

Spicers Creek Wind Project

IPC Public Meeting

**Elong Elong, Gollan, Goolma, Ballimore
& Districts**



Sally Edwards - P. [REDACTED]


E. [REDACTED]

COVER SLIDE 1

Good Morning Chairperson and the panel commissioners.

I appreciate the opportunity to present to you this morning my concerns about the key issues identified in the Department's assessment of the Spicers Creek Wind project.


My name is Sally Edwards. For the past 15 years I have worked across the Warrumbungle Region in Community Development & Capacity Building. The state level significance of this project, the CWO REZ and the potential significant project and cumulative impacts to this region, has me standing here today.



Spicers Creek Wind Project Assessment

Primary Concerns:

1. Consultation
2. Cumulative Impacts
3. Biodiversity Loss/SAL
4. Community Impacts
5. Risk - Bushfire, Water & Soil
6. Public Interest

Spicers Creek 

SLIDE 2

I would like to address a number of key concerns that I have from reading the Departments Assessment of the project.

A total of 275HA of native vegetation is to be cleared
 (Note. Royal Botanic Gardens, Sydney spans 30HA)

13 candidate Flora Species
1 Threatened/Vulnerable

40 Threatened Fauna Species

Box Gum Woodland loss

Potential Serious and Irreversible Impacts (3 entities)

35 non-associated residences within 5km

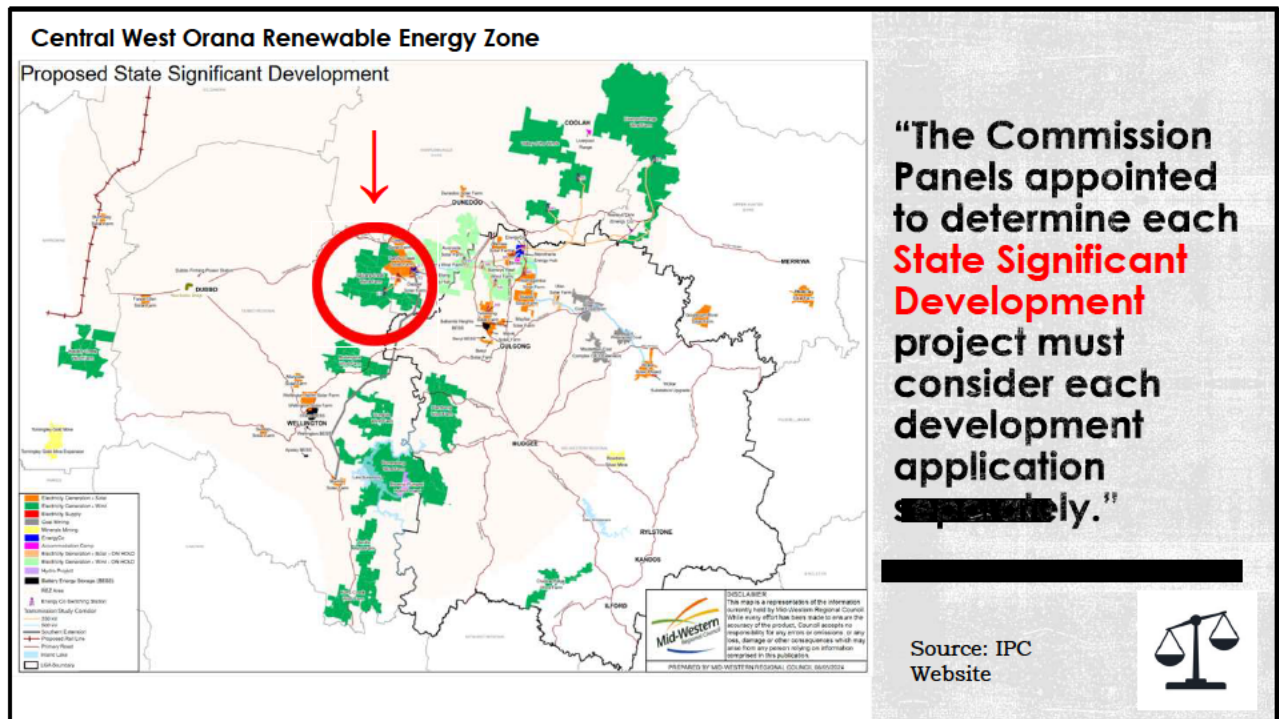
Adjacent to Dapper Nature Reserve



SLIDE 3

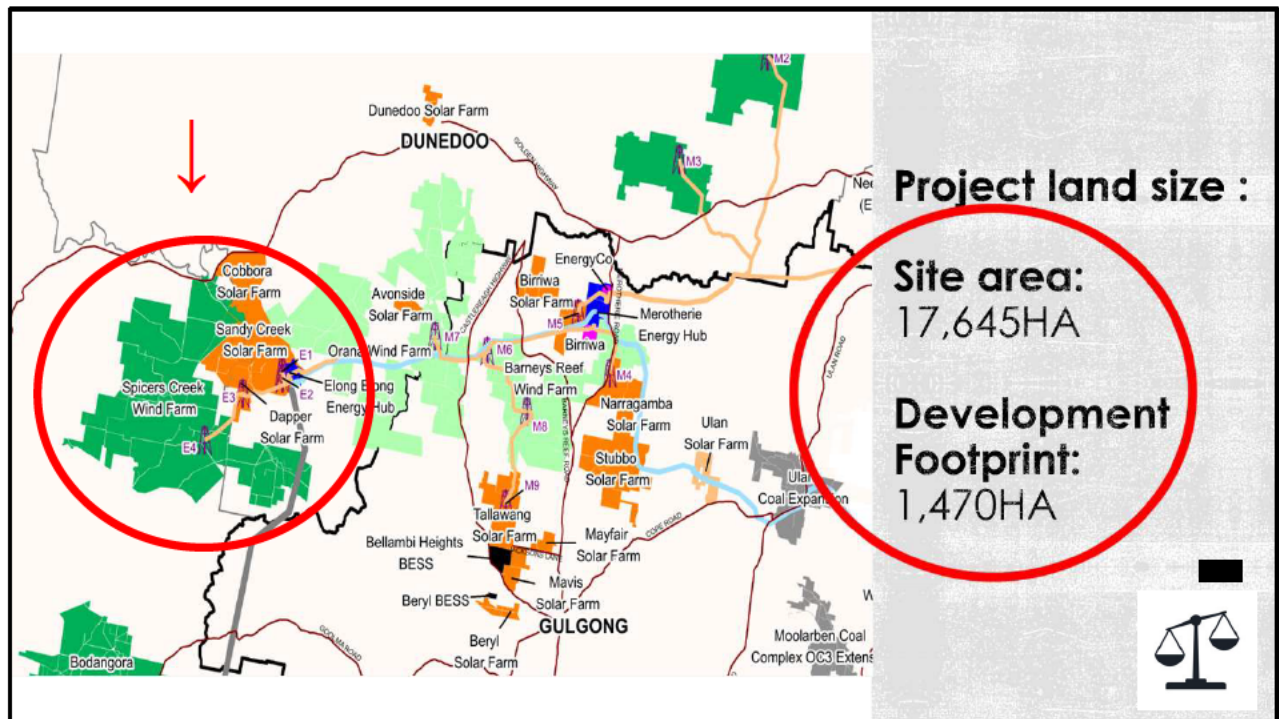
Spicers Creek Wind is but 1 project in an array of renewable projects, transmission and Battery Energy Storage Systems across the REZ. I understand that the Commission Panels are appointed to *determine* each project and must consider each development application separately. While it can be noted that the proponent has reduced footprint areas and therefore potentially reduced impacts, is it fairly concluded that the 275HA of native vegetation loss is then justified because it is only 19% of the project footprint?

