

10 July 2024

Independent Planning Commission
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To Whom it may concern,

The pathway to this final submission has seen the majority of residents work tirelessly to get the message across that **this project is unviable.**

Public benefits

As you are already aware, during the planning process the DPHI has changed its original recommendation from 47 to 62 turbines reinstating 15 of the 17 non-compliant turbines. Public benefit was the key to this decision, stating the project has greater weight than individual landowner disbenefit. More importantly, the disadvantages to the local communities, NSW and the nation have been circumvented.

The public benefits of this project have been mentioned a lot but no details have been outlined other than;

- To achieve the governments future renewable energy transition goals with a reduction in emissions.
- Possible generation of power at a price low enough to attract customers.
- Large economic benefits to the public, none of which were included in the recent analysis by the Independent Expert Advisory Panel for Energy Transition (IEAPET). No details have been provided by either the Applicant, DPHI, Local Council (Via Voluntary Planning Agreement) or Government as to where this funding will be used. We can only assume it will be shared to benefit the public as a whole.

It is not a public benefit to approve a Wind Farm that is classified as a State Significance Development if;

- This project is deemed unviable or marginal, with only one assumed possibility recommended by the IEAPET ie. Scenario 62 turbines.
- A wind farm without detailed design of internal roads on steep gradient land, with high erosion, sedimentation, and mass movement risk requiring mitigation with potentially understated environmental impacts and financial liability.
- Imposing Voluntary Land Acquisition on a non-associated neighbour setting a precedent for other Wind Farms statewide (developed by a multinational company).
- It is to be conducted on unlawfully cleared land, with prior knowledge of this known by the applicant and the DPHI.
- The construction is to be undertaken by an applicant whose track record has been slow in responding to matters that were material to the merit of the project and whose due diligence in the early stages of the project seemed less than professional. The failure to acquire the most important land (Lot 47) before proceeding with the EIS and the exclusion of Timor & Crawney from community consultation) indicates poor management skills and professionalism. The majority opinion was consistently ignored and now we are being asked to trust them with this huge undertaking, not to mention our precious landscape.

- Approval is given without feasible comprehensive design solutions. Future assumptions and modelling are not always true or site specific and shouldn't solely be relied upon. The difficult site with steep gradients, high erosion, sediment run-off issues, mass movement risk factors requiring costly mitigation and potentially understated environmental impacts will require costly design and engineering methods (most will only become obvious after construction has commenced). The cost for these if assumed before construction will undoubtedly be under estimated. The construction duration and expenditure during this phase - taking into consideration the 'S-Curve' influence, lack of qualified engineers, consultants, construction workers and supply of suitable building materials, could be a huge risk for the applicant financially. **Can NSW trust the Applicant to deliver on time and within budget given their response times in the past?** If they can't deliver then should we expect a series of amended documents to suit, or stripped back 'For Construction' drawings to suit budget restraints. Where will these savings be made? This seems to be a pattern for NSW on other State Significance Developments and cannot be ignored by those making decisions for public benefit.
- A wind farm that is located between two National Parks - Crawney National Park and Ben Halls Gap Nature Reserve which is home to the critically endangered Sphagnum Moss Cool Temperate Rainforest, plus many other species of flora and fauna. This area is unique and must be protected for the future.
- Assumptions and estimates that the wind farm will be constructed over a period of 2 years with energy production at the start of year 3 seems unrealistic given the weather patterns and terrain.

Compliance and Project Oversight

Who (other than the EPA) will oversee the maintenance, compliance and safety on such a project and at what cost? Does NSW have enough qualified maintenance and Safety Compliance Officers with the relevant experience to oversee the future wind farms proposed in the NSW REZ zones?

During the EIS stage I noticed that one of the consultants who contributed to this document also provides maintenance and compliance reports on wind farms and other renewable energy projects.

Can the community and State of NSW trust that there will not be ongoing interest between this same consultant and the applicant for future dealings ie. maintenance/safety reports? Given that the proposed project is to be built on difficult terrain it would required expertise to suit and knowledge beyond the normal wind farm template.

Having been impacted by another State Significance Development I would like to point out that the offset strategy is somewhat flawed. Planting to substitute loss of vegetation is not guaranteed and is dependant on weather conditions, water supply, access and the types of planting supplied. Also, monetary offsets usually don't help the actual environment that has been impacted. There is no follow up on these offsets to see if they have actually been successful in the years after. If so, who does this?

