

Hills of Gold Wind Farm – SSD 9679

Submission by Yestin Hooper

29 January 2021



"How's the Serenity", Darryl Kerrigan, Bonnie Doon. Photo by Yestin Hooper 2020

Introduction

My Positive Thoughts

- Survey and cataloguing of local aboriginal heritage for future generations.
- Improved Bushfire safety and resilience.

My Concerns

- Bird and Bat Collision – more information required – how many avian apex predators removed from a native ecosystem is acceptable?
- Morrisons Gap Road Preferred Access – no way, go another way – more suitable access routes are available!
- Neighbour Benefit Sharing and Community Enhancement Fund – hush funds – no way – lazy, generic offer, not everyone is motivated by money. Opportunity for innovation and industry leadership.
- Socio Economic Impacts –rubbery job projection figures and vague employment opportunities. Possible detrimental impacts to existing businesses.
- Historic Land Clearing and Lost Social Cohesion – Questions need answers – demonstrate transparency and meaningful resolution. Biodiversity offsets akin to Scomo using Koyoto credits = dodgy accounting, innovative land use integration required.
- Visual Impacts and NIMBYS – 230m tall industrial structures cannot be mitigated, they can only be endured.

Introduction

Initially I was hoping to submit a concise one-page submission, however as I reviewed the proponents overwhelming amount of literature, it became clear that would be an unsatisfactory attempt to address all the proposed Hills of Gold Wind Farms issues as I see them. As I have done, I hope the relevant assessment officers and proponent diligently consider what I have commented on.

I hereby declare that I object to the Hills of Gold Wind Farm proposal.

I have had connection with the Hanging Rock area since the 1970's, attending pre school and primary school in Nundle, commuting to Tamworth for High School and trade training in latter years. The opportunity arose in 2016 to purchase a property with my wife, close to my parent's property of 45yrs on Morrisons Gap Road to enable us to permanently return to the Hanging Rock community.



Me, 40 years ago on Morrisons Gap Road property, definitely not contemplating a wind farm on this ridgeline. Photo by Peter Hooper

I have witnessed in my lifetime, the local economies of Nundle and Hanging Rock become more focused and reliant on a tourism-based economy. Automated and altered farming practices, Local Council amalgamations, depleting forestry resources have resulted in less people being employed in the sectors above, however, particularly in the last 20yrs, the Nundle tourism related businesses have grown and flourished. I am therefore very concerned that the proposed Hills of Gold Wind Farm may not only disrupt in the short term but dislocate and destroy several unique, and sustainable Nundle tourism related businesses.

I wish to declare my acceptance of the current scientific consensus, that human induced climate change is a real and urgent issue requiring immediate efforts by humanity to address. I therefore agree that the transition to renewable energy for our energy production is imperative.

However, I do not consider renewable energy development should occur without considered, merit-based assessment. I acknowledge the proponent's proposal has legitimate authority to be considered under the current NSW Government Planning Legislation but just as NSW land use extent and type is determined by local council LEP's, similarly renewable energy developments in my opinion should be principally located within the NSW Governments recently announced Renewable Energy Zones and only developed outside of these areas with the utmost scrutiny of any development proposal.

MY POSITIVE THOUGHTS

It is commendable the proponent has conducted ground surveys and archival research to document our First Nations Peoples heritage in the local area. Often localized research of Aboriginal Heritage is only triggered when major development is proposed, so this proposal may have been a once in a lifetime opportunity to capture this information for future generations.

The proponent's proposal, in my opinion would assist the community in protecting life and property from bushfire attack and improve the community's resilience to a bushfire event, again a commendable outcome.

After a lengthy and thorough review of the proponent's development proposal literature I have identified several issues that I consider need to be addressed adequately by the proponent before the project can proceed any further.

CONCERNS

The time periods for when the biodiversity surveys were conducted coincided with the worst drought in living memory for the local area. A significant bushfire event compromised several camera traps and burnt a large area of the adjoining Ben Halls Gap National Park. While these events are acknowledged in the Biodiversity Development Assessment Report (BDAR), I find it questionable that an accurate and credible assessment of the flora and fauna has been presented.

BIRD and BAT COLLISION ASSESSMENT – MORE INFORMATION REQUIRED!

I question the modeling inputs utilized in *Appendix D Collision Risk Model Report* by Biosis, which states:

“The landscape configuration of the proposed Hills of Gold Wind Farm is essentially a linear row of turbines is different from most wind energy facilities in Australia in which turbines are scattered across a site. In the more usual scattered or clustered array, a bird has a high probability of encountering multiple turbines in one given flight. The configuration of Hills of Gold turbines is such that a bird is likely to encounter multiple turbines only in the rare event that it flies directly along the row of turbines. The collision risk model has a built-in function to account for this difference whereby the turbine array can have any setting from 100% of turbines fully clustered to 0% in which turbines are entirely linearly configured. Given the slight sinuosity of the ridge top array, this factor was set to 5%.”

I acknowledge the above statement may be true for most bird species, however from my own observations spanning 40 plus years of living in the area and being a gliding aviator, Wedge-Tailed Eagles appear to spend a considerable amount of flight time soaring parallel to ridge lines, hunting, and patrolling their territory. Query any gliding/ soaring aviator enthusiast on “Wedgie Flight Behavior”. Common observations made will almost certainly describe eagles frequently fly parallel to ridge lines, soaring on the uplift created by winds flowing over the ridgeline contours (*ridge soaring*) or they adopt circular patten when climbing in thermal uplifts. Given this commonly observed flight behavior, I consider the set sinuosity factor to 5% is going to give a flawed collision value for this species of bird when they are “*ridge soaring*” as they consistently fly in a parallel patten along the crest of a ridgeline and in the path of a large number of proposed wind turbines.

