

Thank you for the opportunity to comment on the Oven Mountain Pumped Hydro project. The proposal be rejected; failing that the proponents should be required to complete and resubmit for public approval areas of the proposal which are currently inadequately considered. Any approval must be contingent upon conditions designed to protect this extraordinary environment and be rigorously enforced.

My interest in the project arises from:

- i. being a resident of Armidale for over 50 years and, as a history and Aboriginal studies teacher having gained a glimmer of understanding of the cultural significance and environmental value of the region. I have worked to develop a knowledge of whole of catchment issues and dealt with a range of concerns from potential pollution at the head of the river, to non-compliance by water-users and historical pollution from derelict mines. I am a member of environmental groups and author of various submissions on this catchment. I participated in the North Coast Water Strategy process and in 'consultations' regarding this project;
- ii. an awareness that, currently, the Armidale Regional Council (upstream of OMPH) is looking to extract more water from the river system to secure its water supply- the necessity for whole of catchment strategic planning is evident;
- iii. an understanding of the urgency of moving from fossil fuels to **responsible** renewable energy projects;
- iv. an interested in the Macleay River as one of the 10 oldest rivers in the world;
- v. an awareness that 'this project is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* and will be assessed under the bilateral agreement between the NSW and Commonwealth Governments' and concerned that it would be inappropriate to approve this project until the revision of the EPBC Act 1999 brought on by The Samuel Review is completed;
- vi. a due regard for the principles of Intergenerational Equity and the Precautionary Principle and
- vii. an understanding that this project looms as a stranded asset

Issues of process

1. **The lack of genuine consultation** and a sense that objection, no matter how well informed, is futile is widespread. This is founded in:
 - a. the extension of New England Renewable Energy Zone to include OMPH
 - b. the inclusion of OMPH in the North Coast Water Strategy before the scoping study and SEARs were released
 - c. the façade of Public Consultation and Community engagement
 - i. informal 'drop in' sessions and shop-front discussions which were not genuine opportunities for discussion or information-gathering; the only forum was one organised by a community group Save Our Macleay River
 - ii. the First Nations Engagement Manager engaged by OMPH in December 2022 is not a representative of the local Thunggutti/ Dhunggutti community.
There is a need to develop an Aboriginal Cultural Heritage Management Plan and a Cultural Flow Management Plan- as is indicated in the project documents. It is a reasonable expectation

that these plans, which should have been developed prior to the exhibition of the EIS, would be completed (and accepted by the local community) before any determination and

- d. The classification of the project as Critical State infrastructure (although the Planning Portal still records merely 'State Significant')
2. The [Independent Review of the EPBC Act 1999](#) carried out by Professor Graeme Samuel AC found that the current legislation was not fit for current or future challenges and made 38 recommendations. The Federal Government has said that public consultation on the details of the draft legislation to amend the Act will occur in the second half of 2023 ([see here](#)) and it is completely inappropriate for this project to proceed before the implementation of an Act which is fit for purpose and the requirement that projects comply with legislation which is fit for purpose.

Some Issues arising from the Development Application, Environmental Impact Statement and 27 Appendices:

1. Apparent lack of understanding of the values and fragility of this area

a. Ancient wilderness

- i. It is generally accepted that the Macleay River is about 80 million years old and predates the uplift of the Eastern escarpment. In the current situation of increasingly unreliable water flow and a catchment already looking at, among other things, the cumulative environmental impact of 'intensive hydroponic agriculture' and innumerable renewable projects, it is unconscionable to be considering this project without a genuine understanding of the cost in water to the system of the initial filling of the reservoir and of infrastructure construction;
- ii. The loss of amenity and the invaluable wilderness experience offered to those paddling the river or travelling the Bicentennial National Trail is simply ignored or hidden by aerial views of the reservoirs when the lower dam wall will be about 250metres from the river and the cliff scaring clearly visible. Industrial infrastructure (including a concrete batching plant, workshops and offices) are shown adjacent to the National Trail;
- iii. The impact of visual, noise/vibration and light on the adjacent historic East Kunderang Station is underestimated in the EIS.

b. Inadequate Consideration is given to

- i. the impacts on surface and ground water. This limitation is acknowledged in the EIS and erosion control, storm-water runoff and other mitigation measures have been deferred to the 'detail design stage'. This flies in the face of proper assessment processes and must be addressed before any approval;
- ii. dispersive clays and other erodible soils, the existence of the potential for major land slips such as occur frequently in the area and the possible contamination of the River by antimony (Sb) and arsenic (As) (for which inadequate testing has occurred);
- iii. the emission of greenhouse gas emissions (estimated in the EIS at 64,523 tonnes of CO₂/year in construction and 15,922 tonnes in operation), together

- with the loss of electricity produced in transmission caused by the length of transmission lines required;
- iv. decommissioning which is yet another issue postponed to the 'detail design stage'. The very real risk is that the community will be left with a stranded asset and an environmental scar;
 - v. basic issues associated with construction are simply not addressed by the project documentation- there is a sense of a magic wand being waved as an accommodation camp (with attendant waste matters) for 600 workers, two off-river reservoir walls (an estimated 2 million cubic metres of rock) and construction of transmission lines occurs far from any realistic monitoring for compliance
 - vi. a raft of considerations which are deferred to the 'detail design stage' and which commonsense would suggest must be considered prior to any approval and include (together with those previously mentioned) Waste Management, Social Impacts and project costings.

c. Public financing of private profits

There is a developing dissatisfaction across the State for the public funding of private profit. Neither the matter of the transfer of the Project from the Developer, OMPS Pty Ltd to the Owner, Alinta Energy (Hong Kong/Chinese) nor any realistic cost of the burden which will be born by the taxpayer is provided.

The cost and time blow outs experienced by the Snowy 2.0 Project (from \$2b and March 2017 to \$12b and December 2029) seem salient especially as large battery solutions are developing rapidly. The extraordinary loss in transmission contributes to a conclusion that this project is, quite simply, inappropriately placed.

Conclusion: The Precautionary Principle and considerations of Intergenerational Equity argue for the rejection of this proposal; indeed, it would constitute an abrogation of responsibilities on the part of the NSW Government to approve the Oven Mountain Pumped Hydro Scheme.

At least, Approval should be deferred until all outstanding aspects of planning (i.e. those currently deferred to the 'detail design stage') have been completed and subjected to public scrutiny.

If, however, the Project is approved, stringent conditions must be required and compliance rigidly enforced to mitigate against environmental degradation and social costs.

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