



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: BOWMANS CREEK WIND FARM (SSD-10315)

SINGLETON SHIRE COUNCIL MEETING

COMMISSION PANEL: ALICE CLARK (PANEL CHAIR)
ADRIAN PILTON
RICHARD PEARSON

OFFICE OF THE IPC: JANE ANDERSON
OLIVER COPE

SINGLETON SHIRE COUNCIL REPRESENTATIVES: CR SUE MORE
CR MEL MCLACHLAN
CR VAL SCOTT
CR GODFREY ADAMTHWAITE
CR DANNY THOMPSON
CR SARAH JOHNSTONE
JASON LINNANE
DWIGHT GRAHAM
DAMIAN MORRIS
MARY-ANNE CRAWFORD
CURTIS MCNAMARA

LOCATION: VIA ZOOM VIDEO CONFERENCE

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PROF. CLARK: Good afternoon and welcome. Before we begin, I would like to acknowledge that I am speaking to you from the traditional lands of the Arakwal People of the Bundjalung nations and I acknowledge the traditional owners of all of the country from which we virtually meet today and I pay my respects to their Elders past and present.

Welcome to the meeting today. We will be discussing the Bowmans Creek Wind Farm project (SSD-10315) currently before the Commission for determination. The
10 applicant, Ark Energy Project Pty Limited proposes to develop a 347 megawatt wind farm in the Hunter-Central Coast Renewable Energy Zone. The proposed project involves the development of up to 56 turbines up to 220 metres high and associated ancillary infrastructure including a new 330 kilovolt transmission line to connect to TransGrid's existing network at the Liddell Substation.

My name is Professor Alice Clark. I am the Chair of this Commission Panel. I'm joined by my fellow Commissioners Adrian Pilton and Richard Pearson. We're also joined by Jane Anderson and Oliver Cope from the Office of the Independent Planning Commission. In the interests of openness and transparency and to ensure the full
20 capture of information, today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website.

This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination. It's important for Commissioners to ask questions of the attendees and to clarify issues wherever it is considered appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing which we will then put up on our
30 website.

I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over each other in order to ensure the accuracy of the transcript. We'll now begin. I'd like to hand over to whomever from the Singleton Shire Council would like to start the session today - your presentation and just make a question, are you O.K. if we interrupt for questions as you go through or would you prefer that we hold it for some question time?

MR ADAMTHWAITE: Excuse me, Commissioner. This is Adamthwaite speaking at the moment. Is that O.K.?
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PROF. CLARK: Yes.

MR ADAMTHWAITE: I think I need to make a statement that I was one of the first onto the pre-CCC committee for this item several years ago and I do have still got my preconceived ideas and thoughts from that particular CCC so I just thought that was - being partly transparent - my transparency.

PROF. CLARK: Thank you. Thank you for making that mention. So as - can I ask if there is somebody from the Singleton Shire Council who would like to lead-off with your - with your presentation to us at this point?

10 MS CRAWFORD: Yes, thank you, Commissioner Clark. We appreciate the time that the Commission has taken this afternoon to meet with us and we understand that the Commissioners also met, or is intending to meet with Upper Hunter Council and Muswellbrook Shire Council as well. I think it's really important from the start to recognise and acknowledge that the three Councils have worked collaboratively together in relation to this project and we've been doing that in the context of the major issues that relate to Singleton but I'm sure that there are other issues that Muswellbrook and Upper Hunter have raised as well.

20 The primary issues that we've raised throughout the project have been fundamentally related to the planning agreement and working collaboratively with the other Councils in relation to reaching an in-principle agreement on that and the second issue that we have raised throughout the duration of the project that, in our view, is yet to be resolved is in relation to the way in which our road reserve and our road network system is utilised for the transmission of electricity for this project and for future projects as well. We raised it - - -

PROF. CLARK: Could you just state your name. I'm not sure I picked it - - -

MS CRAWFORD: Sorry.

PROF. CLARK: Yes, thank you.

30 MS CRAWFORD: Sorry, Mary-Anne Crawford, I'm the Manager of Development and Environmental Services for Singleton Council.