I am mystified that the very government policies, plans, and guidelines that are in place (and some for many years) to protect our environment, our lands, our industries and our people – can be ignored or overlooked when assessing State Significant Development.



SLIDE 4

This map demonstrates the location of Spicers Creek within the CWO REZ and displays the multitude of projects in the area. This unfortunately also increases the likelihood of significant impacts and cumulative impacts to the environment, to water and soil, to residents, to communities and to already under-resourced Local Government Authorities



SLIDE 5

This map highlights the saturation of projects across the country between Elong, Dunedoo and Gulgong. The actual development footprint for the construction of this project is 1470HA.

State Significant Development

Recommendation

Spicers Creek Wind ~~Farm~~

Dubbo Regional

Current Status: Recommendation Interact with the stages for their names ⓘ

Want to stay updated on this project? Notify me

Assessment Submissions

Development of a wind energy generation project with up to 117 wind turbines, with energy storage and associated infrastructure.

Project Details

Application Number **SSD-41134610**

REZ level saturation of State Significant Developments demands a proportionate level of consideration including neighbour, community, regional and state concerns

SLIDE 6

Due to State Significance this project demands public input and scrutiny from not only neighbours, but community, and members of the wider region. Is it fair to acknowledge, that Neighbours receiving neighbour payments are by nature paid to support the project? Why wouldn't neighbour payments ever just simply be compensation to those that are forced to live within x amount of km's of such a significant project and not a contractual agreement?

Executive Summary

This report details the Department's assessment of the State significant development application SSD-41134610 for the Spicers Creek Wind Farm and will be provided to the Independent Planning Commission (the Commission) for their consideration when deciding whether to grant consent to the SSD.

Spicers Creek Wind Farm Pty Ltd, a project entity owned by the Squadron Energy group of companies (Squadron) proposes to develop a 700 megawatt (MW) wind farm, located approximately 25 kilometres north-west of Gulgong in the declared Central West Orana Renewable Energy Zone (CWO REZ). The project is within the Dubbo Regional and Warrumbungle Shire local government areas. The proposed project involves the development of up to 117 turbines with a maximum tip height of 256 metres (m) high, a 400 MW battery energy storage system (BESS), connection to the proposed CWO REZ transmission line and other ancillary infrastructure. The project has a capital investment value of approximately \$2 billion and is expected to generate 590 construction jobs and 12 operational jobs. If approved, construction of the project would take about 40 months.

Strategic Context



SLIDE 7

The department considers the site location is suitable as it is located in the Central West Orana REZ.

Part 4 Renewable energy zones and access schemes

Division 1 Renewable energy zones

19 Minister may declare renewable energy zone

- (4) The Minister may make a declaration only if the Minister—
- (a) is satisfied that it is consistent with the objects of this Act, and
 - (b) has considered the following—
 - (i) existing network infrastructure in the renewable energy zone and the rest of the State,
 - (ii) land use planning, environmental and heritage matters,
 - (iii) the views of the local community in the renewable energy zone,
 - (iv) other matters prescribed by the regulations.

Community Consultation



SLIDE 8

Consultation

I would like the Commission to consider that the views of the Warrumbungle region community were never sought by the Minister prior to declaring the CWO REZ, even though the legislation clearly states this requirement.

Climate Change, Energy, the Environment and Heritage Portfolios

Portfolio Committee No. 7 – Planning and Environment

Answers to Supplementary Questions

Hearing: 7 March 2024

PLANNING AND ENVIRONMENT

Climate Change, Energy, the Environment, Heritage

1	The Renewable Energy Zone (Central-West Orana) Order 2021 was published in the Government Gazette of the State of New South Wales on 5th November 2021. The Energy Infrastructure Investment Bill 2020 states in Part 4, Division 1, Section 19 (4) The Minister may make a declaration only if the Minister (b) has considered the following (ii) the views of the local community in the renewable energy zone.
(a)	Where was the CWO REZ draft declaration document exhibited?
(b)	How many submissions were received during the CWO REZ draft declaration exhibition period?
i.	How many objections were made by members of the public?
ii.	How many objections were made by organisations?
iii.	How many objections were made by public authorities?
iv.	How many objections were made by renewable energy developers?
v.	How many submissions in support were made by members of the public?
vi.	How many submissions in support were made by organisations?
vii.	How many submissions in support were made by public authorities?
viii.	How many submissions in support were made by renewable energy developers?
ix.	How many comments were made by members of the public?
x.	How many comments were made by organisations?
xi.	How many comments were made by public authorities?
xii.	How many comments were made by renewable energy developers?
(c)	Are all submissions received throughout the CWO REZ draft declaration exhibition period available publicly? If they are publicly available, where are they located?
(d)	Were there any meetings held, within the then proposed CWO REZ boundary, to consult with stakeholders and/or community regarding the CWO REZ draft declaration? If yes, please provide all:

CWO REZ - Community Views



SLIDE 9

When questions were posed through NSW Gov Budget Estimates, the answers provided show no evidence of the views of our community actually being sought, recorded and considered.

Answer	
1	
(a)	In accordance with the Minister's statutory obligations under section 20(e) of the <i>Electricity Infrastructure Investment Act 2020</i> , the Central-West Orana Renewable Energy Zone (REZ) draft declaration was exhibited on the former Department of Planning, Industry and Environment's website for public consultation for 28 days from 17 September 2021 to 15 October 2021.
(b)	Six submissions were received from stakeholders during the draft consultation period. All submissions were in support of the exhibited draft (three from renewable energy developers, two from public authorities, and one from an organisation). No submissions were received from members of the general public, and no objections were received from any stakeholders.
i.	See answer to question 1 (b).
ii.	See answer to question 1 (b).

