

17/06/19

Re: Crudine Ridge Wind Farm – Modification 1
Objection to Modification 1

Supplementary Submission 1:

RESPONSE TO THE DPE MODIFICATION ASSESSMENT REPORT

1. Executive Summary, page iv:

“The remaining 40 turbines were not approved under the EPBC Act due to social (amenity) impacts”

This is grossly incorrect.

Firstly, the Commonwealth Minister for the Environment, Minister Frydenberg, assessed the Crudine Ridge Wind Farm project according to the Environmental Biodiversity and Conservation Act 1999. It was during the Minister’s assessment of this project that the developer, CWP, approached the Commonwealth Department of Environment with a reduced turbine project.

FOI 170608, Document 2

Written by - Commonwealth Department of the Environment:

“On 17 January 2017, the proponent proposed a reduced wind turbine layout for consideration (attachment M). The proponent has proposed a final layout of 37”

FOI 170608, Document 4

Written by - CWP Staff Member:

*“The reduced layout of 38 turbines is less than half the 77 turbines approved under the NSW PAC approval. This 50% reduction in turbines will have the following **environmental gains**”*

- *Vegetation clearance for the turbine foundation and crane hardstands will be **reduced by approximately half***
- *Bird collision risk potential will be significantly reduced, **improving outcomes from Regent Honeyeater, Swift Parrot and Migratory bird species.***
- *There will be less haulage required and fewer truck movements, reducing wildlife impact on roads during the construction phase, including potential **impacts to local koala populations***
- *The project has undertaken a marked reduction in potential visual impacts in the South of the project, in the interest of the local community”.*

I noticed Mr Young in the meeting between the DPE and the IPC once again reinforced this incorrect notion.

Transcript page 11, Line 33:

Mr Young:

“It was clearly for social and amenity impacts on nearby neighbours”.

2. Engagement, page v:

*“While approximately 70% of submitters objecting to the proposal reside over 100km from the project, 31 submissions were from residents within 5km of the project site, of **which 7 objected to the proposal**”.*

This is once again incorrect.

Any nearby neighbour who states ‘Mudgee’ as part of their address has automatically been excluded from the ‘less than 5km’ count. As a result, a number of submissions from landowners within this area objecting to the modification have not been recognised, including myself, my husband and my father-in-law, despite the fact we live on our family farm which directly joins the project site.

On counting the submissions, a much larger number of objections were submitted from the area in the close proximity of the project site to include Pyramul, Carcalgong and Crudine. There were at least **20 submissions within 5km of the project site objecting** to the modification.

Twenty submissions objecting to the modification is far from the seven objections the DPE quoted in the Modification Assessment Report. The biased nature of the DPE towards the developer continues.

3. Biodiversity Impacts, page v:

Re: Reduction in Turbines

“In relation to biodiversity impacts, although the modification would result in a localised increase in vegetation clearing for the road, there would be a net reduction in clearing of 31ha for the project as a whole due to the removal of 40 turbines and associated infrastructure”.

As it has been well documented in the past, the final approval of Crudine Ridge Wind Farm allowed CWP to build a maximum of 37 turbines only. Therefore, building in excess of this number would breach Federal Condition No.5 of the Project Approval. To the general public, it would appear this company is requesting a change to the project which will result in *reduced* impacts. This is very misleading as not only does this company not have permission to build any more than 37 turbines, but they are seeking to significantly increase environmental destruction.

I credit the IPC for questioning Mr Young about this:

Transcript page 10 Line 28:

Mr Cochrane:

“..the reduction in turbines, is there – is it necessary to have a modification for that issue alone....”

After some discussion, Mr Young responds *“To put it beyond doubt”*.

If stating the reduction in turbine number from 77 down to 37 was purely a legality to ensure there are “no inconsistency between the different jurisdictions”, why has not only the developer, but also the DPE consistently made mention of the turbine reduction as a selling point of modification? I note the DPE has made mention of *“a net reduction in clearing of 31ha for the project as a whole due to the removal of 40 turbines and associated infrastructure”* throughout the Modification Assessment Report for this project.

I find this a little strange as not only are arguments based on a 77 turbine project null and void, but I am also confused by both CWP and the DPE stating the environmental benefits of reducing the turbines from 77 down to 37.....after all, this reduction according to both CWP and the DPE was *“clearly for social and amenity impacts on nearby neighbours”*. A classic case of using an argument only when it fits!