PROF. CLARK: Thank you, Mary-Anne. Please continue.

40 MS CRAWFORD: So we've provided a number of submissions into the project since it was originally brought to Council's attention back in 2021 and since that time we've made five separate submissions into the project working through the EIS, the response to submissions as well as matters that remained outstanding throughout that process. To date we're reasonably - I guess, in summary, we're reasonably comfortable with where the Department has landed in terms of their assessment report with the exception of those two issues that I just raised before which is related to works in our road reserve and interactions in relation to the long term maintenance of our road network.

PROF. CLARK: Thank you, Mary-Anne.

MR PEARSON: Could I just - sorry, sorry, Alice, I was just going to ask what you - what you meant by works in the road reserve, are you talking about the installation of transmission lines in the - in the road reserve, Mary-Anne?

MS CRAWFORD: That's correct, yes. So the project proposes to install high-voltage transmission lines within our road reserve and there's a little bit of uncertainty still in relation to the project and the applicant regarding how they intend to do that. So the latest correspondence that we received from the applicant was some intention to do some work collaboratively with Council post-approval but what we wanted throughout this whole process is some certainty around what they were intending - what that intention was and to date we haven't received that.

MR PEARSON: O.K.

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PROF. CLARK: Thanks, Mary-Anne.

MR PEARSON: Thank you.

PROF. CLARK: There are a number of other areas in the report which I'm just going to confirm that I've understood what you've said that also alluded to things that you would need to agree to post-approval. Can I interpret from what you've said that the other areas of that have all now been sorted out?

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MS CRAWFORD: There's still some concerns that we have in relation to what the outcome of that post-approval requirement will be. So the issues that we've raised have predominantly been around interactions with our road assets and those two issues which is the transmission lines and the other issue is the long term maintenance of the roads following the completion of this project. So, I guess, to paraphrase our submissions in relation to that the main concern that we have is that this project will require the upgrade - upgrade to roads that have a standard of maintenance that is less than what they will be once they're upgraded and the expectation of our community will be that those roads remain to that standard, not just for the life of the project but also beyond the life of the project and there's very little policy framework from government around how to deal with that in a - in an approval context or even in an assessment context and we're very keen to see some commitment within the conditions of consent that require the applicant to provide some financial assurance to Council for the long term maintenance of those roads.

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MR PILTON: Would it be possible for Council to maybe put in writing some suggestions as to how the conditions could be set out that way?

MS CRAWFORD: Yes, yes, we can do that, yes.

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MR PILTON: Thank you.

PROF. CLARK: Which, I think, leads into - the only other question I had is will you be making another written submission to us and, if so - I think you pretty much suggest there - if so, when do you think you would have that available?

MS CRAWFORD: So we did write to the Commission to seek an extension of time. We understand - I understand that the Deputy Chair of the Commission has written back to us to provide an extra week for submissions to be made. I will say that we do

have a number of other State Significant Development projects on foot in our LGA. We've got the Hunter Valley Operations Project where we're required to provide a submission in response to that by next Monday. We also have a number of State Significant policy papers around energy that need to be - where submissions need to be provided into that as well and the Hunter Transmission Project is also on public exhibition at the moment.

10 So those things create downward pressure on our capacity to resource and provide submissions. We'll do everything that we can to provide a response to the IPC by the 21st of December, that's certainly our intent but we just wanted to put on the record that we do have some significant resourcing restraints.

PROF. CLARK: Thank you, Mary-Anne, and that letter is also on the record so we've definitely got that.

MS CRAWFORD: Thank you.

20 PROF. CLARK: Before I ask the Commissioners if they have - fellow Commissioners if they have any other questions, is there any other things that you would like to draw to our attention in this - in this meeting?

MS CRAWFORD: It might be worth, Commissioner Clark, just introducing some of the team members here from Council today. We do have some staff and we also have our Mayor here today as well as some Councillors. So it might be worth just going around the room if that's O.K. to introduce them to you.

PROF. CLARK: Yes, please.

