Date	Record of Station		



## 7.6 Raw materials

SEARs requests details of traffic volumes (both light and heavy vehicles) and transport routes associated with sourcing raw materials (water, sand and gravel). The supply of these materials is not specified so the community remains in the dark regarding what roads quarry trucks will impact. Potential increased light and heavy traffic on Timor Crawney Rd remains a significant concern.

## 7.7 Waste

The EIS must identify, quantify and classify the likely waste streams to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.

**The Applicant failed to specify the point of waste disposal or landfill usage location.**

Nundle is a transfer station, not a landfill. If the Applicant disposes of rubbish at Nundle tip, it will be carted to a landfill at rate payers' expense.

## 7.8 Flood

SEARS requirement, letter from the Office of Environment and Heritage dated 29.10.2018  
 “.OEH recommend the EIS need to appropriately address the following:

### 5. Flooding

The Applicant failed to identify a flood hazard or carry out the flood study for the proposed private road bypass located on the flood plain, including a section of high hydraulic hazard. The Applicant failed to identify potential flash flood hazard at the proposed Access Option B - Wombramurra creek crossing.

- around appropriate methodology will be made based on the type and condition of any findings;
- Consistent with Section 6.8.3 of the Amendment Report 2022: extensive ground disturbance for the construction of the temporary road is to be avoided. Consideration should be given for ‘building up’ the roadway within the

### Building up within the flood zone

0690

Client: Hills of Gold Wind Farm Pty Ltd

Mitigation Measure	Responsibility
block bound by Jenkins, Oakenville, Herring and Innes Streets, in preference to substantial excavation. Removal of top soil may be permitted, but cut and fill should be minimised; <ul style="list-style-type: none"> <li>- prior to the commencement of works, all contractors should be briefed on the requirements of the <i>Heritage Act 1977</i> and the Unexpected Finds Protocol;</li> <li>- in the event that relics are unexpectedly exposed, works should cease immediately. The management of relics should be in accordance with NSW</li> </ul>	

The Development Consent, pg 12, outlines that the Applicant must ensure that the development does not materially alter the flood storage capacity, flows or characteristics in the development area or off-site.

The Applicant does not address this matter with regard to a proposed private road on The Peel Inn curtilage on a flood plain, which is proposed to be “built up” and may result in redirection of flood flow onto public roads and reserves, and private land. The applicant does not address flood impacts of Option B road upgrades on Crown Land off Crawney Rd, or bridge construction at Wombramurra Creek.



On a broader scale Professor Martin Thoms in his March 2023 Peer Review highlights the importance of upland aquatic ecosystems to help control flooding by absorbing and storing water during high-flow events, reducing the volume and velocity of water downstream. The potential impact of Hills of Gold Wind Farm land clearing and disturbance on flooding downstream has not been exhibited or published.

## 8.0 PUBLIC INTEREST

### 8.1 Public Interest vs Individual Disbenefit

In its IPC presentation the Applicant cites Case Law, from Taralga, where greater weight is given to Public Benefit vs Individual Disbenefit, to argue reinstatement of turbines 53-63. The Taralga case involved a vacant lot with a dwelling entitlement, not an approved dwelling. The removal of these 11 turbines has cumulative benefits beyond visual, noise and shadow impacts relief to DAD\_1. The removal of these turbines also benefits NAD\_05, NAD\_07, DAD\_03, NAD\_33, lot 13 and multiple other lifestyle properties in Hanging Rock, Nundle, and Nundle Crawney Valley.

Removal of these turbines is considered to meet the Objects of the EP&A Act as it is promoting consideration to the social welfare of members of the community and also protects a greater area of land by conservation of ecological communities and their habitats.

### 8.2 Land Acquisition request

We note that the Applicant's presentation to the IPC asks for reinstatement of 15 turbines. HOGPI supports the DPHI recommendation for removal of 17 turbines that do not comply with Visual, Noise and Biodiversity Guidelines and highlights that Voluntary Land Acquisition is not applicable to the Hills of Gold. In its IPC presentation the Applicant cites Case Law that is not like for like with Hills of Gold Wind Farm.

In the case of Rye Park Wind Farm, Voluntary Land Acquisition was an option available for landholders who indicated willingness to accept impacts in exchange for compensation, or to sell off the property if the impacts are still unacceptable post mitigation.

In the case of Bowmans Creek wind farm, a land owner requested that the developer buy him out.

It's a condition the landowner puts on the developer, not the other way around.

### 8.3 Renewable Energy Zones

The Applicant and DPHI state that Hills of Gold Wind Farm is not in a Renewable Energy Zone. It is 15km south west of the New England Renewable Energy Zone.

The HOGPI submission to the New England REZ Draft Declaration in November 2021 outlined that the project did not meet NSW Government methodology for refining the NE REZ geographical area, including minimising perceived interaction with national parks and meeting Maximum Capital Cost for renewables.

Hills of Gold Wind Farm was excluded from the New England REZ geographical area. It has already been rejected by the NSW Government once.

### 8.4 Capital Investment Value

DPHI quotes a Capital Investment Value of \$826.4 million. This figure, based on 64 turbines and 384MW, hasn't changed since the 2020 EIS and has 33 exclusions. Now the recommended project is 47 turbines and 282MW, but we have no idea of the impact on the CIV. There is no transparency of the value for the NSW consumer (government subsidies) and the viability of the project considering that much of the same access infrastructure will need to be built for less return due to inappropriate site selection. Note that the EIS indicates that the BESS would be installed at a future point in time based on market demand and the economics of battery storage. A transparent updated CIV (without 33 exclusions, or limited to onshore spend) has not been exhibited.