This situation is especially disappointing as during a meeting last December with Mr Young, I purposely made mention of my disagreement in having the turbine reduction as part of the modification as modification 1 was purely about upgrading Aarons Pass road. I communicated that I expected the turbine reduction aspect of the modification not to play a part in the overall assessment of the modification. Mr Young assured me this would be the case. Obviously he has not followed through with his word.

Clearly the DPE is not presenting itself as impartial when it comes to assessing this modification. There is obvious favouritism towards the developer.

4. Biodiversity Impacts, page vi:

Re: Offset Land

“Additionally, CWP would be required to offset the residual impacts of the modified project in accordance with the NSW Biodiversity Offsets Scheme. This would be in addition to the 674ha biodiversity offset area already required to be secured under the development consent...”

The 674ha offset must be kept in context - it was privately owned land, therefore would not be entitled to mass clearing permission as it includes timber which is pre 1990, is located on a steep gradient landscape and potentially borders the Turon River where riparian land clearing rules would apply. Even if the previous owner wished to clear this block of land, permission for this area would not be granted by either the Local Land Services (LLS) or the Office of Environment and Heritage (OEH). Therefore, the offset is already protected woodland.

5. Other Matters, page vi:

“While there is some opposition to the proposed modification from local landowners and special interest groups, this opposition primarily relates to the project as approved or compliance-related matters, which are not relevant to the Department’s assessment of the merits of the application”.

This is incorrect.

There were a number of submissions by local residents objecting to the modification. Contrary to what Mr Young said during the meeting, nearby landowners objecting to the modification are located in **both** the North and the South of the project. These submissions were largely based on aspects of the modification itself including increased vegetation clearing, the clearing of endangered and critically endangered flora, the resulting impact on corridor crossing fauna to include koalas, etc. I highly recommend the IPC read the submissions to Modification 1 lodged with the DPE in December 2018.

Increased turbine blade length was also mentioned in submissions as not only is this primarily the reason for increasing the roadside vegetation clearing, but the longer blades fixed to a shortened tower (in order to still maintain 160m max height) increased the varieties of avifauna now threatened due to the swept area being much closer to the ground. It is proposed the bottom of the blade swept area will potentially be between 4 – 7 m below canopy height of proximate mature trees, increasing the blade strike / kill rate for avifauna considerably. Has this changed risk been assessed by the DPE? A valid point despite the DPE rejecting its relevance.

6. Project Layout, page 3:

Re: Project site vegetation removal

*“The reduction in the number of wind turbines and ancillary infrastructure would reduce the overall disturbance footprint of the project as approved under the development consent. Although there would be a reduction of around 36ha in overall vegetation clearing for the project (from around **105ha to 69ha**), there would be a localised increase of around 5ha in native vegetation clearing for the revised road design..”*

Two points to make:

- (1) Once again the DPE is deceptively using the ‘unapproved’ 77 turbine project as though it was still a valid option for the developer, in order to better sell this modification.
- (2) During the meeting between the DPE and the IPC when Mr Cochrane asked *“Do you know what’s on the ridge, what is being cleared? It must be woodland of some sort”*. Of which Mr Young replied *“Well, once you see the site, you will see that it’s the – the site for the wind farm itself is largely cleared. There are clearing involved with both the turbines, the cabling between turbines...”*

'A vegetation area of approximately 69ha will be cleared for the approved 37 turbine project' would have been a more accurate and informative answer. Unlike many other wind farm sites, the ridgeline is **not** predominately cleared.

7. Project Layout, page 3:

Re: Reason for additional vegetation clearing along Aarons Pass Road

"The Department notes that vegetation clearance required along Aarons Pass Road is due to several factors, principally MWRC's road safety requirements including adequate passing bays and site distances. The road design also considers the delivery dimensions of the wind turbines. In this regard, the Department does not consider that the proposed change in blade length would result in any material difference to the extent of vegetation clearing that needs to occur on Aarons Pass Road to facilitate delivery of the wind turbines"

This is incorrect.

Firstly, it is clear that additional vegetation clearing along Aarons Pass Road is required in order to cater for much longer blades than those assessed by both the NSW PAC and the Commonwealth Department of the Environment. It must be remembered the NSW PAC / Commonwealth approved Downer Report was based on 40-63m blades. Blade increase to 67m would obviously result in vegetation clearing outside the area depicted in this report.

I feel as though the DPE is determined not to admit the increase in blade length is the reason why the modification is required. I assume it is because they are determined not to assess blade length as part of this modification. The fact is there are ample reasons to validate the assessment of blade length as an important part of this modification.