30 MS MOORE: Alice, I'm Sue Moore, Singleton Mayor. Thank you very much for this opportunity, it's very important. Can I whilst speaking onto Mary-Anne's comments around the road and particularly the community's concern with essentially a one-lane road in many locations. So the school bus travels twice a day obviously with children and to bring these - there'd be large trucks that are needing to come in, so you have a bus and potentially a large truck as well on the road so I know that community are very concerned about that. I'm not sure there's any answer for that but I know they are very concerned about that so I thought I'd raise this while I had the opportunity. Thank you.

40 PROF. CLARK: Thank you, Madam Mayor. The school bus, does it have regular times that it travels on - while school's on?

MS MOORE: It would do, I'm not - I'm not familiar with what they are at the moment but that could be found out, yes.

PROF. CLARK: Thank you. Thank you.

MS CURTIS: And also checking - sorry, just - sorry, Melinda Curtis, Executive Manager. We'd also need to check as well because sometimes it can be multiple buses

so it might not just be the one bus that uses that route so we would also need to check that.

PROF. CLARK: Thank you, Melinda.

MS JOHNSTONE: Hi there, I'm Sarah Johnstone, I'm a first-term Councillor so a lot of things are still very new to me. So listening and learning hopefully.

PROF. CLARK: Thank you, Sarah.

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MR GRAHAM: Hello. I'm Dwight Graham, I'm the Director of Corporate and Commercial Services. I guess my primary matter of interest is, as Mary-Anne was mentioning, is around the roads and how a different level of service may be able to - how much it will cost and how that would be funded beyond the life of the project.

PROF. CLARK: Thank you, Dwight.

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MR MORRIS: Damian Morris, Manager, Infrastructure Services. Obviously my main - main concern is around the roads also since I'm responsible for those in the Singleton LGA.

PROF. CLARK: Thank you, Damian.

MS CURTIS: Sorry, Melinda Curtis, I did just introduce myself but, yeah, I'm Council's Executive Manager.

PROF. CLARK: Thank you.

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MR ADAMTHWAITE: Do you want to start with me on the left?

PROF. CLARK: Thank you, Godfrey, yes.

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MR ADAMTHWAITE: I'm Councillor Godfrey Adamthwaite. I've been on Singleton Council for 16 years, 17 years now. My background is mining and also electrical engineering so I do have a handle on generating transmissions, storage, et cetera, and really the only question I have in my mind today unless something comes up from one of the people, say, is since the sale of Yuropon to the new company I just wonder are we still on the - on the - in the plans for Singleton to have 13 wind turbines or is it less?

PROF. CLARK: O.K. We'll take - yes. I suppose the first place to look for that would be in the Department's Consent Report that was referred in the maps therein but I'm sure that that can be answered. Yes, thank you, Godfrey. I might go to Tony there, Tony McNamara, Councillor.

MR McNAMARA: Tony McNamara, Councillor elected first of all in 1999 and I have concerns about 220 metre high windmills being put on properties up there in the area. It's of great concern to the community people up there that I know and it's of

great concern to me. It won't affect me but I represent those people and many of them don't want this to be in their community. I have great concern about 220 metre high windmills being transported on the narrow windy road up to there. They have to share as iterated by Madam Mayor and others with the school buses and then that road being shared with - with all of the construction crowd that will be going up there for quite a long time. I have concerns about the other KV lines, high voltage lines and basically I'm opposed to the project and by the way, welcome to Singleton Council, Commissioner or Commissioners, and I hope you enjoy your stay.

10 PROF. CLARK: Thank you, Councillor McNamara. Councillor Daniel Thompson.

MR THOMPSON: Yes, thank you very much, Commissioner. I'm a Councillor for the past 10 years on the Council. My main concerns are about - I've been very involved with the air quality issues and things facing the people of the Upper Hunter. I see this as a - as a way of breaking some of the issues that are occurring for us and the - it's a very important part of a post-carbon economy for our region and things. So I don't share the same issues as my other colleague Councillor McNamara in that respect and I do obviously understand that we - with any development it has to be balanced and the - the needs of some of the residents and particularly those who are on
20 the road need to be taken into consideration. So that's my stance and I was just interested in the process and watching and learning so thank you very much for the opportunity.

