UHSC DCP	DCP SUPPORTING INFORMATION & CRITERIA REQUIRED	HILLS OF GOLD EIS / AMENDED REPORT 1 2022 & AMENDED REPORT 2 Nov 2022 RESPONSE	MET/NOT MET
Visual impact (8c.5.O, p 137)	Where wind turbines are proposed on ridge lines or visible above a ridge line, assessment should include: i) computer modelling to a minimum distance of 10 kms from affected ridge line;	To date, there has still been no public visual computer modelling conducted on the Timor/Upper Hunter side (the southern side) of the ridgeline, where the Hills of Gold (HOG) WInd Farm is proposed. Engie has continually minimised and underestimated the Zone of Visual Influence (ZVI) by setting its impact at 4550m, 5450 m short of minimum 10 kms distance the UHSC DCP expects.	Not Met
		Setting such a short ZVI means many properties have been excluded. After strong protest within Submissions to the EIS, 3 Timor/Crawney properties have had a photomontage. Yet even though properties are within 3600m of the nearest turbine their impact has been downgraded from low to negligible and from high to moderate.	
		This is the case when NAD 72 is deemed to have up to 23 turbines visible, 17 within 8000m of the dwelling: NAD 73 will have up to 24 turbines visible within 8000m of the dwelling: NAD 01 will have up to 7 turbines within 4500 m; NAD 69 will have a minimum of up 28 turbines visible from the dwelling. Engie has been able to downgrade the Visual Impact by the suggestion of planting trees that may take over 10 years to screen out the entire view of the Great Dividing Range!	
	Where wind turbines are proposed on ridge lines or visible above a ridge line, assessment should include: ii) photomontages which should depict night lighting in accordance with CASA requirements.	No photomontages in either the EIS or the Amendment Report for night lighting on this project have been conducted at all - none on either northern or southern (UHSC side) ridgeline. The EIS was deliberately misleading, assessing no night lighting would be required. However, it is a fact that CASA has required night lighting on all wind farms in NSW above 150 m. For the Amendment Report, CASA has now recommended	Not Met

		steady red night lighting on 28 turbines – 2 lights per turbine – 56 x 200 candela lights on top of the Range. CASA states that " shielding is also an option to reduce the impact on residences within 6 kms of the installation". Again, Engie have determined that a 4550m ZVI is sufficient as "it is likely the lighting would be indiscernible beyond this distance". This is contrary to CASA and leaves Timor residences and wildlife with no assessment of its impact. It is worth noting CASA advised that 200 candela lighting was used in a trial at the Sapphire Wind Farm (Glen Innes). Minutes of the Community Consultative Committee (30/04/19) have stated: "Whilst the lights at the reduced illumination of 10% is an improvement, all feedback received to the CCC to date is consistent that the community are opposed to any lighting being seen. Clearly – the community don't want them turned down – they want them off".	
Acoustic report (8c.5.K, p 137)	Noise impact survey and modelling shall as a minimum include all residences within a 3 km radius of a wind turbine.	EIS and subsequent Amendment Reports show that no noise or vibration surveys were conducted at all on the Timor/UHSC side of the ridgeline. The Amendment Report on noise assessment, conducted by Sonus, is based on one "unidentified" candidate turbine. Engie refused to disclose the turbine in order for an independent peer review verification of predictions of compliance. It is unscientific to not include this information for verification. External advice has been sought on the modeling and assessment made by Sonus (consultant used by Engie to provide this Noise report). It showed that data has been cherry picked from Guidelines to suit its purposes. There is great concern about the input data fed into and omitted from Sonus' report. It is unclear which NSW government agency is liable for noise non-compliance relating to construction, vibration (construction/operation), blasting,	Not Met