Even the developer, CWP, is willing to admit to the role blade length has played in this modification. During the meeting between CWP and the IPC when discussing the reasons why the clearing requirements for Aarons Pass Road has increased:

Mr Mounsey, P 19 # 40:

"And it's primarily because of the increase in blade length..."

However, the DPE appears determined not to implicate blade length as a reason why this modification is required.

The DPE Modification Assessment Report, page 3:

"The Department notes that vegetation clearance required along Aarons Pass Road is due to several factors, principally MWRC's road safety requirements including adequate passing bays and site distances".

This isn't correct.

The PAC approved Downer Report identified **42 potential passing bays** along Aarons Pass Road. *“Downer have reviewed these passing bay locations and confirm that they are all generally suitable, **with only minor works required for use**”.*

Considering page 7 of the DPE Modification Assessment Report states:

“ The proposed revised road design would include passing bays spaced at approximate 1 km intervals...”

Since Aarons Pass Road is 20km long and the proposed revised road design requires passing bays spaced at approximately 1km intervals, approximately 19 passing bays would be required. Since 42 potential passing bay sites were identified in the current approval PAC approval, how can the DPE honestly allocate the blame for increase in vegetation clearing along Aarons Pass Road on *“principally MWRC’s road safety requirements including adequate passing bays and site distances”*?

The modified Aarons Pass Road upgrade and associated vegetation removal is clearly a result of the increase in blade length. Once again, the DPE’s position on this is overwhelmingly biased in favour of the developer.

8. Revised Road Design, page 7 Cleared Vegetation Photographs

The following two photos both show sections of an area already cleared along part of the initial 3km of Aarons Pass Road.

The first photo was used by the DPE in their report illustrates only a small section of clearing, with the majority of the image showing still standing timber.

The second photo was taken by the local community and is a more accurate representation of the vegetation clearing completed.



Photo of cleared vegetation as it appears in the DPE Modification Assessment Report.



Photo of cleared vegetation as taken by the local community

9. Key Issues – Government Agencies, page 11
Re: Mid-Western Regional Council

In the DPE's summary of Mid-Western Regional Council's submission, it was stated in the Modification Assessment Report, page 11:

*"MWRC also advised that it **continues to require** that the upgrade of the road is undertaken **prior** to the commencement of construction of the wind farm to ensure the safety of all road users"*

Recall from the meeting between CWP and the IPC, Mr Mounsey, page 6 line 40:

*"We had again, through our negotiations and dealing with Mid-Western Regional Council, **agreed** a scope of works whereby we could **concurrently** upgrade Aarons Pass Road and commence with construction activity on the wind farm site.."*

Who is not telling the truth here? Clearly the developer is once again misleading the IPC.

10. Avoidance and Mitigation, page 15
Endangered Ecological Communities (EEC)

In this section of the Modification Assessment Report, the DPE have incorrectly listed the conditions of consent to include:

*"clear no more than **5.7 hectares of Box Gum Woodland EEC**"*

This is incorrect.

Condition 3 of the Final Commonwealth Approval states:

*"The person taking the action **must not clear more than 3.28 hectares of White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community**, for the development of the proposed action, as defined in Schedule 1 of this approval".*

Although the NSW PAC approved consent condition (condition 19) permitted 5.7 hectares of EEC be cleared, the Commonwealth Department of the Environment in the final approval **reduced this figure to 3.28 hectares**. It must be remembered this figure applies to the entire development, including the upgrading of Aarons Pass Road, vegetation clearing for transmission lines as well as clearing required for turbines.

Once again the DPE appears to be biased in favour of the developer.

It is critically important for the NSW DPE to have a thorough understanding of the current conditions of consent since they are the compliance monitoring body for this project. It is not acceptable for the DPE to make critical errors such as this. Not only is the Commonwealth Department of the Environment placing their trust in the NSW DPE to hold this developer to the consent conditions, but so are the general public.

I believe there is sufficient evidence to warrant the IPC investigation of:

1. The developer, CWP providing false and misleading information to the DPE, the PAC, the Commonwealth Department of Environment and the IPC.
2. The DPE acting in a biased nature towards the developer, CWP.

Regards,

Penny Hundy

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18/06/19

Re: Crudine Ridge Wind Farm – Modification 1
Objection to Modification 1

Supplementary Submission 2:

AARONS PASS ROAD UPGRADE - CWP Deliberately Misleading the Federal Department of Environment:

As discussed in my previous Supplementary Submission 1, the increase in vegetation removal along Aarons Pass Road is required as CWP have increased the turbine blade length from 63m to 67m. CWP began vegetation clearing from the Castlereagh Highway end of Aarons Pass Road, having cleared three km when the local community alerted NSW DPE Compliance Team that the clearing appeared to be vastly in excess of that defined in the consent conditions.