## 9.0 COMMUNITY CONSULTATION

Australian Energy Infrastructure Commissioner Andrew Dyer's Community Engagement Review released on Friday, February 2, 2024 recommends improving the way project sites are selected, avoiding inappropriate sites, and revising the planning/approval process to reduce elongated community engagement. Hills of Gold Wind Farm is recognised as a case study on page 29, highlighting ongoing uncertainty for the community and host landholders, and access issues including inability to use existing roads/build new roads, potential soil erosion and changes to hydrology flows. We continue to raise these issues in our submission to the IPC.

Engie chief executive for renewables Thierry Kalfon visited Tamworth and Nundle (not HOGPI members) in February 2022 and was quoted in The Northern Daily Leader stating, 'we cannot now, in the current environment, develop any renewable project without the strong support of the community.' Yet Engie has repeatedly denied, dismissed, and ignored local community opposition to Hills of Gold Wind Farm. Mr Kalfon should have been at the IPC Hills of Gold Wind Farm Public Meeting.

It was distressing to hear landholder after landholder speak about not being contacted by the Applicant, not receiving requested information, and dwellings not being identified by the project. The Applicant's rarely open part-time office in Jenkins St is not a safe place for HOGPI members. Several members have reported leaving the space distressed, having experienced conflict, some leaving in tears.

HOGPI members have repeatedly requested a public meeting in a neutral public space, such as the Nundle Memorial Hall. Instead the Applicant has hosted information sessions at licensed venues with no agenda, designed for one-on-one conversations that are not minuted or witnessed. Some HOGPI members attended one meeting hosted by the Applicant at Nundle Bowling Club that descended into legal threats.

DPHI disbanded the Community Consultative Committee in May 2022. The CCC minutes show poor relations between Engie representatives and community members opposing the wind farm.

## 9.1 Jobs

The Nundle and Hanging Rock communities continue to be misled regarding the impact of Hills of Gold Wind Farm operational jobs.

The Hills of Gold Wind Farm Socio-Economic Impact Assessment by SGS Economics and Planning (Appendix P Socio Economic Assessment) states that 10-20% of 25 operational jobs would be in Nundle, excerpt pg 75 below. **That's 2.5-5 operational jobs for Nundle people.**

As a result, the operational phase would be likely towards the lower estimate of 25 jobs. Of which 10-20% would be in Nundle, 30-40% in the surrounding LGAs and the balance in the rest of NSW.

That is not what supporters of the wind farm are expecting. It is not what the developers had led the local community to believe and this information is buried in a report that very few local people would have read. Will it offset the Tourism jobs that would be lost as a result of the construction period and reduced amenity?

The original developer entered the community in March 2018 with a presentation at a public meeting forecasting 34 operational jobs for Hills of Gold Wind Farm. Based on this some members of the local community assume this means 34 new families for the town, new enrolments at the school, and new volunteers for community groups.

This forecast has been questioned by Hills of Gold Preservation members ever since. When HOGPI members put this forecast to a wind industry insider he said at that number there'd be a lot of card playing on site.

HOGPI members' analysis of NSW wind farms show that wind farms with 70 turbines generally quote 8 to 15 operational jobs. The DPHI Assessment Report continues to overstate project operational jobs at 28. The same department commented that 22 forecast ongoing jobs for proposed 54-turbine Jupiter Wind Farm were more than double those associated with similar sized wind farms.

Bowmans Creek Wind Farm IPC Statement of Reasons for Decision, February 6, 2024 describes a 54-turbine 347MW wind farm with 15 operational and 156 construction jobs.

The forecast 200 Hills of Gold Wind Farm construction jobs also overstates the benefits for the Nundle and Hanging Rock economy. Collector Wind Farm Community Consultative Committee minutes state that the bulk of its workforce is from western Sydney and interstate. The Applicant has not addressed where the Hills of Gold Wind Farm FIFO/DIDO construction workforce would be housed, and has not marked a commuter car park within walking distance of Nundle on its maps.

It is unethical to overstate operational and construction jobs benefits, leading some vulnerable members of a small rural community to have unrealistic expectations of micro-economic benefits such as primary school enrolments.

## CONCLUSION

The Applicant failed to present an approvable Project and the Department failed to ensure that **all** aspects of the Project have been assessed. This has been a long running process with multiple changes and an extensive file of documents. There is no doubt the DPHI was keen to get this Project off their desks, but it should not be at the expense of the community or the environment. The project as it is presented is incomplete, with many gaps remaining and confusing and seemingly impossible access options. The Department has left the IPC in the position where Commissioners now have to finish the assessment for them.

The DPHI has recommended the approval of Hills of Gold Wind Farm on the basis of a good wind resource and early connection to the grid. However, non-compliance with guidelines and biodiversity impacts removes productive turbines. The early grid connection will not be possible without access to the project area. The DPHI Assessment Report (December 2023) and Recommended Development Consent leave concerning holes in the Applicant's Transport route, to the point where it does not have access to the Hills of Gold Wind Farm project area for heavy vehicles requiring escort. Aboriginal Land Use Agreements are not in place, Crown Lands permission is missing, and OSOM trespass is not possible on key corners. The Applicant, and now DPHI, continue to delay addressing these vital issues. Without them,

there is no Access. If there is no Access, the IPC must Determine Rejection of Hills of Gold Wind Farm.

**Approval of this project is not in the Public Interest. It does not meet the Objects of the EP&A Act and does not meet the principles of ecologically sustainable development. The project fails to comply with the Draft Wind Energy Guidelines currently on exhibition. Even though the timeline of this application is within the Developer's favour with the timing of the exhibition of the guidelines, in the same way Development Applications are assessed with any Draft LEP's on exhibition, surely consideration to the Draft Guidelines in this case is within the public interest.**