		operation and traffic? It is Local Government? Amendment Report now states there will be 5 new batching plants and construction compounds (increased from 2) which are predicted to exceed the 35dB (A) criteria for dwellings within 2400 m. There is no final location specified for rock crushing facility (467,000tonnes/per annum/during construction) for the concrete batching, access road and hardstand construction. There is potential controlled "blasting" posed "in some areas". For all of these activities there is no provision of a noise assessment or geological implications. After the EIS and during 2021, one Timor resident was approached but refused access for a noise assessment. This is the extent of the effort made by Engie to consider the safety and potential noise and vibration impact on the Timor residents. It is worth noting that Engie has had 3 signed up Associated Dwellings prior to the EIS (one a landowner hosting turbines on the ridgeline) and could have used any of these properties to conduct a noise and vibration assessment for affected properties, but did not do so. The Amendment noise report (Appendix F, p 2) states that "The noise from the final turbine selection will be modelled and tested to ensure that the noise criteria are achieved". It is unacceptable that the NSW Government approves a Project without knowing the final turbine selections and whether the noise criteria is achieved.	
Public Notification (8c.6, p 138 + 2b.4 Public Participation)	Developments need to provide opportunities for public participation and input into planning decisions that are proportionate to the level of likely impact of the development proposed. Provisions include: i) written notices to owners and occupiers within a radius of at least 10 km from the site	The Timor and surrounding communities were ignored by the proponent of this proposal during the entire EIS period which meant there was no opportunity for the community to provide input to planning and decision making, even though this development has significant proportionate impact. A few Timor residents independently, and through only chance encounters, became aware of the Project 2.5 years into the process and were able to write submissions.	Not Met

	boundary of any major infrastructure; ii) published notices in a local newspaper on 1 occasion iii) notice placed on Council website; iv) at least 1 public information session for each town in applicable notification radius; v) information session to be held in both day and evening sessions	Timor community has rallied itself post the release of the EIS with 60 residents signing a Petition opposing the wind farm — more than 85% of the community based on population numbers from 2016 Census data. This signed and witnessed petition was sent to all members of government — UHSC, the Member for Hunter, Davie Layzell, DPE and the Energy Minister, Angus Taylor. Engie consistently and insultingly denies the level of objection to this project from the Timor community, citing that only 7 objecting submissions came from Timor. How can a community respond when they have never been included or enabled to participate in a proper process? Indeed, on the whole, this is the most objections received against a wind farm with 69% objectors (405) against 31% support (183). Tamworth and Upper Hunter LGAs accounted for 66% objections.	
Cumulative impact (8c.7.C, p 139)	Ridge lines dominated with wind turbines will not be favoured	The initial EIS proposed 70 turbines, each 230 m high, atop the ridge line of the Great Dividing Range. The Great Dividing Range at this point is between 1100 - 1400 m in height. The Amendment Report 1 removed 5 turbines and Amendment Report 2 has removed one more (WTG 41) so the number is now 64 turbines. The removal of 6 turbines has done nothing to reduce the impact of this industrial infrastructure and its massive impact on this section of the Great Dividing Range.	Not Met
Distances from public roads and boundaries (8c.7.E, p 139)	The proposal should not be located within a distance of 460m from a boundary of a formed public road or a non-host property boundary.	The proposal abuts the boundaries of both the Crawney Pass NP and The Ben Halls Gap Nature Reserve and State Forest. National Parks & Wildlife Service requested in their submission to the NSW DPIE on the EIS: "Appropriate setbacks are required of wind turbines (WTGs) from BHGNR and CPNP to minimise potential impact of blade strike on birds and bats." In February 2022 NPWS asked for the removal of all	Not Met

		turbines bordering Ben Halls Gap NR to protect bird and microbats from Blade strike and ensure its use of fixed wing aircraft to fight bushfire and avoid burning the Threatened Ecological Community Ben Halls Gap Nature Reserve Sphagnum Moss Cool Temperate Rainforest (which has now been elevated to an Endangered species under the EPBC Act) Engie's response was to remove WTG 41 and relocate the other 11 remaining on the boundary. In February 2022 DPE asked for justification from the Proponent for using Crown Land for Public Recreation for the wind farm's purposes of private haulage and private roads. The Amendment Report also shows that the Proponent has seemingly relocated WP50 by approximately 137m within Crown Land but has ignored answering this concern in this latest Report. The UHSC's letter to DPIE dated 8 March 2021 requested the removal of WP 31,32, and 33, as they are in breach of this control. The Amendment Report shows only one of these WP 31 has been removed, but has decided to ignore the UHSC's request by moving both WTG 32 and 33, moving WTG 32 closer to the BHGNR boundary!	
Flora and Fauna (8c.5.1, p 136 +11b)	Native vegetation and biodiversity are conserved, consistent with principles of ecologically sustainable development.	EIS and both Amendment Reports do not adhere to or answer sufficiently the EP&A Regulation of ecological sustainable development: it fails the Precautionary Principle, Inter generational Principle, and the Conservation of biological diversity and ecological integrity Principle.	Not Met