4 of 51

(b)	Submissions were provided on the grounds that they would be confidential. Submissions will not be published.
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<https://www.parliament.nsw.gov.au/cdocs/other/19347/Answers%20to%20supplementary%20questions%20-%207%20March%202024%20-%20Budget%20Estimates%20SHARPE.PDF>

SIX (6) submissions were received from stakeholders –

THREE (3) from Renewable Energy Developers (Conflict of interest?)

ZERO (0) submissions from the general public.

Submissions remain confidential.



SLIDE 10

As answered by the Minister for Energy, 3 of the 6 submissions to the CWO REZ Declaration were from renewable energy developers.

Submissions received by the department through PUBLIC CONSULTATION remain confidential.

I know through my own experience as a Community Development Coordinator at the time, and a volunteer, that our Council, nor our local community organisations either knew about the proposed REZ or the associated Public Exhibition – hence why there are NO recorded views from our community about the REZ.

BUDGET ESTIMATES 2023–24

Climate Change, Energy, the Environment and Heritage Portfolios

Portfolio Committee No. 7 – Planning and Environment

Answers to Supplementary Questions

Hearing: 7 March 2024

(d) Consistent with the Minister for Energy's statutory obligations under section 19(4)(b)(iii) of the *Electricity Infrastructure Investment Act 2020*, the declaration was made in consideration of the views of the local community in the REZ. This included through landowner meetings, direct engagement with local councils, mailouts, and establishment of a Central-West Orana REZ Regional Reference Group with local community representatives. The proposed scale and scope of the Central-West Orana REZ identified in the declaration had been publicly available since the NSW Government's submission on AEMO's Integrated System Plan in March 2018.



<https://www.parliament.nsw.gov.au/odocs/other/19347/Answers%20to%20Supplementary%20Questions%20-%207%20March%202024%20-%20Budget%20Estimates%20SHARPE.PDF>

H Sal,
 Furthermore, to your request the Central-West Orana Renewable Energy Zone Regional Reference Group standing membership comprised of councils in the Central-West region, select electricity transmission providers and the then Department of Regional NSW. The forum concluded in 2022.

Kind regards,

██████████ Central-West Orana REZ
 Energy Corporation of NSW (EnergyCo)
 Office of Energy and Climate Change


██████████
 W energyco@nsw.gov.au

Regional Reference Group with Local Community Representatives?

Standing M'Ship:

- Councils
- Select Electricity Transmission Providers
- Dept of Reg NSW (the then) ██████████



SLIDE 11

The Minister states that a Central West Orana REZ Regional Reference Group was established with local representatives. Recent enquiries with EnergyCO show that the RRG had a standing membership of Councils, select electricity transmission providers and the then Department of Regional NSW.

Confirmation has been sought as to which Councils participated, with no response received to date. From enquiries with Warrumbungle Shire Council it appears they were not a member of the RRG. The RRG concluded in 2022 and demonstrates zero “local community representation” like the Minister indicated.

There is an expectation set for the Commission to provide ongoing monitoring of performance from a qualitative perspective, including the examination of **legal robustness of determinations**.

Could the Panel on this occasion investigate the potential breach of this legislation?

Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au



Spicers Creek Wind Farm

State Significant Development Assessment Report (SSD 41134610)

The project is classified as State significant development (SSD) under the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Independent Planning Commission is the consent authority for the project as the project has received more than 50 unique public submissions by way of objection, Warrumbungle Shire Council objects to the project and Squadron has made a reportable political donations disclosure.

The Department publicly exhibited the Environmental Impact Statement for the project from 28 July until 24 August 2023 and received 67 unique public submissions (57 objections, seven in support and three comments on the project). Key reasons for objections from the community include impacts to amenity, biodiversity, transport and cumulative impacts.

The Department received advice from 15 government agencies and two host councils, Dubbo Regional Council and Warrumbungle Shire Council. Warrumbungle Shire Council objected to the project and comments were also received from Mid-Western Regional Council.

SIXTY SEVEN (67) submissions were received

FIFTY SEVEN (57) objections (85%)

SEVEN (7) support

ZERO (0) confidential

Warrumbungle Shire Council objected



SLIDE 12

The submissions to the Spicers Creek Wind project demonstrate 85% objections and 10% in support.

Shouldn't the scales be the other way if communities were adequately consulted and properly involved in the planning and delivery from the beginning?

Cumulative Impact Assessment Guidelines for State Significant Projects

October 2002 (http://www.gpw.nsw.gov.au)

The Department's State Significant Development Guidelines and State Significant Infrastructure Guidelines provide advice on the categories of assessment matters that should be considered when assessing the impacts of a project (see Appendix B "Categories of assessment matters" in the State Significant Development Guidelines and State Significant Infrastructure Guidelines - Preparing a Scoping Report). The proponent should use these categories to scope the assessment of the impacts of the project.

Following the review, the proponent must identify the key matters requiring detailed cumulative impact assessment for the project and document the reasons for selecting these matters in the scoping document.

Note: A standard assessment will be undertaken on the identified assessment matters or issues. More detailed assessment of cumulative impacts (issue-specific CIA and combined CIA) will be required for matters identified as key matters during scoping (see section 4.1).

3.2 What study area?

The study area selected for the cumulative impact assessment of each matter will vary depending on the specific characteristics of the assessment matter and the scale and nature of the potential impacts on the matter resulting from the project with other relevant future projects.

For example, the study area selected for the cumulative

Cumulative Impact Assessment Guidelines

Section 3.2

What study area?
"Clearly define"
"Explain why"

Scoping cumulative impact assessment

What to assess?

↓

What study area?

↓

Over what time period?

SLIDE 13

Cumulative Impacts

Could the IPC and the Department please review the assessment made on Cumulative Impacts, in particular how the proponent clearly defined the study area for each separate matter requiring cumulative assessment and why those boundaries were selected?

While I disagree with the fact that the proponent selects the study areas for each matter of cumulative assessment, this is what the Guidelines clearly state and expect in Section 3.2.

Scoping Cumulative Impact Assessment	Detail
What to assess?	As outlined in Appendix 3 , the following key matters will require consideration of CIA: <ul style="list-style-type: none"> • visual amenity • noise and vibration • biodiversity • traffic and transport • socio-economic.
What study area ?	The study area will vary depending on the specific characteristics of the assessment matter and the scale and nature of the potential impacts on the matter resulting from the Project with other relevant future projects. Each CIA will be undertaken in accordance with the relevant guidelines, where applicable, and broad enough to capture all relevant cumulative impacts.

