

Submission Objecting to 'Valley of Winds' : SSD - 10461

1) PROJECT BASIS

- The EIS makes claims regarding CO2 emissions associated with the project yet this claim seems to rely only on generic third party studies that are not specific to this project. However, given that reduced CO2 emissions form a primary justification of the project the proponent must fully and transparently account for all site specific CO2 emissions associated with the project. This, at a minimum, should include a site specific accounting of the embodied energy /carbon footprint from all consultants & scoping works, construction materials, fabrication, transport, site works and construction, transmission and other associated infrastructure, maintenance, operation, decommissioning and back up battery and/or gas plants. If this has not been done, made available for peer review and submitted to the approving authority, any claim regarding the CO2 emissions benefits of this project cannot be considered to have valid justification, and in that case the project should not be approved.

2) ETHICS, EQUITY AND ADMINISTRATION OF JUSTICE

- I have written and spoken with a number of politicians regarding my concern that the current process for the mass rollout of renewable energy infrastructure in NSW is not ethical. The principle of environmental equity states that the harms and costs should be carried to the extent reasonably possible by those demanding and consuming the end product. This is not happening with the wind industry in NSW and regional areas are consequently the victim of disproportionate harms. I could find no mention of the principle of environmental equity in the EIS.
- The wind industry is operating in a legislative and political environment that is unfairly weighted in its favour. The proponent has spent years preparing, scoping the project and preparing the EIS, yet the community was only given a few weeks to respond. Local planning has been removed via the "State Significant Infrastructure Pathway" - how is that democratic or just? Tax payer subsidies are going to corporate for profit entities. News stories showing pictures of politicians opening wind projects are common. How can the fundamental purpose of government, to administer justice, be carried out if government is favouring one party at the expense of another?

CONCLUSION

- **Sir John Salmond in his 1902 book *Jurisprudence* notes that a primary purpose of government at a fundamental level is to administer justice, thus ensuring " the maintenance of the just rights of the community and its members" (Salmond, *Jurisprudence* -Section 36). To act equitably and maintain its legitimacy government must not under any circumstances act as an agent that enables one party to gain (financially or otherwise) at the expense of another party that suffers a resulting loss.**

- **It has been clearly presented to the Department of Planning that this project would cause a number of significant harms, nuisance and financial loss to a number of local landholders, and that they would suffer this loss because of a development that would benefit the proponent financially. Furthermore it has been clearly presented to the Department of Planning that the cumulative harmful impacts from the numerous existing and proposed wind projects is very significant (well over 4000 objections lodged on the NSW Planning Portal for wind projects in NSW).**
- **Therefore, unless full and just compensation is provided by the proponent to all those who would suffer harms, nuisance and loss, this project, if approved, would achieve unjust and inequitable outcomes. I therefore contend that this tribunal, as an appointed administrator of justice is bound by ethical and equity considerations to not approve this project.**

Submission by: Michael Hill

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