Assessment report by suitably qualified person, required when proposal relates to land with high biodiversity values, or that require significant disturbance or removal of native vegetation or potential habitat for native species, including listed threatened species or their habitats, or ecological communities or populations.

Reports required for developments: within 200 m of a reserve, National Park, State Forest or permanent water body

- involving clearing or disturbance of native vegetation within or adjacent to the Upper Hunter LEP 2103 Terrestrial Biodiversity Map
- is adjacent to of contains a parcel of remnant native vegetation
- involves significant disturbance to existing or potential native habitat for fauna species
- the land contains **potential**Koala habitat that may be affected.

Specific consideration should be given to migratory and threatened species potentially impacted by the development.

The current Biodiversity Development Assessment Report (pg 13 & 19) states "there will be certain unavoidable impacts if the project is built" and "...there will be an overall ecological impact in delivering the Project..."

Proponent now proposes clearing of 447 ha of vegetation including direct impacts on 190.5 ha of native vegetation; 46.2 ha of koala habitat to name just some of the serious and irreversible impacts.

These are the known ecological impacts from this proposal: 17 Plant Community types

- 2 State-listed Threatened ecological Communities (TECs) within the Development footprint: 1) White-Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Box Gum Woodland is Critically Endangered) 2) Ribbon Gum Mountain Gum Snow Gum Grassy Forest/Woodland (Endangered)
- 2 Nationally -listed Critically Endangered Ecological
 Community (CEEC) within the Development Footprint a)
 White-Box-Yellow Box Blakely's Red Gum
 GrassyWoodland and Derived Native Grassland) b)
 Threatened Ecological COmmunity Ben Halls Gap Nature
 Reserve Sphagnum Moss Cool Temperate Rainforest
 - 10 State-listed BAM species credit species were recorded or assume to be present: 8 mammals, 1 amphibian and 1 reptile.
- 5 <u>Nationally-listed threatened fauna</u> occur or are highly likely to occur Koala, Large-eared Pied Bat, Greater Glider, Spotted –tailed Quoll, Booroolong Frog

<u>Protected</u> Nankeen Kestrel, Brown Goshawk and Wedged-tailed eagles are considered subject to collision risk.

Reports
provided but
do **Not Meet**biodiversity
principles of
ecological
sustainable
development

Not Met

Developments should ensure that ecological corridors are maintained to provide landscape scale habitat connectivity.	The Matters of National Environmental Significance (MNES) Significant Impact Assessment (p 423) outlines that for the vulnerable koala "the proposed works have the potential for a significant impact on the species, due to the removal of greater than 20 hectares of habitatThe removal of 36.44 hectares of native vegetation has the potential to impact the species due to the removal of habitat available to the local population". We are now up to 46.2 ha of koala habitat clearing!!!	Not Met
	Koalas area now officially endangered. The Australian Conservation Foundation recognises that commercial clearing, supposedly compensated by offsets, do not help koalas at grave risk of extinction right now.	
	Tamworth Regional Landcare is creating 45 ha of new koala habitat in Gunnedah, meanwhile ENGIE proposes clearing 36.44 ha of existing habitat on the Crawney part of the Great Dividing Range! And this Project is going to clear away 46.2 ha.	Not Met
	DPE has requested the removal of all turbines bordering Ben Halls Gap National Park to protect the bird and microbats and ensure fire fighting via fixed wing aircraft can occur to avoid the burning and destruction of the Threatened Ecological Community Ben Halls Gap Nature Reserve Sphagnum Moss Cool Temperate Rainforest (now Commonwealth listed as Critically Endagngered)	
	The total project area to be cleared has increased to 8732 ha - the Development Footprint has also increased to 447 ha, which is steep land atop the Great Dividing Range, housing the turbines and the many associated buildings.	
	The development footprint sits on the absolute boundaries of the Crawney Pass National Park and the Ben halls Gap Nature Reserve and State Forest.	