Study Area Definition and Explanation of Boundaries
Scoping Report

EIS Main Report


Appendix 23.0 – Cumulative Impact Scoping Summary

██████████

DPHI Assessment

██████████

Report



Spicers Creek Wind Farm
R02 - Scoping Report_REVISÉD FINAL

Proposed Assessment of Impacts
73

SLIDE 14

This slide shows the detail included in the Proponents scoping report, which is essentially a re-configuration of the words from the guidelines and shows no specifics on how the Study Areas will be defined.

I was unable to find any further detail in the EIS, Appendix 23.0 – the Cumulative Impact Scoping Summary and the Departments Assessment.

Appendix 23 – Cumulative Impact Scoping Summary

The following provides an analysis of the potential for the Project to result in cumulative impacts, considering all relevant existing and future projects with the REZ and surrounding region. Where the summary has identified specific Projects resulting in potential cumulative impacts, these have been addressed in the relevant specialist assessments and the ES (refer to Section 6.6). For some technical matters, where the Project will only result in minor impacts that can be effectively managed using standard management to design and design features (e.g. risk and water/soils) and the risk associated with the Project is low and impact envelope (where relevant) are contained within the Project Site, the Project has not been considered to materially contribute to potential cumulative impacts and therefore these issues have not been highlighted as requiring further assessment in the table below. This is not to state that other Projects with a higher risk of impact may not contribute to cumulative impact, including some of those listed below, simply that this Project will not materially contribute to any such cumulative impact and therefore does not require further assessment.

Table 1 Potential Cumulative Impacts

Key
 N/A – No potential overlap in impacts between Project and existing/future project that would warrant any consideration in the cumulative impact assessment
 Standard Assessment – Project and existing/future project unlikely to result in significant cumulative impacts
 Further Assessment – Project and existing/future project require specialist consideration


Project/Client	Distance to Project (km)	Construction Workforce	Construction Period	Detail	Potential Overlap Between Impact of Project on Assessment Matter and Impact of Other Projects on the Same Assessment Matter																
					Visual	Noise/Vibration	Biodiversity & Heritage	Traffic/Transport	Land	Risk	Water/Soils	Water	Social/Economic	Air Quality							
Operational Projects – Operational																					
Bodangora Wind Farm	14 km			Material cumulative impacts are highly unlikely for most issues as the wind farm is operational, however, consideration of visual impacts due to turbine visibility is required. A cumulative visual assessment with Bodangora Wind Farm has been completed.																	
Beryl Solar Farm	19 km			Material cumulative impacts are highly unlikely as the solar farm is operational and considering the distance.																	
Suntop Solar Farm	42 km			Material cumulative impacts are highly unlikely as the solar farm is operational and considering the distance.																	
Operational Projects – Under Construction																					
Wellington Solar Farm	40 km	200 peak	12 months, commenced in 2019	Material cumulative impacts are highly unlikely as construction commenced in 2019. Assumed no overlap with construction phase.																	
Wollar Solar Farm	56 km	400 peak	18 months, commenced in 2022	Material cumulative impacts are unlikely as construction commenced in mid-2022. Therefore an overlap in construction periods is unlikely.																	

KEY: N/A – No potential overlap in impacts between Project and existing/future project that would warrant any consideration in the cumulative impact assessment

Appendix 23 – Cumulative Impact Scoping Summary

Cumulative Impact Study Areas?

**Noise/Vibration
Biodiversity & Heritage
Traffic/Transport
Land
Risk
Water/Soils
Accommodation
Telecommunications
Social
Air Quality**



SLIDE 15

This slide shows the first page of 7 pages which make up Table 1, in the proponents Cumulative Impact Scoping Summary. This page demonstrates an analysis of projects that are operational and under construction. The green squares conclude that **“ NO potential overlap in impacts between Project and existing/future project that would warrant ANY CONSIDERATION in the cumulative impact assessment.”**

NO potential overlap of NOISE and VIBRATION with Bodangora Wind.

NO potential overlap of Biodiversity and Heritage, or Water and Soils with Bodangora, Beryl, Suntop, Wellington and Wollar Solar projects?

Could the department and IPC please review both the way the Study Areas were defined for each matter identified as requiring cumulative assessment, and also how a conclusion was drawn for so many of these potential impacts – that there are **NO potential impacts that warrant ANY CONSIDERATION?**


There were also NO potential overlap of impacts identified for Risk, Water/Soils and for Air Quality.

12. There are 22 State significant renewable energy projects within 30 km of the site, including three proposed solar farms located adjacent to the site. These projects are listed in Table 2 and shown in Figure 1.

Spicers Creek Wind Farm (SSD 41134610) Assessment Report | 1

22 Projects considered within 30kms in the DPHI Assessment Report

30km Radius LGA



SLIDE 16

This is Item 12 from the Departments Assessment Report, referring to Table 2 that identifies 22 State Significant Renewable Energy Projects within 30kms of the site.

I would like the IPC to consider that no consideration has been given to the number of SSD Energy projects within each LGA. Many of the Cumulative Impacts that affect Council directly are not bound by a 30km radius, these include Traffic and Transport, Roads, Water/Soils, Waste, Social & Economic and potentially Land and Risk.

Home > Major Projects > Projects

Filter by

Status: -Any-

Local Council Area: Dubbo Regional

Development Type: -Any-

Industry Type: Energy

Assessment Type: -Any-

Apply filters | Reset filters

State Significant Applications

You can apply filters to show State significant projects in a particular development or industry type, local council area or at a particular stage in the assessment process. To find a project that is currently on public exhibition, choose 'Exhibition' in the 'Status' filter.


Submissions on State significant project applications must be made online through the NSW Planning Portal. For more information, visit the [Have your say](#) page.

Showing: 43 results

<p>SSD-45242780-Mod 1 Assessment</p> <p>SSD Modifications</p> <p>Dubbo Regional</p> <p>Modification 1 Orana BESS Modification</p> <p>The Project Site Is Located At 6945 Goelma Road, Montefiores New 2080, Approximately 2Km North-East Of Wellington And Is Located Within The Dubbo Local Government Area (Lga), Nsw.</p>	<p>SSD-62199230 Prepare EIS</p> <p>State Significant Development</p> <p>Dubbo Regional</p> <p>Kerrs Creek Wind Farm</p> <p>Burrendong Way, Kerrs Creek, Nsw</p>	<p>SSD-8950984 Response to Submi</p> <p>State Significant Development</p> <p>Dubbo Regional, Mid-Western Regional</p> <p>Burrendong Wind Farm</p> <p>Burrendong Dam Road, Yarrabin</p>
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Dubbo LGA

43 Energy Projects (Inc Mods)



SLIDE 17

This slide demonstrates the number of SSD applications currently in the Major Projects Portal for the Dubbo LGA – 43.

Home > Major Projects > Projects

State Significant Applications

You can apply filters to show State significant projects in a particular development or industry type, local council area or at a particular stage in the assessment process. To find a project that is currently on public exhibition, choose 'Exhibition' in the 'Status' filter.

