

## Objection to Bowmans Creek Windfarm.

My Name is Peter York my two properties [REDACTED] cover 220 acres will be impacted by the BCWF and I object to the projects approval. I am an Environmental Scientist that has worked in the field Environmental Management within the Hunter Valley for the past 16 years and currently manage all aspect of post approvals at a large open cut coal mine near Muswellbrook. I was also a member of the BCWF CCC prior to it being disbanded by DPE.

As a professional Environment and Community Manager who is passionate about my work, I have been deeply disturbed and outraged about Ark's conduct throughout the whole EIS process including their Consultant Hanson Bailey. They have simply held our local community in contempt and have never attempted to conducted community consultation in a genuine manner, this is clear to see from the large number of objections and the small number of supportive submissions received for the project.

The simple fact is, The Department of planning and the IPC commissioners have spent more time at my property than anyone from Ark Energy.

Below are my objections with comments on the proposed consent conditions.

- I dispute the departments claim that there is no visual impact to my property. The only control detailed in the assessment report to manage the Visual Impact at my property is the installation of Vegetative screenings. It is widely known that Vegetative screening are ineffective and this has been highlighted by the windfarm commissioner and DPE, whilst assessing other wind development that have similar topography to BCWF. It will take 10+ years before trees will reach a height to block out the turbines due to the poor soil quality on my property therefore vegetative screening might reach the height required just in time to see the turbines decommissioned. The vegetative screen also introduced a further fire hazard within the Asset protection zone of my property. As the commissioners would have noticed today that the access along the northern section of sandy creek road is a major hazard for our community even when there is not a large bush fire approaching with one road in and out that is very narrow.
- There is no VIA graphic cross section presented for my property (H12-1)) depicting if or how effective or how many metres from the house the screen will need to be installed. The installation of the vegetative screening also need's further clarity in the consent. I am anticipating that Ark will require me to sign a neighbour agreement with an easement placed over my property before they pay for the landscaping to be completed. The vegetation screens requirements must be listed in the schedule of land for non-associated properties.
- The visual impact of the aviation lights have not been assessed and there is no figures in the EIS or assessment report to show the impact on my property at night. We have asked for night photomontages, but they were never undertaken by Ark. The VIA assessment needs to be updated to include the night time impact.
- There is no restriction on the number of blast that can be conducted each day. This needs to be updated to a maximum of 1 blast per day.

- No independent review of the noise impact assessment completed on the report provided by Sonus – It is well known that through recent court proceedings at Bald Hills WF that industrial wind sites regularly exceed the background noise criteria of greater than 35dB +5 db. The commissioners should refer to this case for further context.
- There is no condition requiring a noise management plan, but there are several consent conditions requiring monitoring to be completed.
- The commissioners must impose a condition to use Realtime noise monitors linked to turbines and automatic curtailment to reduce noise impacts under adverse weather conditions – when winds are blowing directly towards non-associated residence and at-risk weather conditions are in place.

The department also makes a statement in their assessment report that the project will save 957,800 tonnes of Greenhouse gas emissions. This number has been taken directly from the EIS and has not been independently reviewed by the department. Arks estimate do not include the Earthmoving, Blasting, construction, transport and Chinese water born shipping – Therefore over estimating the Greenhouse Gas reductions for the project.

There has also been no independent review of the wind resource itself and the overall performance of the wind generation project. Ark have estimated for the whole project area based on two monitoring towers that cover a project area of over 13,000Ha. The department has just accepted Arks word and not independently verified if the project will deliver on the project justifications. We also know from the Korean Zinc website that they have no intention of powering homes in NSW, but to set up a hydrogen Export industry to power their Zinc Refineries in Korea.

I would also like to draw the commissioner's attention to Applicability of Guidelines Condition A14

The department has also stated in correspondence with me that the Draft 2023 Wind Energy guidelines will not be considered in the assessment of the BCWF, but conditions A14 allows the commissioners to ensure that latest versions of the Draft Wind Guidelines 2023 are considered and therefore best practice is applied to all aspects of the BCWF.

Condition B43 Decommissioning.

Ark Energy has provided a decommissioning and rehabilitation plan for Paling Yards from 2021 to the IPC as justification that they have considered the decommissioning costs and Ark has responded to the commissioners that the costs have been calculated. Then why have they not been provided updated costs for BCWF?

A comparison with the 2023 Decommissioning Calculator shows there is a huge discrepancy in the costings provide by Ark vs the DPE calculator. The cost provided by Ark are grossly inadequate and understating the cost and transfer the risk to a host with no oversight from DPE. The IPC need to ensure that the 2023 Wind Energy decommissioning calculator is used for the calculation of decommission costs in any host agreements.

DPE also state in their correspondence with the commission on the 12<sup>th</sup> of December 2023 that “it is the NSW Government’s policy that financial assurances should not be required by conditions of

consent and any financial assurances should be dealt with in commercial arrangements outside the planning system”

After extensive research I have been unable to locate any such policy the NSW Government has in place referring to financial assurances for wind energy projects. I also note the commissioners asked DPE for a copy of this policy during the public hearing and to date none has been provided.

In the same correspondence with the commissioners on the 12<sup>th</sup> of December 2023, DPE also state with reference to Bank Bond or guarantee – “This would come at significant cost to the industry, estimated at \$21.5 million for a typical wind energy project (or at least half the cost of the decommissioning itself) and would not be proportionate to the risk”

What consultation was undertaken with the wind energy industry and the community to determine the “proportionate risk”? Where is the discussion paper? Where is the risk assessment to measure this risk? How was the \$21.5 million calculated and what calculator was used?

The department’s letter reads more like an advocacy letter from a pro wind energy lobby group rather than the department of planning.

It’s a concern that it appears the department has a policy position with no justification or evidence to support this position and it also appears that this justification is supporting Ark by reducing the cost of doing business and passing the risk onto the community. The commissioners need to investigate this further before making any final decision.

The Bowmans Creek Windfarm will forever change the beauty of my property and introduce an unacceptable fire risk to my young family. I ask the commissioners to refuse the approval of Bowmans Creek Windfarm.