		Ben Halls Gap Nature Reserve features outstanding areas of tall high nutrient old growth forest, the snow gums are probably the tallest in the State. The proponent states the clearing will be mitigated by offsets. It is environmentally unacceptable that old growth trees, some pre-dating European settlements and others over 100 years old could be cut down for a renewable project!	Not Met
		This is a known and identified connectivity corridor for threatened species. (See the Crawney pass National Park Community Conservation Area Zone 1 Plan of Management 2019 and Ben Halls Gap National Park Plan of Management 2002).	
		It should be noted that part of this project is on "allegedly illegally cleared land" (as stated by Engie in a meeting May 2021) which has mutually benefited the proposed wind farm and a major host landholder. Such land clearing has been continuously occurring since 2005 and found during investigations by OEH to have been "clearing contrary to regulations". It has escaped all environmental assessment impacts and biodiversity offsets and increases the significance of the remnant native vegetation in the project area.	
Soils and Water management (8c.5.F, p 136 + 11d & 11f)	11d – the Applicant must provide Groundwater reports, with accompanying plans, prepared by a suitably qualified and experienced person, demonstrating the extent and quality of groundwater resources on and adjoining the site, extraction licence details, a risk assessment, and relevant information demonstrating the impact of the development on groundwater.	The Soil and Water Addendum Report was independently reviewed by Dr Robert Banks twice and found that, like its earlier rendition of the EIS, it has not met objectives of appropriate consideration of the land instability, constructability or erosion /sediment controls and their adverse impacts. Dr Banks is is a certified soil scientist and geomorphologist and is a Certified Professional Soil Scientist (CPSS). Dr Banks soil class work are held and used by the NSW Government planning authorities for regional information on foundation hazards. His Review is available for you on request.	Not Met

Engie failed to respond to Dr Robert Banks review in their latest Amended Report 2, offering no information at all, except in relation to a proposed quarry. Our criticisms of Engie's reports on soils and water remain the same as on all previous occasions.

Like the EIS, the Addendum Report 1 contains no indication of the CPSS (Certified Professional Soil Scientists) status; or the qualifications of the Soil Scientists, Soils Surveyors or Geomorphologists, who prepared it.

The Report has not made any attempt to place measures across the Development Footprint; there is no assessment of permanent runoff effects; no mention, let alone assessment, of the impact that snow melt has on supercharging catchments with runoff.

No assessment or account taken of site specific snow and rainfall volume and velocity received within Project area, contributing to saturation of the soil (and slow release of water by springs), potential mass movement, and run-off and sedimentation of the river systems. The lsis river, a key river for UHSC residents and farmers, is not included or assessed at all within the Report.

No scientific version control measures taken to accurately assess rainfall across the Project site. The Report has rainfall data sourced and used from Quirindi Post Office, Murrurundi Gap and Hanging Rock. It begs the question why automatic rainfall weather stations were not established at the same time the wind masts were in 2011?? Rainfall along the ridge ranges can vary from 1266mm on Morrisons Gap Road, 1.5 kms north of the Project area at one end to 1500mm at the Crawney end. The former EIS uses rainfall figures from Nundle Post Office and Head of Peel. Nundle PO long term average is 525mm.

Not Met

Not Met

Objectives of 11f are to; i) ensure that soil and water issues are appropriately considered in the preparation and determination of development applications; ii) apply measures to minimize soil erosion, land instability and adverse impacts on water quality resulting from land development.

The Engie Addendum Report confidently states, "...the Development Footprint on the ridgeline only directly impacts first order ephemeral watercourses, primarily tributaries of the Peel River". This is inaccurate and denies the reality that at least 13 wind turbines located on the eastern end fall within the catchments of the Barnard and Pages Creek – WP 69, 70, 46, 47, 20, 26, 25, 24, 28, 29, 30, 32, 33.