As a result of the compliance investigation, it was soon determined that if CWP were to continue clearing vegetation at the same rate, they would soon exceed their consent conditions. Although CWP controversially did not receive a noncompliance for the vegetation clearing at the commencement of Aarons Pass Road, they did receive a noncompliance for breaching condition 28 by commencing major works onsite (over a period of approximately 3 months) prior to upgrading the access road.

A public transcript illustrating a meeting on 05/06/19 between CWP and the IPC illustrated that throughout this meeting CWP had misrepresented the truth on numerous occasions.

- Please refer to P19, line1:
Mr Mounsey: “And we have agreements. So going back to mid-2016 when we ramped up our activity around the detailed design for the road, it was highlighted to us then that we were going to exceed the existing corridor”.

Keep in mind Crudine Ridge Wind Farm gained NSW PAC approval in May 2016. The details concerning upgrading Aarons Pass Road were all included in the consent conditions which the NSW PAC placed on them at this time. These conditions were signed off by CWP, Mid-Western Regional Council, NSW DPE and NSW PAC. At this stage clearly all parties were satisfied with the Downer Report which formed the basis of the consent conditions for Aarons Pass Road.

Now Mr Mounsey is saying that it was highlighted to them that they were going to exceed the existing corridor within about **one month** after this PAC approval (mid 2016). This would mean that the Aarons Pass Road upgrade section of the PAC conditions would no longer be feasible – Mr Mounsey knew they were not going to be able to honour the existing conditions back then.

Now fast forward 6 month to the 15th December 2016 when Minister Frydenberg visited our property, having earlier that same day met with Mr Mounsey in Bathurst. According to the above admission by Mr Mounsey, CWP knew before they even met with Minister Frydenberg that they would not be able to meet the NSW State conditions when it came to upgrading Aarons Pass Road.

The Federal Department of the Environment produced a report based on a site inspection of Aarons Pass Road which was completed in March 2017, during the final Federal assessment period of the project and just weeks before the final approval was granted. This information was retrieved via FOI.

*“The Department notes that the NSW assessment included a Heavy Haulage Road Survey and Upgrade Assessment of Aarons Pass Road, by Downer Infrastructure, which has experience in constructing roads for other wind farm projects. This **detailed report is an appendix to the NSW Environmental Assessment** and is publicly available at:”*

Correct. The Downer Report is very detailed, leaving no misunderstanding of what was permitted when it came to upgrading Aarons Pass Road. This Monitoring Visit Report was prepared by the Senior Compliance Officer on 06/03/17 and approved by the Acting Director – Monitoring and Assurance Section on 07/03/17.

Therefore, approximately eight months after CWP realised they were going to exceed the NSW PAC consent conditions (mid 2016 to March 2017) CWP continued to mislead the Federal Department of the Environment in believing the road upgrades would be confined to those activities depicted in the approved State conditions. It would appear that the DPE were also not informed that CWP were not able to meet the consent conditions set for Aarons Pass Road.

This developer has deliberately lied to gain approval, therefore the IPC must make an example of this developer by sending a clear message to future developers that this behaviour will not be tolerated and will most certainly not be rewarded with an approval. Consequences must result from deliberately misleading the Government, both State and Federal.

Since Minister Frydenberg’s final approval conditions involved not only adding specific Federal conditions but they also reinforced State conditions, hasn’t Mr Mounsey misled the Federal Government? I believe he was far from being honest with the Federal Department of Environment because he was so desperate for an approval. I really don’t think he expected locals to have a thorough understanding of the consent conditions and would hold CWP to them.

CWP Deliberately Misleading the DPE and the NSW PAC:

Mr Mounsey convinced the NSW PAC that all 77 turbines had to be fully retained for viability (including 8 high visibility turbines which the NSW DPE in their assessment recommended they be removed), yet six months later 37 turbines are now suddenly viable during discussions with Minister Frydenberg. Other criteria for viability was accepted by the NSW PAC and which are contrasting to the criteria involving the 37 (all 8 high visibility turbines are now removed yet the project is still considered viable by him).

