

I **OBJECT** to the Crudine Ridge Wind Farm Modification 1.

Reasons for this objection include:

1. CWP Misleading the Public:

- For CWP Renewables to include as part of the project modification a 'reduction in turbine number from 77 down to 37', is completely misleading, yet gives a significant insight into the principles of this developer. The general public may not be aware that CWP only have final approval to build a **maximum of 37 turbines**. Uninformed public is clearly what they are relying on. Who would object to a modified project which will result in a reduction of impacts? Not me!
- Since CWP are planning to build the **maximum** number of turbines as stated in Condition 5 of the Federal Approval Conditions, turbine number should not form part of this modification as the figure is unchanged.

If CWP intend to officially bring both State and Federal approvals for this project inline, a simple one line request would suffice. As such, the NSW DPE clearly should not include this so called 'reduction' in their assessment of this modification.

- On 11/12/18 (Win Local News), Mr McAvoy from CWP Renewable claimed the modification will result in an **overall reduction** in vegetation clearing by over 31Ha. CWP have cunningly included the 77 turbines layout in the assessment of clearing required for the modification, despite the fact that this layout did not receive final approval, therefore cannot be legally built. The modification clearly results in an increase in vegetation clearing, not a decrease.
- The reality is, the modification will result in an increase of over 325% in vegetation removal along this road (included a number of both TSC and EPBC fauna and flora species).

2. Dishonest Behaviour of CWP Renewables:

- The information presented to, and approved by the NSW DPE, NSW PAC and the Commonwealth DOE in relation to upgrading Aarons Pass Road bears no similarities to what has now been submitted in this modification.

- Irrespective of which report is consulted in relation to the clearing along Aarons Pass Road (Appendix 6 of the Conditions of Consent, Appendix 8 of the PPR, or the Downer Report), the maximum number of trees CWP originally claimed to require removing is 109 for the entire 19.2km length of this road.
- At what stage did CWP Renewables consider they should refer to the conditions of consent for this project during the process of marking trees for removal and commencement clearing? By clearing approximately 297 trees within the first 3km of this road, CWP clearly felt no restraint by the conditions of which the project approval was based upon. The approval process was simply a formality.
- This is not CWP's first wind farm. I find it hard to believe they simply 'got it wrong' when it came to the amount of vegetation clearing required along Aarons Pass Road. More likely, understating vegetation clearing was going to result in an approval and considering NSW DPE Compliance Team covers a large number of projects, they might just get away with it.
- The Pomaderris Reperta was listed on the EPBC Act as Critically Endangered by Peter Garratt (the then Minister for the Environment, Heritage and the Arts) on 18/12/2007. This was six years prior to the ecological assessment of Aarons Pass Road upgrade. **Why was the Pomaderris Reperta absent from the Controlled Action of this project? (or not added prior to final approval).** This species has the highest level of endangerment within the EPBC Act, and therefore requires absolute protection.
- CWP Renewables did not voluntarily apply for a modification to legally upgrade Aarons Pass Road, their hand was forced. Thousands of trees were marked for removal and vegetation clearing had begun prior to CWP Renewables being investigated for *potential* noncompliance which resulted in work ceasing along the Road. Furthermore, this developer continued to disregard conditions of approval on the project site. Add this to yet another noncompliance from the construction of their Boco Rock Wind Farm and it is clear to see this developer shows no sign of self-regulation.

3. Local Road Upgrading:

- Whilst Aarons Pass Road clearly requires upgrading for safety reasons (along with a number of other local unsealed roads), the objective of both the public and the Mid-Western Regional Council should be confined to upgrades which relate to ***local traffic purposes only***. After this wind farm is built, there will never be another reason for a 75m long vehicle to travel this country road.

4. Biodiversity of Species:

- Koalas (EPBC listed vulnerable), Robertson's Peppermint (EPBC listed vulnerable), Wybong Orchid (EPBC listed critically endangered – *I note the CRWF Biodiversity Plan incorrectly lists this specie as vulnerable*), Acacia Meiantha (EPBC listed endangered – *I note the CRWF Biodiversity Plan incorrectly lists this species having state listing only with no EPBC status*), Pomaderris Reperta (EPBC listed critically endangered), will all be impacted by the modification proposed. I also make mention of the koala sign which council erected along this road has been removed in recent weeks. This sign was standing in September this year when 'The Australian' photographer was onsite.
- EEC (Endangered Ecological Community) of White Box, Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community (EPBC listed). Final Federal approval for this project allowed for clearing 3.28ha of EEC. Please note this figure includes clearance of this species on the project site where the majority of this figure was allocated. The additional clearance of these species along Aarons Pass Road now included in the modification is likely to cause this figure to now be exceeded.
- The Biodiversity Plan submitted by CWP last year detailed a number of additional State and Federally protected flora species which are located along Aarons Pass Road, including the Acacia Meiantha and the Pomaderris Reperta. These two species were not previously included in the Ecological Assessment for this project.
- The Pomaderris Reperta was listed on the EPBC Act as **Critically Endangered** by Peter Garratt (the then Minister for the Environment, Heritage and the Arts) on 18/12/2007. This was six years prior to the Ecological Assessment of Aarons Pass Road upgrade. Therefore, why did CWP fail to include this species in the Controlled Action for this project? This species is located on both sides of a corner along the Aarons Pass Road.
- The Pomaderris Reperta has been categorised as requiring the highest level of protection by the Federal Government (EPBC – critically endangered). Despite this, CWP Renewables had marked a large tree in the middle of the population which exists along Aarons Pass Road for removal. The intent to clear the road without consent and without regard for protected species was clearly evident.
- There are only another two sightings of both the Acacia Meiantha and the Pomaderris Reperta in the state, and therefore requires adequate protection.

In summary, the first section of the modification is false as CWP is claiming a reduction in turbine numbers, even though the ***final approved number*** of turbines is remaining unchanged.

Although Aarons Pass Road clearly needs upgrading for local traffic, ***this should not include*** the extensive vegetation clearing which is required to transport a 75m vehicle (as quoted in CRWF TMP). Considering the significant increase in risk to both TSC and EPBC related flora and fauna, this modification should be rejected by the NSW DPE.

Regards,
Penny Hundy