The Pages and Perry's Creek and tributaries feeding the <u>Isis</u>

<u>River have not been mentioned or assessed</u> in any way as part of either the EIS or this subsequent Addendum Report.

DPE Water and NRAR (Natural Resources Access Regulator) note there is no assessment of accessing an existing or new bore to confirm water supply availability and securing entitlement for this Project.

Just some of the Proponent's own words from their Addendum Report tell the picture, as you will read below:

2.3.2 Erosion and Landslips in the Amendment Appendix states "Soils in the vicinity of the ridgeline appeared to be somewhat erodible" and "Several small soil slips were observed along the western portion of the ridgeline...however it is possible larger unobserved landslips may be present on the steeper slopes of the ridgeline" (see presentation video)

Again the Report continues "Further basaltic boulders are present on the other steep upper slopes across the Project area and hence the nature and extent of rock fall hazards will need to be considered in the design of access roads cuttings and locations... including ...WP 18 – WP40".

2.4.3 of the Report states "Based on the results... the silts and

Not Met

Not Met

Contachnical	There are a number of requirements including: - provision of an erosion and sediment control plan (ESCP) - a soil and water management plan (SWMP) - flooding, runoff regimes and storm water collection plans - comprehensive water cycle strategy (CWCS)	clays encountered onsite are highly dispersive and will be readily eroded where they are disturbed or exposed." The Addendum cites great faith in rehabilitation of grassed areas for mitigating erosion and sedimentation, Please note that a ridgeline of up to 1400m in height with forest and deep woody root vegetation cover is more effective in slowing the flow of run-off than a ridgeline with shallow fibrous grass roots. The Addendum (p19) states that "Runoff from Project infrastructure will be at a higher velocity with less filtration compared to existing conditions". The Addendum provides no engineering or soil tests to justify their Updated Mitigation Measures on P 23- 24. There is absence of any accurate assessment of the way soil types (in absence of LSC class) has an impact on how any of these measures would work. No mention has been made of keeping soil pathogens separate from separate catchments. No mention has been made of a wash down and sterilisation facility between catchments and sensitive areas. Both the EIS and the subsequent Amendment Report still have not conducted any Soil and Water Management Plan (SWMP). Both the EIS and the subsequent Amendment Report still have not provided any comprehensive water cycle strategy (CWCS).	Not Met
Geotechnical hazards (8c.5.G, p136	A Geotechnical report must be undertaken by a suitably qualified and experienced person that:	Like the EIS, this Addendum Report contains no indication of the CPSS (Certified Professional Soil Scientists) status; or the qualifications of the Soil Scientists, Soils Surveyors or	NOT MET

+10C) Geomorphologists, who prepared it. Geotechnical information 1) considers all relevant matters in the Addendum Report is vague, misleading, poorly relating to the development of referenced and poorly geo-referenced. the land, as outlined in this section, including on and off site impacts arising from development; No Australian standard mapping practice has been used to provide risk or suitability information on this Project. No map 2) includes recommendations to based on soil profiles and fieldwork, nor any relevant soil Not Met be applied in the approval and construction of the development. This laboratory data are presented. No mapped landslides, they are simply mentioned report is required for i) land potentially as occurring. subject to instability, slip or other mass movement ii) steep land No attempt has been made to look for landslips under the Development Footprint and along the whole route of (slopes generally 1in 3 or greater) iii) significant land surface disturbance proposed roads. No attempt has been made to do a soil survey; no soil iv) large scale industrial or profiles have been done as per the relevant commercial development. Australian Standards for soil survey. Applicants must demonstrate that more suitable alternative Engie's Table 2-1Soil Profile Summary Wind Farm Ridgeline development sites are not feasible. and Table 2-2 Soil Profile Switching Station Site – the claim that Not Met Slope of land proposed is to be this is a soil profile description is false and does not meet any surveyed and determined by a requirements for soil profile description at all. No engineering registered surveyor. - Measures soil analyses are given. recommended in a geotechnical report to reduce Whilst the Addendum Report has attempted to map slopes or minimise hazards are to be along the Development Footprint they have not used the implemented map correctly for LSC classes because there is no soil Not Met information given. It provides no useful information relevant to planning for the infrastructure and turbines needed for a wind farm. The Addendum Report states, "There is also a low possibility that unknown caves occur in the Devonian crystalline limestone as these outcrops have been searched on several occasions". This is yet another throw away remark, with no referencing and no scientific analysis/data.