Mr Mounsey has obviously presented false and misleading information to the NSW PAC. Additionally, the admission (see above) that the consent conditions regarding Aarons Pass Road would be unsustainable, makes it highly likely that Mr Mounsey also provided false and misleading information to the Federal Department of Environment, evidenced by the Federal Department of the Environment still referencing the PAC approved Downer Report when it came to upgrading Aarons Pass Road. As a consequence, an offence would have occurred under Commonwealth legislation for providing misleading information with an aim to gain a financial benefit from the Commonwealth (REC accessing, loan funding from CEFC).

Crudine Ridge Wind Farm in the operational phase would be eligible to obtain REC's, additionally CWP have secured funding of \$38million from the CEFC. If it is determined that CWP has falsely presented information to the Federal Government then it raises the concerns that public money is now involved.

CWP appears to have a history of applying financial pressure (project viability) on approving authorities in order to gain the approval they are seeking:

Example 1 – 2016 PAC: Mr Mounsey convinced PAC that CWP must have all 77 turbines (including the 8) in order for the project to be financially viable. Refer to pages 6 and 7 of the PAC Report.

Example 2 – 2019 IPC: Re: Transcript from CWP and IPC meeting where the IPC is consistently reminded of CWP's financial requirement for Modification 1 to succeed and be approved. This is summarised in my submission delivered on 11/06/19.

It would be worthwhile for the IPC Commissioners to request details of the negotiations between CWP and the landowners along Aarons Pass Road to confirm the date in which CWP realised the upgrade of Aarons Pass Road would exceed the existing corridor, and therefore would exceed the current consent conditions.

Since the IPC Commissioners have now been made aware of the above situations involving possible false and misleading information, I believe the Commissioners have a responsibility to act on this information, despite some of the situations occurring prior to their involvement of this project. Previous decisions made by the DPE, the NSW PAC and the Commonwealth Department of the Environment which were potentially based on false and misleading information have all led to the project as it is approved today. I urge the Commissioners to right the wrongs of the past.

AARONS PASS ROAD UPGRADE – Assessment of Cleared Area:

----- Forwarded message -----

From: [REDACTED]

Date: Tue, Oct 30, 2018 at 11:06 AM

Subject: Crudine Ridge Wind Farm - Compliance Issue

To: Chris Schultz [REDACTED]

Cc: Katrina O'Reilly [REDACTED]

Dear Chris,

After re-reading the attached letter from the DPE, the clearance of APR is based on Schedule 2 Condition 2 rather than Appendix 6 of the consent. The Department really must be consistent with their approach to CRWF project compliance to be fair and not biased.

Schedule 2, Condition 2:

The applicant shall carry out the development

- a) Generally in accordance with the EA, **and**
- b) In accordance with the Conditions of this Consent.

These are not mutually exclusive events - it is not a case of choosing one over the other where the DPE sees fit, the condition requires both A and B to be carried out. Furthermore, the very next section of the consent (Schedule 2, Condition 3) states:

'If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency'.

Therefore, since it is the table summary from the Downer Report (Appendix 6 of consent conditions) which has actually made it into the official consent document, approval needs to be related to specific trees, not area.

The Ecological assessment (Appendix 8 of PPR) is based on the Downer plan, it provides further details with photographs of all of the areas to be worked on. The photographs show those areas are generally treeless and where trees are to be taken out the document refers to the number of trees.

Note that Downer, the Ecological Addendum (PPR) and Appendix 6 of the Consent all appear to agree on the number of trees to be removed. In the first 3kms, they allow 4 trees to be removed. Well over 100 trees are gone. Therefore, given those three documents are explicit about the number of trees to be removed in first 3kms, on what grounds is DPE allowing something much greater?

Below is a tabulation of the various work sites covered in the Ecological assessment of the PPR up to 3.0 kms. On my calculation there are 10 work sites up to and including 3.0 kms. Only 2 of those sites involve clearing trees (4 trees). The rest do not. Most of the others are passing bays which have been specifically selected as areas already cleared of trees and with mainly dirt, grass and a few shrubs.

Therefore, trying to claim those areas approved to be cleared for passing bays can somehow be conjured into approval for treed areas is grossly dishonest.

In addition to this, the whole intention of the Ecological Report was to identify the ecological significance of the areas where disturbance and clearance would take place. The clearance has occurred well outside the area included in the report, hence the ecological value of this 'without permission' cleared area has not been assessed or considered, by anyone.

