



JULIAN PRIOR

OBJECT

Submission No: 165477

Organisation:		Key issues: <i>Biodiversity, Visual impacts, Traffic and transport, Noise and vibration, Heritage, Agricultural impacts and land use, Social and economic, Physiological - infrasound noise / electromagnetic interference / shadow flicker / blade glint</i>
Location:	<i>New South Wales 2354</i>	
Submitter Type:	<i>I am the owner or a tenant of a neighbouring property to the proposed development</i>	
Attachment:	<i>Submission to IPC March 2024.pdf</i>	

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My Background

For 15 years I worked for several NSW government agencies in a variety of specialised natural resource and environmental roles. Amongst these, I was a soil conservationist, land management planner, and catchment planner. I have conducted soil and vegetation surveys over many areas of the Northern Tablelands, including in this local district where Thunderbolt Wind Farm Phase 1 is located. During my time with government I commented on and contributed to numerous environmental impact statements. I was also involved in dozens and dozens of community consultation exercises throughout NSW, including during the contentious water reform and vegetation reform processes. I have also conducted many community and stakeholder consultations for international organisations including the EU, the German government, the United Nations Development Program, and the Australian government. I thus have a strong background in designing and conducting community consultations.

I left government to work at the University of New England, where I lectured and researched for 20 years. For over 10 years I taught a course in environmental impact assessment. With my experience with government, and my teaching in this specialised area, I know how an effective environmental impact assessment should be conducted.

Taken as a whole, I regard this Thunderbolt EIS as one of the poorest quality assessments for a large scale development that I have seen - with significant gaps. The proponent also conducted one of the poorest quality community engagement process that I have encountered.

Context of Thunderbolt Windfarm Project within the New England Renewable Energy Zone

The NSW Government's original target for the New England Renewable Energy Zone was 8 GW of power generation. When the government called for expressions of interest, they received applications from prospective developers for 32 GW - four times the level they were seeking, and reportedly much more than the electricity grid could handle.

The government's communication with prospective developer was that those proponents that submitted their development applications earlier than others, and had them approved, were more likely to gain access to the electricity grid. So government's implied signal was 'first in best dressed'.

This policy context produced a perverse outcome, and incentivised developers to conduct the environmental and social impact assessment process and community

consultation process, as quickly as possible. This has resulted in inadequate, incomplete and rushed assessment processes.

Unfortunately, no strategic land use planning was undertaken by government when setting up the New England Renewable Energy Zone. What should have happened at the beginning of this process was GIS mapping of the critical attributes necessary to undertake land suitability and land capability assessments for large scale renewable energy developments. This would involve mapping attributes such as high biodiversity conservation areas, population centres, areas of soil and slope limitations, aeroplane flight paths, high fire risk zones etc. This would have enabled both governments and prospective developers to target those areas more suited to these sorts of large-scale and intensive developments.

Much of this land attribute information is already available. This type of strategic land use planning has been employed for over 50 years, and these days we have very good remote sensing and GIS capabilities. The failure to conduct comprehensive strategic land use planning has meant that the IPC and the Department have had to deal with the fallout of this omission in an ad hoc fashion, with untargeted development applications. This omission also does not enable proper assessment of cumulative impacts across the landscape and the region.

As the Independent Planning Commission, you are the final gatekeepers of this large project development process. The decisions you make will send important signals to current and future proponents. What you allow to proceed with no further conditions, requirements or undertakings, will send signals to developers they are not being carefully scrutinised or held accountable. What you require to be done correctly and adequately will also send important signals to developers and may, hopefully, improve the quality of both environmental impact assessments and community consultations by future developers.

The issues I wish to raise, and my recommendations

I wish to highlight the following four issues in my submission.

1. **The area proposed for development is a high-value biodiversity conservation area, and is not suitable for this project which involves significant tree clearing and substantial land disturbance**
2. **The inadequate community consultation that should be redone properly, before the development is approved,**
3. **The inadequate aquatic ecology impact assessment that should be recommenced and conducted appropriately.**
4. **The inadequate assessment of impacts on catchment processes, soil erosion, and turbidity, and consequently impacts on aquatic ecology**

Each of these issues is expanded on in more detail below.