		We draw your attention to the recently discovered "El Dorado" cave on a nearby property (NAD 70) by the Newcastle & Hunter Valley Speleological Society, who have made multiple Submissions to the EIS process. NHVSS Publication No. 56 states, "The aptly named "El Dorado" extension sat there, stunning and untouched, with seemingly endless breathtaking decorations lining the cave, as well as a plethora of interesting formations and the presence of numerous bonesthat are likely to hold paleontological significance". De Stephan Eberhard (cave troglodyte expert) has said that a bright red cockroach is most likely a new species. The NHVSS are also currently trying to survey a known cave on Minto Property AD- 07, a host wind turbine property in the UHSC side of this project, high on the ridgeline. This shows the disregard for the full nature of the landscape in question and the misleading nature of Engie's reports.	Not Met
Tourism (8c.7.M, p 140)	If there are 25 + turbines, an area where vehicles and pedestrians (the public) can manoeuvre safely is provided in a position which allows for safe viewing of the wind farm and provides information on the development.	The EIS did not provide any information on this guideline and nor does the Amendment Report. It is as though the southern side of the Range does not exist, or is unimportant to this Proponent. The Timor/Crawney Road is a narrow, winding, gravel road that provides access for residents, substantial tourist visitors and farming contractors to the tourist destination of Nundle and the Tamworth and northern regions. None of this access has been considered from the UHSC side within the EIS. Contrary, and in contradiction, to Engie's claims to the Nundle and Hanging Rock communities about tourist events on the wind farm site, the Amendment Report states "General Public access to the Project will not be permitted".	Not Met

		If this means the roadside becomes the main place to view the wind farm, the Timor/Crawney Road has not been given any assessment or thought by the Proponent.	
		Of greatest concern is the proposal to utilise the northern Crawney Road as the main access route to move Over Sized/Over mass vehicles to the development footprint. Engie have not received permission for this as all 3 Options routes are on Crown Land and/or have an Aboriginal Land title claim upon them.	
		If this location were to be approved there will, without doubt, be a major increase in the use of the Timor-Crawney and Gundy Roads for all workforce coming from south of Murrurundi.	
		It is 35 kms quicker and 25 minutes faster, each way!	
		No Consultation has occurred with the many affected communities living over this almost 100 kms stretch of road, who will be impacted with increased traffic flow, resultant degradation of roads and potential for safety concerns due to the number of one way bridges and generally poor road conditions.	
Decommissioni ng (8c.7.0, p 141)	In the event of the wind farm or any turbines becoming redundant, the dismantling and removal of all	Engie's Reports do not include details of how decommissioning would take place, including the disposal of materials in landfill that cannot be recycled.	Not Met
	structures associated with the development and subsequent site rehabilitation will be required within a period of six months	EIS states it will only remove <u>up to 50cm</u> of below ground infrastructure, leaving in situ all the remaining - which amount to metres upon metres of concrete.	
		No rehabilitation will be able to occur of returning the land to its former tall forested environment - no trees will grow with roots that cannot penetrate concrete at 50 cm!!	

Proposed Hills of G	old Wind Farm UHSC DCP Breaches updat	ed post amended Report	
		Decommissioning is not included in the EIS Waste Management Plan.	

Engie has still failed to provide the following reports:

- Environmental Management Strategy Heritage Management Plan
 Progressive Erosion and Sediment Control Plan
- 3. Soil and Water Management Plan
- 4. Bird and bat Adaptive Management Plan5. Noise Management Plan and Mitigation Measures

- 6. Traffic Management Plan and Mitigation Measures
- 7. Traffic Code of Conduct
- 8. Bushfire Emergency Management and Operations Plan
- 9. Waste Management Plan
- 10. Construction Management Plan

Proposed Hills of Gold Wind Farm UHSC DCP Breaches updated post amended Report