Submissions on State significant project applications must be made online through the NSW Planning Portal. For more information, visit the [Have your say](#) page.

Showing: 13 results

Filter by

Status
-Any-

Local Council Area
Warrumbungle Shire

Development Type
-Any-

Industry Type
Energy


Assessment Type
-Any-

[Apply filters](#) [Reset filters](#)

<p>SSD-58260958 Prepare EIS</p> <p>State Significant Development</p> <p>Warrumbungle Shire, Mid-Western Regional</p> <p>Orana Wind Farm</p> <p>Approximately 3 Km South Of Dunedoo</p> <p>→</p>	<p>SSD-29500870 Recommendation</p> <p>State Significant Development</p> <p>Mid-Western Regional, Warrumbungle Shire</p> <p>Birriwa Solar Farm</p> <p>Barnays Reef Rd, Birriwa</p> <p>→</p>	<p>SSD-29491142 Prepare EIS</p> <p>State Significant Development</p> <p>Dubbo Regional, Warrumbungle Shire</p> <p>Cobbora Solar farm</p> <p>1050 Spring Ridge Road Cobbora Nsw</p> <p>→</p>
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Warrumbungle LGA

13 Energy Projects (Inc Mods)



SLIDE 18

And in Warrumbungle LGA – 13.

Filter by

Status
-Any-

Local Council Area
Mid-Western Regional

Development Type
-Any-

Industry Type
Energy

Assessment Type
-Any-

Apply filters | Reset filters

State Significant Applications

You can apply filters to show State significant projects in a particular development or industry type, local council area or at a particular stage in the assessment process. To find a project that is currently on public exhibition, choose 'Exhibition' in the 'Status' filter.


Submissions on State significant project applications must be made online through the NSW Planning Portal. For more information, visit the [Have your say](#) page.

Showing: 32 results

<p>SSD-58260958 Prepare EIS</p> <p>State Significant Development</p> <p>Warrumbungle Shire, Mid-Western Regional</p> <p>Orana Wind Farm</p> <p>Approximately 3 Km South Of Dunedoo</p> <p>→</p>	<p>SSD-61460977 Prepare EIS</p> <p>State Significant Development</p> <p>Mid-Western Regional</p> <p>Beryl Battery Energy Storage System</p> <p>5 Holleys Lane, Gulgong, Now</p> <p>→</p>	<p>SSD-8950964 Response to Submission</p> <p>State Significant Development</p> <p>Dubbo Regional, Mid-Western Regional</p> <p>Burrendong Wind Farm</p> <p>Burrendong Dam Road, Yarrabin</p> <p>→</p>
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Mid-Western LGA

32 Energy Projects (Inc Mods)



SLIDE 19

Mid-Western LGA – 32.

Could the IPC please consider that the 30km radius is ineffective in Councils of large geographical areas and is in-effective in adequately considering the potential cumulative impacts.

Box Gum Woodland

104. The Department notes that in 2006, the Threatened Species Scientific Committee estimated that the extent of Box Gum Woodland was 250,729 ha, and the Committee's more recent 2020 advice also refers to that figure. Based on that figure, recent assessments (including the BDAR for the Central West Orana REZ Transmission line) estimate that current extent would now be 234,694 ha when combined with estimated annual losses since then.
105. There is also a more recent Commonwealth Conservation Advice (AG DCCEE, 2023), however it is not directly relevant and more conservative, as it is aimed at protecting higher condition remnants listed under the EPBC Act, and it excludes many areas that are included in the NSW listing under the BC Act.
106. The Department understands that many ecologists consider that the numbers derived from 2006 are out-of-date and likely to substantially underestimate the actual extent of Box Gum Woodland, as listed in NSW. Using the recent State-wide Vegetation Type Map (SVTM) released in 2022, there have been numerous efforts to provide a more up-to-date and accurate estimate of the extent of Box Gum Woodland under the NSW listing.
107. In particular, Dr Col Driscoll recently provided relevant information in relation to the Moolarben Coal Project, which is based on the recent NSW SVTM and estimates that the "there is approximately 1,788,703 ha of extant Box-Gum Woodland CEEC within the SVTM in woodland form". Dr Driscoll also estimated that there is approximately 5,315,040 ha of DNG form, which results in a total of 7,103,743 ha of Box Gum Woodland in NSW.

Box Gum Woodland Assessment methodology

Cumulative Assessment



SLIDE 20

BIODIVERSITY & Risk of Serious & Irreversible Impacts

It appears the proponent and the Department have utilised an estimation of Box Gum Woodland provided by Dr Driscoll in relation to the Moolarben Coal Project.

Given this is a NSW Gov Assessment Process, shouldn't the NSW Government use the most current estimations it has utilised for its current and relevant legislation and guidelines such as the NSW Threatened Species Committee and Conservation Assessment Reports?

NSW GOVERNMENT Environment and Heritage

Home Topics Research & publications Funding & support Licences & permits

Topics > Animals and plants > Threatened species > NSW Threatened Species Scientific Committee
> Determinations > Final determinations > 2020
> White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW Nor

White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions – Critically Endangered Ecological Community listing

Concerning assessment methodology, cherry-picking of estimation figures of existing Box-Gum Woodland to lower the assessed risk of Serious and [redacted] Impacts

SLIDE 21

To utilise a different estimation for quantity of Box Gum Woodland, for the purpose of this assessment, should either suggest this is not eligible or suggest an immediate review of all the other NSW Policy, Legislation and Guidelines that depend on this information. Including the Critically Endangered Ecological Community Listing.

Until the Government formally adopts this research, should it not be permissible in the assessment of this project?

NSW Threatened Species Scientific Committee

Conservation Assessment of White Box – Yellow Box – Blakely’s Red Gum Grassy Woodland and Derived Native Grassland

Mark Tozer and Christopher Simpson 22/06/2020
NSW Threatened Species Scientific Committee

Name: White Box – Yellow Box – Blakely’s Red Gum Grassy Woodland and Derived Native Grassland
 Short Name: **Box – Gum Grassy Woodland and Derived Grassland**
 Distribution: Victoria, New South Wales, Queensland and Australian Capital Territory
 Bioregions: NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes Bioregions, South East Queensland and Victorian Midlands Bioregions
 Current EPBC Act Status: **Critically Endangered**
 Current NSW BC Act Status: **Endangered**

Proposed listing on NSW BC Act and EPBC Act: **Critically Endangered**


Summary of Conservation Assessment
 White Box – Yellow Box – Blakely’s Red Gum Grassy Woodland and Derived Native Grassland was found to be eligible for listing as Critically Endangered under Criteria A3 and D3. The main reasons for this Ecological Community being eligible are that it has undergone a very large historical reduction in geographic distribution (since approximately 1750) and has experienced disruption of biotic processes of relative severity >90% over more than 90% of its distribution since 1750.