In response to these issues, I also make 5 recommendations to the IPC, listed below.

1. The area proposed for development is a high-value biodiversity conservation area, and is not suitable for this project, which involves significant tree clearing and substantial land disturbance,

This area has significant biodiversity conservation values in terms of terrestrial and aquatic species biodiversity, and the presence of endangered ecological communities. In general, the high country Northern Tablelands is recognised as an important climate-change refuge zone for those species that have the ability to migrate to higher altitudes to escape the warming climate. The additional environmental significance of the proposed Thunderbolt development area is highlighted by the fact that it triggered provisions under the Federal Environment Protection and Biodiversity Conservation Act 1999 which required additional SEARS to be issued.

On 28 October 2021, a delegate of the Federal Minister for the Environment determined that the Thunderbolt Wind Farm Project was a controlled action under section 75 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). As a result of the determination, the Department of Planning issued the following directive regarding potential negative impacts on biodiversity, extracted below:

“Based on the information in the referral documentation, the location of the action, species records and likely habitat present in the area, there are likely to be significant impacts to:

- Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) (*Phascolarctos cinereus*) listed as **vulnerable**.
- Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) (*Dasyurus maculatus maculatus*) listed as **endangered**.
- White-throated Needletail (*Hirundapus caudacutus*) listed as **vulnerable and migratory**.
- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (*Box Gum Grassy Woodland*) listed as **critically endangered**.

Additionally, there is some risk that there may be significant impacts on the following matters and levels of impact should be further investigated:

- Border-tailed Gecko (*Uvidicolus sphyrurus*) listed as vulnerable.
- McKie's Stringybark (*Eucalyptus mckieana*) listed as vulnerable.
- Bluegrass (*Dichanthium setosum*) listed as vulnerable.”

According to Neoen's EIS, the project intends to clear 162 ha of native vegetation, and incur 215 ha of land disturbance. This activity involves a significant amount of

tree clearing and disturbance of native grasslands. In addition to the tree clearing, the construction of an extensive road network will further fragment native habitat.

Further fragmentation of the tree vegetation in this area is likely to achieve a tipping point. The degradation processes and edge effects on further fragmented and smaller tree stands will mean that within a decade it is likely that the remaining stands of tree vegetation will be either severely degraded, or disappear entirely.

We know this area is important koala habitat, with frequent koala sightings by local residents. Southern New England Landcare has a koala project in this region encouraging farmers to establish koala habitat through tree planting and providing extension advice. This project is funded by the NSW Department of Planning and Environment. So the unfortunate irony is that, on one hand the Department is funding the re-establishment of koala habitat, and on the other, the Department is approving projects that involve substantial clearing of existing koala habitat.

There are many other areas on the Northern Tablelands, and outside this region, that are devoid of tree vegetation, and where native grasslands have been replaced with introduced pasture species. The transition to renewable energy is, in part, intended to mitigate damage to the natural environment. It seems extremely contradictory that this proposed Thunderbolt wind farm project is to be located in an area of high quality biodiversity and native habitat. This project has a large disturbance footprint, and will certainly damage the local environment both terrestrial and aquatic biodiversity, as well as incur land and catchment degradation processes. It should not be located in the proposed site when there are so many other suitable areas that could be selected.

Recommendation 1:

The project should be rejected on the basis that it is located in an area of critical habitat, and will have significant negative impacts on terrestrial and aquatic biodiversity.

2. The inadequate community consultation that should be redone properly, before the development is approved

The inadequate and manipulative community consultation by the proponent has been particularly upsetting for the local Kentucky community as they feel disempowered and marginalised, and they have been unable to hold the developer accountable.

Despite repeated requests by the community, Neoen refused to hold a community meeting in Kentucky Hall, where the community could meet and question their technical consultants. Neoen preferred to hold drop in meetings in Uralla attended by non-technical staff, with no technical consultants made available.

The only times the community had the opportunity to potentially talk to Neoen's technical consultants were with two online Zoom meetings held in September 2021.