It is not ethical for the DPE to pretend the detailed 130+ pages in the Ecological assessment (PPR) is just about somehow creating the numbers in Table 2 for approval and the rest do not count. Of course if that was the case, there was no need at all for Appendix 6 in the Consent, instead of just including the magic "clearance area" in the body of the Consent, or, alternatively, including clearance areas instead of trees in the table in Appendix 6. By doing this is simply 'cherry picking' the report.

Information from the Ecological Report for APR (Appendix 8 of the PPR) which compliance has been assessed against:

Site ID	sqm	Trees	Number
1.0 km Rd works	262	2	
PB02	60	0	
PB03	80	0	
PB04	100	0	
PB05	100	0	
2.5 km Rd works	236	0	
PB06	60	0	
PB07	80	0	
2.8 km Rd works	618	0	
3.0 km Rd works	180	2	
Total	1,776	4	10
Sections with trees	442	4	2
Sections without trees	1,334	0	8

Now consider the amount of woodland clearing the DPE have calculated for the first 3km - 0.366ha or 3660sqm (a figure which I am querying as a gross underestimation). Now compare this current figure of 3660sqm to 442sqm (woodland area) as stated in the report for the first 3.0km. The entire impacted area for the first 3.0km according to the report which compliance is relying on states 1776sqm (with and without trees) - this area is still more than double what was allowed. How is this not deemed a non-compliance?

As I mentioned to you on the phone yesterday, a) 'Generally in accordance with the EA' must be investigated further. Apart from the EA demonstrating environmental impacts (especially on avifauna) was based on blade lengths of up to 63 metres (not 68.5m), the EA also states water requirement for the project will be 20ML. The project is now 37 turbines, not 77, therefore 20ML should be more than enough. Water requirement of 20ML stated in the EA compared to up to 130ML CWP have now confirmed as having access to for the two years of construction, does not pass the 'generally in accordance with the EA' condition of consent. The water usage requires monitoring to ensure it is consistent with Schedule 2, Condition 2, (a), that is 20ML. There are a number of other areas where this project now deviates from the EA, all factors which must be considered via the modification process, all which have been communicated to the DPE numerous times over the past 3 months.

Given this information, information the DPE itself has stated it is relying on in order to determine compliance, we accept nothing less than the issuing of a non-compliance for the vegetation clearance already committed and for the project to be required to submit a modification if it is to proceed.

I will call you to follow up on this email this afternoon after you have had a chance to look at it.

Regards,
Penny Hundy

[Redacted signature]

I note both the DPE Modification Assessment Report and Mr Young, during the meeting between the DPE and the IPC, disregarded public submissions to the Crudine Ridge Wind Farm Modification 1 where compliance issues were raised. Please advise me what avenue the public are to take when compliance breaches are clear and heavily supported by evidence, yet no action is taken by the surveillance body, the DPE?

As Commissioners of the IPC, what are you expecting when you place conditions on developments? What consequences do you expect when those conditions are breached? I believe it is important for the IPC Commissioners to gain a thorough understanding of the consent conditions included in the PAC 2016 approval and compare this against what has occurred during the first 3km of Aarons Pass Road. Ask yourself if you had set those conditions of approval back in 2016, would you be satisfied with the developer's (and the DPE's) actions?

As I mentioned in my submission I delivered at the Public Meeting on 11/06/19, I query the figure of 0.366ha of vegetation clearing assigned to the first 3km of Aarons Pass Road upgrade. As explained in the above email to DPE Compliance Officer Chris Schultz, the figures simply do not add up.

When I was told by Mr Young it was CWP themselves who assessed the cleared area as 0.366ha, I immediately questioned the independence of this assessment. We have a Compliance Department within the DPE to ensure compliance, why on earth would the DPE allow the developer to determine if a noncompliance had been committed or not?

A vegetation removal area of 0.366ha over the 3km length of cleared road, equates to approximately 60cm of vegetation removal from both sides of the road. Based on the IPC Commissioners inspection of this cleared area on 11/06/19 along with comparing before and after google images of this area, do the Commissioners believe 0.366ha to be a fair assessment of vegetation cleared?

Despite several attempts requesting the calculations used to produce such a low figure, I am yet to receive anything. It is important for the IPC Commissioners to review these figures for accuracy. Releasing this information to the public would be beneficial in maintaining an open and transparent assessment.

Should the IPC approve this modification, it is requested the assessment of vegetation removal to be allocated to an independent entity, another Government Department, eg The EPA or The NSW Department of the Environment. To allow the developer to assess its own area cleared is clearly presenting significant conflicts in interest and removing all faith the public has in the compliance system.

Regards,

Penny Hundy

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