Conservation assessment report using the Common assessment method <https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/nsw-threatened-species-scientific-committee/determinations/final-determinations/2020/white-box-yellow-box-critically-endangered-ecological-community-listing>

Box Gum Woodland Loss

...has undergone a very large historical reduction in geographical distribution...over more than 90% since 1750.

Risk of SAI



SLIDE 22

The NSW Threatened Species Scientific Committee, as shown here from the Dept of Environment and Heritage website, states that since 1750, Box Gum Woodland has undergone a very large and historical reduction in geographical distribution, over more than 90%.

114. The Department considers that it would be reasonable to conclude that a cumulative impact of less than 1% using the most conservative assumptions is still unlikely to contribute significantly to extinction of Box Gum Woodland, and therefore unlikely to be SAIL.

115. However, the Department acknowledges that a precautionary approach may be appropriate and has been advising proponents to seek 'nature positive' outcomes that may help to further protect the Box Gum Woodland community.

116. With this in mind, Squadron has offered additional measures to minimise the impacts on Box Gum Woodland, which involves securely conserving an area of approximately 53.8 ha of Box Gum Woodland comprising 31.3 ha of intact woodland, 9.9 ha of disturbed and modified woodland and 12.6 ha of DNG (i.e. equivalent to total clearing of this community required for the project) within a Biodiversity Stewardship Agreement (BSA) area for the purpose of rehabilitation, enhancement and protection, in perpetuity.


117. Importantly, the BSA area which has been identified for this purpose is located within the Inland Slopes Interim Biogeographic Regionalisation of Australia (IBRA) sub-region. Given the project also occurs within the Inland Slopes and Talbragar Valley IBRA sub-regions, use of the proposed BSA would be consistent with the like-for-like trading rules under section 6.3 (2)(a)(i) of the BC Regulation (i.e. it would occur within the same or an adjoining IBRA sub-region). This would further ensure there is a net benefit for the Box Gum Woodland community from this project within the same (or adjoining) IBRA subregion as the project.

118. Consequently, the Department is satisfied that the project's impacts would not contribute significantly to the risk of extinction, and would not constitute SAIL.

Cumulative Impact Scoping

Quantity of remaining habitat

Risk of SAIL



State Significant Development Assessment Report (SSD 41134610)

SLIDE 23

Item 114 in the Assessment report concludes that a cumulative impact of less than 1% is unlikely to contribute significantly to extinction of Box Gum Woodland and therefore unlikely to be SAIL. Could the IPC consider the accuracy of this claim – when ...

A. The CIA Study Area for Biodiversity has not been clearly defined or explained.

B. The estimation figure of Box Gum Woodland in NSW is not currently accepted by the Government.

C. There has been no consideration of the fact that the area left is less than 10% of what was once here.

I acknowledge that NSW would not be the NSW it is today, the cities, the farmland, the connecting infrastructure without this loss of Box Gum Woodland, but surely it could be accepted that since the 1980s we have all been working to conserve and protect what is left. Farmers have been active in protecting woodlands and also been active in re-planting species that have declined.

It is with this priority to conserve biodiversity, maintain ecosystem functions and protect at-risk flora and fauna, that both the Department and IPC are being relied upon to scrutinise this cumulative impact assessment diligently.

Threatened Species of the Central West

NSW Local Land Services

6.3.4 Threatened fauna

Ecosystem Credit Species

79. Vegetation clearing within the development footprint **would result in the loss of habitat for 40 threatened species** identified or predicted to occur as ecosystem credit species.

80. Potential impacts on these species would be offset via the ecosystem credit requirements detailed in **Table 8.**

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Threatened Species habitat locations

Cumulative assessment

SLIDE 24

Could the Department please confirm that the assessment and therefore assumptions on threatened species habitat, is not a broad assessment of loss of Box Gum Woodland and assumed impacts to Threatened Species. But a Location and Habitat specific assessment to impacts on each specie.

As these two maps represent, from the Threatened Species of the Central West bible, the specific habitats and locations for each specie can be quite widely spread or narrowly located.

While the assessment concludes loss of habitat to 40 Threatened Species, is there adequate assessment on the total loss of the unique habitat location specific to each specie?

Table G-1 | Consideration of community views

Issue	Consideration
<p>Socio-economic</p> <ul style="list-style-type: none"> Community division Community health and wellbeing Property devaluation Reduced housing affordability 	<p>Impact assessment</p> <ul style="list-style-type: none"> Concerns about socio-economic impacts were raised in 23 public submissions, particularly regarding community division, health and property devaluation. The project would generate up to 590 construction jobs of which approximately 10% will be sourced from the surrounding LGAs and 10 operational jobs. The project's net economic stimulus is estimated at approximately \$410 million over 30 years of operation, relating to operational wages, host agreement and neighbourhood agreement payments, and community benefit sharing program payments and land tax revenue to Council; The project's construction phase is likely to generate approximately \$310 million in wages, contracts and other service provision for the local area's economy over the 40-month construction period. Squadron has committed to enter a Voluntary Planning Agreement (VPA) with Dubbo Regional Council and Warrumbungle Shire Council. The total contribution payable is 1.5% of the CIV of the final layout of the project based on the number of committed turbines within each Council's LGA; The VPA will support the provision and maintenance of local infrastructure and community groups; and The project will power approximately 370,000 homes per year, equivalent to approximately 12% of homes in NSW.

State Significant Development Assessment Report (SSD 41134610)

Departments
Assessment of

Community
Division

Community
Health &
Wellbeing



SLIDE 25

Community Impacts

This is Table G-1 from the Assessment report, as highlighted, 2 Socio-Economic issues were identified in submissions from Community, they are Community Division and Community Health and Wellbeing.

The column on the right is the Department's Consideration.

Where and how have the issues of both Community Division and Community Health and Wellbeing been considered and addressed?



“The greatest asset of any community is simply people who care”

- Paul Born

A large-scale community change facilitator. Author of four books including, Deepening Community and Community Conversations

Concerns about socio-economic impacts were raised in 23 public submissions, particularly regarding community division, health and property devaluation.

SLIDE 26

Can the Panel consider that these issues faced by community are decreasing the functionality and capacity of the back-bone of rural towns – the people?

Community Division and Community Health and Wellbeing, are issues that need to be addressed and considered appropriately – they were raised in close to 50% of the objection submissions to the EIS.

1. Practices ongoing dialogue and broad-based community participation
2. Fosters commitment to place
3. Builds connections and collaboration
4. Knows itself and builds on existing assets
5. Shapes its future
6. Acts with idea and opportunity obsession
7. Embraces change and takes responsibility
8. Generates leadership

"The best way to predict the future – is to create it" –
Peter Kenyon, Bank of I.D.E.A.S.