PROF. CLARK: Thank you, Councillor. I have Justin Fitzpatrick-Barr, Director next.

MR FITZPATRICK-BARR: Thank you. Thank you, Commissioner. I'm Justin Fitzpatrick-Barr, Director of Infrastructure and Planning. I think Mary-Anne sort of touched on most of our concerns which relate to obviously negotiations around the VPA which we think we can resolve but road upgrades and the cost of maintenance
30 long term for road upgrades and who will cover the cost of that and of real significance to us is the use of road reserves for an easement for transmission lines. We're really struggling to understand what legal vehicle will provide that and it essentially could be a shop-stopper for the whole project.

We've recommended to the applicant a number of times to talk to adjoining landowners and create easements on private lands and I know Muswellbrook are very similar, they're struggling to understand how legally can provide an easement in a road reserve when road reserves don't necessarily have lots and DPs but, you know, if
40 its something you've got to resolve later on, prefer to be sorted out prior to consent being granted, otherwise it puts pressure on officers sometime down the track and as I say, it could be a show-stopper if you can't actually approve - - - (not transcribable) in a way that doesn't impact on the community and/or adjoining landowners the transmission lines in the road reserve and we are aware that the section of road on Hebden Road where the transmission lines are proposed to go, um, that was the section of road that was going to be potentially acquired as part of the Glendell Mine. Now, that wasn't approved but that's no reason why the mine company won't try to get approval for that mine extension at some point down the track and that will have a significant impact on any transmission lines that would be in that road reserve.

PROF. CLARK: Thank you. Thank you. And I have - I think it's Councillor Mel McLachlan.

MS McLACHLAN: Yep, thank you, Commissioner. Councillor Mel McLachlan. Look, basically I am here to understand the process and what's going on but looking at that balance view between the importance of the infrastructure and the concerns of the community. I'm a first-term Councillor so, yeah, as I said, just trying to get a balance between both those factors and listen to the process and where you guys come into it so, thank you.

PROF. CLARK: Thank you, Councillor. Richard, any - any questions or things you want to come back to there?

MR PEARSON: Yes, just to follow up on the VPA issue which - which you've said your - my understanding is there was some in-principle agreement on - in terms of the amount but can I - I'd just like to understand a bit better what the issues are that are still on the table in relation to the VPA if you could elaborate on that please?

MS CRAWFORD: Sorry, my apologies, Commissioners. The VPA has reached an in-principle agreement. So just to be clear, Council has a - has a planning agreement policy which sets of one percent of the capital investment value for State Significant Development projects, particularly in relation to mining and now in relation to renewable energy and the VPA offer that's been provided by the applicant to Council meets that one percent of the capital investment value for the whole of the project across all three LGAs.

The - I guess, the logistical point that comes with that is we haven't put that offer to our Council for endorsement yet. So that generally doesn't happen until after the application's been determined but there is still a risk obviously that Council may not necessarily accept that.

MS MOORE: Just if I could - Sue Moore, Mayor - take it further. Whereas we had an in-principle agreement and Mary-Anne's correct it has never - has - has not at all come to Council. Our policy now is 1.5 so when it comes to Council, Council may wish to go 1.5 instead of the one percent that was in-principally agreed on at the time but this is no longer our policy.

PROF. CLARK: Thank you, Mayor. Adrian, is there anything that you would like to ask?

MR PILTON: I've just got a query. Going back to the school bus question, where are the schools, are they in Singleton itself that the children go to?

MS CRAWFORD: Yes.

MR PILTON: O.K. And - - -

MS MOORE: Sorry, where are the schools? There is a small school out at Mount Pleasant which is in the country area that's on the road that would go out that way but any high school children would have to come into Singleton to go to high school or go the other way towards Muswellbrook. I'm not sure if there's any buses that head to Muswellbrook or not.