Precedent

To date, this project has already set a precedent for one of the most drawn out planning processes for a NSW wind farm with the inclusion of the recently formed IEAPET.

With this comes the following;

- The question of viability
- the alternate decision making by the DPHI in regard to the 2016 wind visual and noise guidelines and the 2023 draft guidelines (to reinstate turbines, but not remove turbines).
- Voluntary Land Acquisition is being imposed on a non-associated neighbour.
- Screening being the only mitigation for other non-associated neighbours. This comes without their agreement or consideration of bushfire risk.
- Some unauthorised land clearing has taken place to avoid some of the biodiversity costs. It clearly was in the Applicants favour for this to take place earlier in the planning phase and to ignore comments by local community that this was occurring.
- Dwelling entitlements and approved Complying Development Consent / DA applications are not being respected.

Biodiversity

Prior submissions have asked for the removal of turbines located adjacent to Ben Halls Gap Nature Reserve. Not only will the removal of these help protect the flora and fauna, it will also contribute to the conservation of the critically endangered Ben Halls Gap Sphagnum Moss Cool Temperate Rainforest that only occurs in this location. Anyone who has been lucky enough to have seen this will know it's worth protecting.

Has the NSW Government now backflipped on protection of the Peel, Isis and Barnard River Headwaters and the Great Dividing Range BioDiversity? What has changed?

Renewable energy should not be an excuse for desecrating and destroying our rivers and what beautiful terraced landscape and scenic value we are custodians of in NSW. The Great Dividing Range is called that because it is great. It's the transport route for animals and habitat for many species. It provides water and life to us all, both coastal and inland.

Protecting biodiversity is important for NSW, Australia and the world. We should not prioritise private profit for a multinational company over the protection of the biodiversity of Australian native flora and fauna. The biggest public benefit would be to keep this area 'as is' for us all to access and enjoy for years to come. The proposed site remains an unsuitable location and an unacceptable risk to our nation.

Water

An approval for 62 turbines would undoubtedly result in an increase to vegetation clearing on the top of the ranges. This would reduce the infiltration of rainwater into the soil for release into springs, creeks and rivers. The importance of the range as a water holding sponge has not been adequately acknowledged by the Applicant and the DPHI.

As a result, financial costs may be way under the actual cost. The extent of mitigation required to avoid sedimentation, soil erosion and mass movement issues have not been properly costed into the assumptions at this point. In my opinion, the environmental impacts on the river systems (The Peel, Isis and Barnard Rivers) also have been grossly under estimated.

Unviability

- The recent modelling conducted by the Independent Expert Advisory Panel for Energy Transition (IEAPET) suggests that a 62 turbine layout is the only viable scenario. The project is so marginal that turbines previously recommended for removal to comply with the 2016 wind visual and noise guidelines, and biodiversity have now been reinstated. This decision impacts hectares of endangered flora, fauna and habitat for native animals.
- IEAPET advises that the Applicant will need to spend an additional \$7million to carry out additional detailed assessments required.
- **The assumptions in the IEAPET report do not include the following contributing factors;**
 1. Costing (over budget) for necessary unforeseen detailed design documentation
 2. Significant increases to building and material costs
 3. Delays due to the lack of suitable material supplies
 4. Engineering and construction costs due to site complexity which includes steep terrain, a narrow ridgeline, erosion issues, sedimentation and mass movement risk
 5. Reduction in the price of energy as more renewables enter the market
 6. Changes in Commonwealth or State Government policies or new market regulations from the array of energy regulatory bodies. These may benefit or disbenefit the project
 7. The extent of any tendering process and hence the pricing received by the Applicant at this stage would be budget-based and not firm contract prices that would include scope, risks and any site restraints
 8. Potential increased costs due to construction delays eg. weather, lockdowns, time frames not met etc.
 9. Additional transport costs for road upgrades, bridges and OSOM bays etc.
 10. Mitigation costs for unstable ground, erosion and sediment run off.
 11. Higher than normal capital requirements later in the project life, to manage roads and sediment run off that would otherwise impact on adjoining non-related and sensitive landowners
 12. Additional unforeseen costs for site issues, machinery, structure maintenance and staff due to the remote area, terrain and unpredictable weather conditions

Conclusion

The planning process started in 2018 and now in 2024 the IPC will now consider whether or not this project is viable.