Since its creation in 1989 the Bank of I.D.E.A.S. has worked with over 2000 communities throughout Australia and overseas seeking to facilitate fresh and creative ways that stimulate community and local economic renewal. Bank of I.D.E.A.S. has undertaken assignments in 59 countries.

Eight Characteristics of a Healthy, Vibrant, Resilient & Enterprising Community

CWO REZ & Spicers Creek Project

Department

Assessment



SLIDE 27

I have come to value the principles of small-town revitalisation and seek to see our rural communities thrive. This slide lists 8 characteristics of a healthy, vibrant, resilient and enterprising community and local economy. The future of our communities depends on the input of the people who care, their input into design and their willingness to band together and work together.

Community division disempowers rural people and rural communities, throwing buckets of money at divided communities further widens the division. This project, the REZ, the cumulative impacts – These communities are seemingly powerless to ask for consultation, involvement or collaboration, unless of course you are personally financially incentivised.

At some point, surely someone will observe that without treating these systemic issues of large-scale, top-down developments with the attention they deserve, our unique and valued character of community will continue to be destroyed.

Appendix 23 – Cumulative Impact Scoping Summary

The following provides an analysis of the potential for the Project to result in cumulative impacts, considering all relevant existing and future projects with the REZ and surrounding region. Where the summary has identified specific Projects resulting in potential cumulative impacts, these have been addressed in the relevant specialist assessments and the ES (refer to Section 6.6). For some technical matters, where the Project will only result in minor impacts that can be effectively managed using standard management techniques and design features (e.g. risk and water/soils) and the risk associated with the Project is low and impact envelope (where relevant) are contained within the Project Site, the Project has not been considered to materially contribute to potential cumulative impacts and therefore these issues have not been highlighted as requiring further assessment in the table below. This is not to state that other Projects with a higher risk of impact may not contribute to cumulative impact, including some of those listed below, simply that this Project will not materially contribute to any such cumulative impact and therefore does not require further assessment.

Table 3 Potential Cumulative Impacts

Key N/A – No potential overlap in impacts between Project and existing/future project that would warrant any consideration in the cumulative impact assessment
 Standard Assessment – Project and existing/future project unlikely to result in significant cumulative impacts
 Detailed Assessment – Project and existing/future project require detailed cumulative impact assessment

Project/Clear	Distance to Project (km)	Construction Workforce	Construction Period	Detail	Potential Overlap Between Impact of Project on Assessment Matter and Impact of Other Projects on the Same Assessment Matter																
					Visual	Noise/Vibration	Obstructed View & Heritage	Traffic/Transport	Land	Risk	Water/Soils	Water	Social/Economic	Air Quality							
Renewable Projects – Operational																					
Bodangora Wind Farm	14 km			Material cumulative impacts are highly unlikely for most issues as the wind farm is operational; however, consideration of visual impacts due to turbine visibility is required. A cumulative visual assessment with Bodangora Wind Farm has been completed.																	
Beryl Solar Farm	19 km			Material cumulative impacts are highly unlikely as the solar farm is operational and considering the distance.																	
Timber Solar Farm	42 km			Material cumulative impacts are highly unlikely as the solar farm is operational and considering the distance.																	
Renewable Projects – Under Construction																					
Warrigal Solar Farm	40 km	200 peak	12 months, commenced in 2019	Material cumulative impacts are highly unlikely as construction commenced in 2019. Assumed no overlap with construction phase.																	
Walter Solar Farm	56 km	400 peak	18 months, commenced in 2022	Material cumulative impacts are unlikely as construction commenced in mid-2022. Therefore an overlap in construction periods is unlikely.																	

KEY: N/A – No potential overlap in impacts between Project and existing/future project that would warrant any consideration in the cumulative impact assessment

Appendix 23 – Cumulative Impact Scoping Summary

Proponents Assessment & Department Assessment of Cumulative:

**Land Risk
 Water/Soils
 Social Economic
 Air Quality**



SLIDE 28

Risk

Could the IPC please carefully review the recommended conditions for bushfire risk and firefighting limitations. Both Project assessment and Cumulative Impact Assessment.


It appears there is no consideration given to CIA of fire-fighting limitation in a REZ full of Wind projects. Nor for the immediate consideration of Bodangora and Spicers Creek combined.

219. On balance, the Department considers that the project is in the public interest and is approvable, subject to the recommended conditions of consent (see Appendix E).

220. This assessment report is hereby presented to the Independent Planning Commission for determination.

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Public Interest Test & Assessment



SLIDE 29

Public Interest

What tests or assessment process were used by the Department to clearly determine that the Spicers Creek Project is in the “public interest”? Determining whether a project is in the public interest should typically involve a multi-faceted assessment process.

Where can this assessment be found, if it is in the matter of public interest, this assessment should be available to the public.

Complaint Reference [REDACTED]

Thank you for getting in touch with us on 8 July 2024 about a complaint relating to your Telstra account [REDACTED]

I'm sorry we haven't been able to reach an agreement by offering the following:

- Congestion is detected affecting one or more primary serving cells at the specified address. Performance impacts may be experienced. Some congestion is detected on one or more cells the specified mobile service frequently accesses. Performance impacts may be experienced
- No tower upgrades are planned or have been recently completed at this address
- Advised that cases like this concerning a network congestion, only a tower upgrade can help with the network performance, however unfortunately, we are unable to provide a timeframe as to when this will commence
- Advised of external options, but you mentioned that the area is serviceable only by Telstra
- Offered to have fixed service to keep up with their means of communication, but you declined
- Set expectations that since we are unable to provide a timeframe for a tower upgrade, you can decide whether or not you will keep her service with Telstra. In line with that, as once off adjustment we can offer a 6-month plan adjustment to her account amounting to \$432.00. This is the last adjustment that we can offer, moving forward, You will be held liable for your monthly costs


Telecommunications impact assessment

Feedback from Telstra concerning complaint, 8th July 2024 around service availability declining

Assessment of Workforce population and associated impacts on service availability and congestion

[REDACTED]

[REDACTED]



SLIDE 30

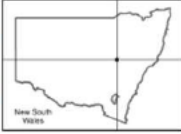
Telecommunications Cumulative Impact Assessment

There appears to be no consideration at all to cumulative impacts to mobile coverage and the impacts large temporary workforce accommodation facilities will have on access.

This slide demonstrates Telstra’s explanation of current service limitations – detected congestion.

This is a serious issue and likely could be life-threatening given that most farms and homes only now use mobile phones. Could the IPC ensure this is considered and addressed.