MR PILTON: I was just wondering whether - - -

10 MS CRAWFORD: We'd have to find that out. Yes. And, sorry, Melinda Curtis again. And depending on whether they're coming from a Catholic school or the Christian school or a public school there may be multiple buses doing that route so that's what we would need to check.

MR PILTON: Yes, I was just wondering whether we might need to put a condition on, you know, during school early times and going home times so that the heavy trucks wouldn't use the road in those times, if that's required.

20 MS CRAWFORD: If I may, Commissioner Clark. One of the things that we did identify in relation to Hebden Road in particular is that it is actually a very heavily utilised transport route for a number of different operations along Hebden Road. There's two mining operations, a quarry as well as the school bus and we have throughout our submissions raised concerns in relation to those cumulative interactions and acknowledging that wind turbines are quite large and there will be roadworks that will be required to be undertaken.

30 We have raised questions throughout our submissions in relation to how that work is all going to be undertaken cumulatively when we also have mining projects that are seeking expansion as well and we've got a quarry that operates heavy vehicles along that road route and it's not clear through the assessment process the level of consultation that's been undertaken with those other parties to determine how that road is going to be utilised to reduce potential safety risks not just to school children catching the bus but to all road users as well.

40 PROF. CLARK: Thank you for that clarification, Mary-Anne, that was - I guess ties into my previous question about all of the other issues that were in your submission which, you know, was - is some years ago now been addressed so it would be very useful in your submission to us to just reiterate which ones are still on the table and which ones, you know, are addressed, that might help us to understand what's occurred over the length of time and what needs to be addressed now by way of conditions. All right. Do we have any other questions there, Richard or Adrian?

MR PILTON: Just wondering if there's any capacity in Singleton to help with accommodation for workers on the site?

MS CRAWFORD: I did - I did find it quite interesting that the Department has proposed a condition of consent relating to the applicant being required to develop an accommodation strategy. We, like the rest of New South Wales, are in a housing crisis. We have a whole bunch of developments that are seeking to come on foot with

large construction timelines and large construction workforces. It would be reasonable to say that we would be concerned about the extent to which accommodation is available for those developments, particularly during the construction phase. We also have a bypass for our town centre that will be constructed during the same time that this project's proposed to be constructed.

10 So all of those things cumulatively will put downward pressure on our capacity to be able to house workers within Singleton and that has been peripherally raised as a concern not so much since the beginning of this project but certainly since the declaration of the REZ and the increasing number of State Significant Developments projects that we're seeing coming online as a result of that.

MR PEARSON: And just a follow-up to that if I - if I may because the flipside of the housing strategy is the employment strategy and is the local capacity there that this project could employ a substantial number of local people in its construction or, yes, how might that play out in the - in the LGA or in the sort of broader region?

20 MS CRAWFORD: I think that's a question that we'll probably have to take on notice, Commissioners, because our Economic Development team are not in the room so I wouldn't want to speculate in terms of what our response to that might be but we can take that question on notice, yes.

PROF. CLARK: Thank you.

MR PEARSON: Thank you.

MR THOMPSON: Could I just make a comment?

30 FEMALE SPEAKER: Yes, you go then.

MR THOMPSON: I was just going to reinforce with what Mary-Anne was saying. There's a number of State Significant Developments that are occurring and Singleton itself is actually a commuter economy. The - you know, 10 to 15,000 people a day come into the LGA to work so the ability of those permanent workers to base themselves here is limited. So I doubt that we would have much in the way of capacity for a construction workforce.

MR PILTON: Where would those 15,000 come from?

40 MR THOMPSON: Mainly from the Lower Valley and the Central Coast.

MR PILTON: Thank you.

MR THOMPSON: That's the - that's the reason for the construction of the bypass of the town which is holding up that traffic everyday.

PROF. CLARK: Thank you, Councillor Thompson.

MS MOORE: Sue Moore.

PROF. CLARK: Yes, I see your hand up there. Thank you, Mayor.