For the first four years the Applicant spent time refining the proposal, where reasonable and feasible, improving the biodiversity and/or visual impacts in response to submissions made by the community and the DPHI.

The DPHI acknowledges that the assessment process was protracted mainly due to delays from the Applicant in responding to matters that were significant to the merits of the proposal. If these material issues had been resolved in a more timely manner, the Department would have been in a position to refer the project significantly earlier. Importantly, the visual impacts of the Hills of Gold Wind Farm project were certainly not the only matter that caused delays. Other concerns throughout the assessment process outlined in the EIS and beyond, included transport issues and doubting the feasibility and constructability of the project.

The delayed response by the Applicant shows a lack of respect for the DPHI process and also the community. The experience, knowledge, expertise, communication skills and professionalism needed for such a unique proposal are not evident by the Applicant. It leaves me wondering whether they are the right fit for this proposal.

So far, the Applicant has cost the public time and money and caused irreparable division within the local community. The Applicant (Engie) have proven to be incompetent, they can't meet deadlines and they have not been honest and transparent with the community. Their communication skills are deplorable.

Now we are being asked to trust them with the public purse, our land, our future and get them to somehow make this project viable. Will it be delivered on time and within budget?

A tough decision for someone.....I'd just say no! This proposal will never be viable.

General Comments

Community Response

After speed reading the documents recommended by the IPC and struggling my way through the many acronyms, I wondered if the DPHI and the IPC realise that with such minimal time to respond to the public submission (this time - initially 11 days which was then extended to 18 days) makes the process very difficult. Many who would like to contribute but can't due to time constraints. School holidays were also not considered as many are away holidaying. On the other hand, the Applicant (Engie) took months-years to respond to requests by the department as detailed in the documents provided DPHI.

All reference documents are online with links via emails sent. Not everyone has good internet in the community and surrounding areas. Also, with a high percentage of aged population who struggle with computers valuable feedback has been missed. In Nundle alone 42% of the population are over 60 years of age. Some only have mobile phones to read, write and submit. If this sets the precedent for future wind farm applications then it ought to be considered. I am au fait with technology but others are not. Therefore, a true assessment or response may not be delivered.

Re- future turbines (Stage 2 HOG Wind Farm)

The Applicant has vehemently denied that any further proposals will occur. The IEAPET suggests there are many more planned wind farms along the Great Dividing Range. Given that this proposal would only be viable for 62 turbines does this mean that the short fall will be made up by a Stage 2 Hills of Gold proposal? Lack of commercial viability due to the size of the wind farm might mean the Hills of Gold is not built, except if Stage 2 is already in the pipeline unbeknown to the community. Transparency on this would be greatly appreciated in advance.

Included in the IEAPET REPORT

Other Advice (page 25)

Allowing for optimisation - One provision that would be favourable for this (and all wind farm projects) is for approval conditions to maximise allowable scope for post approval optimisation without requiring further formal assessments, especially if approved turbine numbers are fewer than assumed in the proposed configuration.

Turbulence from a turbine impacts on the performance of downwind turbines. Hence, the removal of some turbines may slightly increase yield from the remaining turbines or reduce capital costs if small adjustments can be made to turbine placements within an approved project envelope or distance from approved locations.

(Clarification by IEAPET & IPC on this would be appreciated.)

Unconscionable behaviour by the Applicant

Community Funding by the Applicant was issued prior to any approval of this State Significant Development ie. inducement or encouragement to support the Hills of Gold Wind Farm project. This does not sit well with me and should not be accepted by the DPHI or IPC as a precedent for other projects. Other communities who have proposed developments such as this one on their doorstep should not go through this in the future, this is not the Australian way.

Approval and beyond

Should this project be approved it will be testament to the Australian and State Governments willingness to approve State Significant Developments that take away from Australian Society and their values. There needs to be a stronger approval and review process established for the continued assessment of these projects (including the Applicants behaviour & compliance) by State and Federal Government before, during and after construction. Without this these projects will generate ongoing nationwide issues for which the public sector will ultimately pay for.

I don't believe this project will be delivered on time and within budget.

I don't believe the Applicant (Engie) is the right fit for this project

I don't believe the location is suitable

I don't believe this project is viable - it wasn't from the start and never will be.

I continue to object to this project going ahead

Thank you for taking the time to read my submission.

Robyn Kightly
Landowner - NSW 2340