Statement of Management Intent



Dapper Nature Reserve

1. Introduction

This statement outlines the main values, issues, management directions and priorities of the National Parks and Wildlife Service (NPWS) for managing Dapper Nature Reserve. This statement, together with relevant NPWS policies, will guide the management of the reserve until a plan of management has been prepared in accordance with the [National Parks and Wildlife Act 1974 \(NPW Act\)](#). The NPWS [Managing Parks Prior to Plan of Management Policy](#) states that parks and reserves without a plan of management are to be managed in a manner consistent with the intent of the NPW Act and the 'precautionary principle' (see Principle 15).

2. Management principles

Nature reserves are reserved under the NPW Act to protect and conserve areas containing outstanding, unique or representative ecosystems, species, communities or natural phenomena. Under the NPW Act ([section 30J](#)), nature reserves are managed to:

- conserve biodiversity, maintain ecosystem functions, and protect geological and geomorphological features and natural phenomena
- conserve places, objects, features and landscapes of cultural value
- promote public appreciation, enjoyment and understanding of the reserve's natural and cultural values
- provide for appropriate research and monitoring.

The primary purpose of nature reserves is to conserve nature. Nature reserves differ from national parks in that they do not have the provision of visitor use as a management purpose or principle.


Reservation details: Dapper Nature Reserve was reserved on 18 September 1981.
Size: 998 hectares.

Assessment of Impacts to Dapper Nature Reserve

Setback distance

Box Gum Woodland corridor

Animal Displacement



SLIDE 31

Dapper Nature Reserve

Is there a minimum setback for turbines from the Reserve boundary? Could this be considered, to lower any potential indirect impacts to the reserve? I note that it is listed as a sensitive receiver but couldn't see a recommendation for a minimum setback.

Has the disturbance of Box Gum Woodland across the project footprint been adequately assessed and suitably planned for identifiable corridors of suitable habitat to be left to permanently home or provide temporary access for displaced wildlife?

This practice is relatively new to me, but is being used when planning rehabilitation of previously cleared lands, to establish connecting corridors between existing woodlands and ecosystems. This should be a consideration if removing areas of Box Gum Woodland to leave adequate corridors to connect wildlife between the areas of woodlands that are left.

Issue	Recommended conditions
<ul style="list-style-type: none"> The EPA did not raise any concerns with this approach, and the Department considers it to be consistent with the NPI. The NIA predicts a combined total noise level at Dapper Nature Reserve, including the operation of wind turbines and ancillary infrastructure, of 48 dB(A). The NIA applies a correction factor for low frequency noise applicable to locations on the walking trail closest to the project, of 2 dB(A) and 5 dB(A) during the day period, and evening/night periods, respectively. Accordingly, the NIA concludes that the project would achieve the relevant criteria of 53 dB(A) during the day, evening and night periods. In consideration of the above, the Department considers the noise impacts associated with the project are acceptable. 	
Heritage	
<p>Aboriginal Heritage</p> <ul style="list-style-type: none"> Squadron prepared an Aboriginal Cultural Heritage Assessment (ACHA) to assess the impacts of the project on Aboriginal heritage. The ACHA identified 64 Aboriginal heritage items (61 artefact scatters, two grinding groove sites and one potential stone procurement area) in addition to one previously recorded AHIMS site located within proximity of the project. All sites were determined to have low significance, with the exception of the following sites: <ul style="list-style-type: none"> three sites of high significance (one grinding groove and two artefact scatters); five sites of moderate significance (one grinding groove and four artefact scatters); and five sites of low/moderate significance (one potential stone procurement area and four artefact scatters). Squadron has committed to avoiding impacts to two sites of high significance (SU20/L1 and SU33/L1), the grinding groove site of moderate significance (SU2/L1), and the potential stone procurement area (SU25/L1). Squadron would avoid impacts to the third site of high significance (SU12/L5 – stone artefact) if possible. If impacts are unavoidable, Squadron would salvage the artefact as recommended in the ACHA. Squadron has committed to undertaking management and impact mitigation measures (e.g. avoidance, collection and salvage, etc) for all 13 Aboriginal sites within the development corridor identified as having high, moderate or low/moderate significance as recommended in the ACHA. Accordingly, the Department has recommended Squadron prepare a Heritage Management Plan in consultation with Aboriginal stakeholders and Heritage NSW, which outlines measures proposed to be undertaken at each site. 	<ul style="list-style-type: none"> Ensure the development does not cause any direct or indirect impacts on any items located outside the development footprint. Salvage and relocate Aboriginal items to suitable alternative locations. Implement all reasonable and feasible measures to avoid and minimise harm to Aboriginal heritage items located within the development corridor. Undertake consultation with Aboriginal stakeholders prior to construction. Prepare and implement a Heritage Management Plan, in consultation with Aboriginal stakeholders and Heritage NSW including procedures for unexpected finds.

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Assessment of Impacts to Aboriginal Heritage, AHIMS Sites and Items




SLIDE 32

Items of Cultural Importance

Could the Department and the IPC consider that the mitigation method for salvaging and relocating items from one of three Aboriginal Heritage sites of high significance is inappropriate and possibly should not be permissible?


It appears the development footprint is only 8.5% of the Site Area, one could envision that the site area might be big enough to avoid all 3 sites of high significance? These sites are recorded and databased and you think could be avoided entirely in the planning stage?



**CWO REZ
Community**

Primary Concerns:


1. Consultation
2. Cumulative Impacts
3. Impacts to Agriculture
4. Community Divide - functionality
5. Loss of capacity of rural people

Dapper Road 

SLIDE 33

Spicers Creek, is but one project in a myriad of State Significant Developments either operating, in construction or in the approval or planning process. While it is acceptable for neighbours, with and without signed agreements to have their say, the magnitude of the REZ Delivery is rightly a concern of many. Community division has inhibited many residents from seeking to ask their questions or from showing their public objection or support, so as not to lose their feeling of belonging. I fear that if the department and the IPC don't demand fair and equitable consultation and involvement for our communities, not just associated neighbours, that the costs to our communities will be hard to overcome, and that no amount of money will be able to remedy them.


Squadron, while you have presented a graphically impressive proposal, a nice-shiny, neat and tidy project, with seemingly applaudable reductions and a cleverly compiled list of associated neighbours who support your project - I would like to urge you to sit aside your preconceptions about those who object to your project and consider that these objections could be coming from a place of deep care and concern for the places we call home. The places where we raise our children. The places that provide our means to live. The places we seek to protect for the future.



The major problems in the world are the result of the difference between **how nature works** and the way people think.

Sally Edwards
P [REDACTED]
E. [REDACTED]

Thank you.



LAST SLIDE CONCLUSION

I urge the IPC to review these assessment concerns and seek to have them scrutinised and addressed, and sincerely thank you for your efforts in doing so.