MS MOORE: Thanks, Commission. If I could add something in relation to the workforce and take on board the question as to whether there'd be any people in the area that would take up employment opportunities, it's quite likely that they would so long as they were trained accordingly and there is training options for them instead of the proponent simply bringing in their already-trained workforce. So if there was
10 opportunities to train local people I'm sure local people would take up the opportunity and those local people, of course, would already have housing - housing already.

PROF. CLARK: Thank you, Madam Mayor.

MR PILTON: O.K. Thank you.

PROF. CLARK: O.K. I don't think we have anymore questions to ask from our end if you - last call here, anybody else have anything else that they would like to add?
20 Yes, thank you, Mayor.

MS MOORE: One more. Yeah, one more if you don't mind. I know the people out that way are quite concerned about birds; in particular, the Wedge-Tailed Eagle. Have you considered that and what was your assessment of that? I noted some people also consider them a darn nuisance and given that they take our stock or can but, yeah, I thought the opportunity for that would be now.

PROF. CLARK: Thank you. I think the remit for the Commissioners is to take on board the EIS, take on board the applicant's information and, of course, the Department's and various Councils and in going through that - that amount of
30 information we've certainly paid attention to biodiversity aspects of the proposal but thank you for bringing that particular note about the Wedge-Tailed Eagle to our attention and I see hands up. Can I go to Tony first please?

MR McNAMARA: In summing up what I have to say, Commissioner, rather than try and condition this development I ask you to reject it in total and the reason I say that is that I and others find this to a massive encroachment on the community, a massive encroachment on the environment, a massive encroachment on the ecology of the region. The rejection of these wind farms is widespread, it's not just this one, it's right across the nation. Have a look at the people who turned up at Port Stephens last
40 weekend or the weekend before. I believe thousands, above 1,000 people turned up to reject the floating wind farm offshore.

This one is - it's horrific, when you look at what it's going to be like and what's going to happen there you have to make a learned decision and I hope you do. I've seen the result of the Commission's before make decisions that were wrong but I hope that you guys can make one that's correct. Thank you for your time. Thank you for listening to me.

PROF. CLARK: Thank you for your input, Tony, and I saw Godfrey have - you have your hand up as well.

MR ADAMTHWAITE: Yes. Further to what the Mayor - the Mayor's question about the Golden Eagles or any type of eagle and Raptors, we've been on the CCC for this project, that was naturally spoke about and investigation was taken by different people and it was found that there was very few birds killed by the actual turbines turning the blades. It's more or less you look at - look at roadkill on the side of the road, there is more roadkill, a lot more roadkill than what's happening by rotor-kill, let's put it that way and - - -

MR McNAMARA: Kangaroos don't fly, Godfrey.

MR ADAMTHWAITE: No, I know they don't.

PROF. CLARK: Thank you, Councillors, one at a time please.

MR ADAMTHWAITE: No, not anymore. And further - further to that I totally disagree with Councillor Tony McNamara. We're not allowed to dig coal, now we're not allowed to get electricity on wind. You know, where's it going to end, we're going to just light a fire in the bush? But anyway, I was - I just got home yesterday and I did have a look as close as I could because I was on the wrong side of the - of the lake. I went to Canberra and I went along Lake George about 30 kilometres before Canberra and they've got - I don't know whether it's the biggest one in New South Wales but there's 67 turbines in that particular wind farm and it goes along the top of the ridge of the hills or the mountains or whatever you want to call them and as far as aesthetics go I don't see them being making the place look untidy and from what I heard from a couple of people in Canberra since they've been built and put into use in the - I think it was 29, 20-thousand-and-nine, something like that, people don't even think about them now, they just enjoy the electricity from them. Thanks very much.

PROF. CLARK: Thank you, Councillor. And thank you for all of your input today. It's all on the transcript and we have listened and taken note of the variety of opinions and input from everybody and I just want to thank you for your time this afternoon and I look forward to seeing your written submission. I understand the pressures that you're under but it's very important for us to see that and thank you also to the new Commissioners - sorry, Councillors that have joined us to understand the process. I think at this point I'll draw the meeting to a close and wish you all a good rest of your afternoon today. Thank you.

MEETING CONCLUDED