A few community members attended each of the Zoom meetings expecting finally to get the opportunity to talk to Neoen's consultants who were conducting the EIS studies. However, during the Zoom meeting, Neoen deliberately muted the microphones of the community members so that no one could ask any questions. The only way community members could communicate was by typing into the chat box. The only people that were allowed to speak were Neoen staff and their consultants. In all my 30 years of conducting community consultations, I have never encountered anything as cynical as this, where the organisation doing the consulting has deliberately muted community members so they could not participate in a discussion. This is what the proponent calls "community consultation".

Recommendation 2:

The proponent should be required to reengage with the community and undertake a proper and appropriate community consultation process. The community members should be allowed the opportunity to question the proponent's technical staff and consultants regarding the intended design of the project, the impact assessment methodology, the mitigation measures proposed, and the impact monitoring and evaluation processes that will be incorporated as part of the project.

3. The inadequate aquatic ecology impact assessment that needs to be done appropriately.

The proponent's consultants conducted 2 limited aquatic species surveys in local creeks. However the neither the proponent, nor the Department of Planning in assessing the project as "approvable", seems to realise that an aquatic species survey does not equate to an aquatic ecology *impact assessment*. The former is a subset of the latter. Unfortunately The EIS is completely devoid of any reasonable attempt at an aquatic ecology impact assessment. Not only did it omit significant aquatic species that we know to be resident in the development area - such as Bell's Turtle, and a simple literature review would have disclosed this - but it also failed to conduct an aquatic ecology impact assessment of the proposed development activities.

Bell's Turtle was omitted completely from the assessment, as were other potentially impacted species. In addition, there was no impact assessment of Neoen's plan to pump significant amounts of water from the large dam on Pine Creek on the property *Banalaster* to provide water for the concrete batching plant. This dam is a significant Bell's Turtle breeding habitat and, during droughts, a critical refuge area for the species. The proponent seems to have confused the conduct of a simple and limited aquatic species survey, with the required broader assessment of aquatic ecology *impacts* of the development activities. They are not the same thing.

Recommendation 3:

The proponent should be required to undertake a comprehensive and adequate aquatic ecology impact assessment addressing the significant gaps that were evident in the limited aquatic ecology assessment within the initial EIS.

4. Inadequate assessment of impacts on catchment processes, rainfall runoff, soil erosion, and turbidity, and consequently impacts on aquatic ecology.

This development will have a large landscape footprint. Many trees and areas of native grasslands will be cleared, many kilometres of formed gravel roads will be constructed, as will drainage channels and creek crossings. Large concrete pads will be constructed for each turbine. This is an area of highly erodible duplex soils and skeletal soils, located on undulating to steep slopes. Gravel roads concentrate rainfall run-off and are highly erodible, requiring high maintenance. In this landscape, it should be mandatory that the proponent consider the impacts of the development on rainfall run-off, soil erosion, river turbidity and catchment hydrology

In the EIS, there was no assessment of the in situ effects of the substantial land disturbance on rainfall run-off and soil erosion rates, nor was there an assessment of the broader impacts on catchment processes, stream turbidity, soil erosion load, water quality, and subsequent impacts on aquatic ecology.

All these impacts can be modelled, estimated and quantified. The proponent should undertake this modelling, and present the assessment back to the IPC and the Department. In addition, there is no monitoring framework or technology proposed for assessing these impacts, or detailed mitigation measures identified, during the construction phase, and beyond. The proponent should develop a monitoring framework and plan, and indicate where it would install monitoring sites within the local catchment, and downstream, what technology will be used, and how and when it will report the datasets emanating from this monitoring.

Recommendation 4:

The proponent should be required to undertake modelling of the impacts of the proposed development on vegetative ground cover, rainfall run-off, erosion, stream turbidity and water quality. The proponent should be required to present the assessment back to the IPC and the Department. The secondary impacts on aquatic ecology should also be assessed, and reported within the aquatic ecology impact assessment component of the EIS (as a component of Recommendation 3).

Recommendation 5:

The proponent should develop a monitoring plan and framework for assessing impacts on vegetative ground cover, rainfall run-off, erosion, stream turbidity and water quality. The proponent should identify the monitoring technology proposed for assessing these impacts, and indicate where it would install monitoring sites within the local catchment, and downstream, and how, when and to whom it will report the datasets and analysis emanating from this monitoring. The proponent should clearly state the mitigation measures it will undertake during the construction phase and beyond.