According to Birdlife Australia’s website information NSW Wedge Tailed Eagle populations are categorised as being secure. Based on the current modeling and surveys within the Collision Risk Model Report (Appendix D to EIS) observed a local population of 9 birds. I question the acceptability of a collision or mortality rate of between 1 and 5 birds per year. It could be reasonable to assume if between 10% and 50% of the native population of an apex species were removed every 12 months from a particular ecological community that the impact over time would be considerable enough to be deemed unacceptable.

If the sinuosity factor was set to a higher percentage to better reflect the actual flight behavior of the Wedge-Tailed Eagle, then one could assume these collision/mortality rates will be higher again. Breeding pairs will breed for life, however if a breeding adult is killed the surviving adult will eventually find a replacement partner.

In drought conditions, as we have just experienced and are predicted to see more of, breeding pairs may not breed for several years until favorable weather returns, hence significant eagle mortalities from wind turbines may have very tangible effects to the local biodiversity mix.

Essentially the entire eastern and southern side boundaries of the proposed wind farm have high conservation value, native habitat, or significant remnant native vegetation areas with high biodiversity values. The Wedge-Tailed Eagle is an established avian apex predator playing an important role in the surrounding native ecological communities, therefore significant alterations to their population are likely to have unacceptable impacts on the surrounding forested area's ecology matrix. The EIS and associated reports do not indicate that any clear guidance of biodiversity impacts by reduced raptor populations on the surrounding native forested areas ecology have been considered or deemed an acceptable mortality rate.

The photo below shows Wedge-Tailed Eagles soaring a ridge line.



Photo courtesy of FlyBubble Paragliding

Research by Dr James Pay from the University of Tasmania, on the Tasmanian Wedge-Tailed Eagles has found significant mortalities occur to Wedge-Tailed Eagles from collision with powerlines. Disturbance with drones around nesting sites during the breeding season has also been found to be problematic to chick survival, as the adults can abandon the chicks for long periods if disturbed by unfamiliar objects. Given the findings of his research perhaps the management plan should require turbine maintenance operations and site surveillance by drones be limited to outside of the breeding season if Wedge-Tailed Eagles are found to be nesting in proximity to the wind farm. As the transmission line traverses the upper slopes and ridgelines perhaps the fitment of "*line flappers*" should be considered as they have been found to be beneficial in mitigating powerline collisions in Tasmania according to Dr Pay.

“Operational Bird and Bat Management Plan will be prepared prior to construction to assess any bat mortality and to continually assess the assumptions of this impact assessment. The plan will include methods for monitoring bat mortality, acceptable thresholds for mortality and adaptive management regimes if thresholds are exceeded.”

The EIS is unclear if monitoring for mortalities only applies for bat species or also includes bird species. Given the SEARs and BAM request impact statements for any resident raptor species, is it not also imperative that a similar monitoring program exists for the Wedge-Tailed Eagles and Nankeen Kestrels (also listed with the Collision Risk Model Report by Biosis)?

Buried deep in the Biodiversity Development Assessment Report by ARUP (BDAR) Table 46: B15 has an example BBMP (Bird and Bat Management Plan) which *may* be adopted. Clearly the site and surrounding areas exhibit high biodiversity values, I therefore consider it reasonable that a BBMP be submitted for expert review before final approval is given as I consider this an item of significant importance as to whether the proponents proposal should proceed.

As the “Operational Bird and Bat Management Plan” is yet to be submitted, it is unclear who or how Bird and Bat mortalities will be monitored. In my opinion, given the turbines remoteness and the susceptibility of carrion to be consumed before field observations notice a mortality, perhaps a condition of approval should require there be CCTV footage of each turbine to monitor for bird or bat strike. If the responsibility of reporting mortalities were to lie with the turbine host or turbine operator personnel, who both have financial interest in the continuity of turbine operation, poses the question of whether those parties may have a conflict of interest? Perhaps the monitoring and reporting of the Bird and Bat mortality should be carried out by an independent body?

MORRISONS GAP ROAD PREFERRED ACCESS – NO WAY, GO ANOTHER WAY!

Commencing from the initial project consultation to the present, I have expressed to numerous proponent representatives my strong preference for the Head of Peel Road to be the main and preferred access to the wind farm.

The proposed development has three alternative public access points other than Morrisons Gap Road, being Head of Peel Road, Timor Crawney Road and Nundle Creek Road. I acknowledge they all have technical challenges and constraints, however that should not preclude the proponent from exploring and solving the technical issues with the other access alternatives. I therefore oppose the use of Morrison’s Gap Road other than to local traffic only.

My justification for this stance is for several reasons, most significantly being that the proposed road modifications will significantly alter the residential amenity and environmental character of the initial 3km of Morrisons Gap Road. As noted in the BDAR, the roadside vegetation has high biodiversity value and Visual Reports confirm the current road corridor contributes to the desirability and street appeal to the existing lifestyle properties. The existing roadside tree canopies and low traffic volumes support important connectivity between the various ecological communities in the immediate area, but also the broader Hanging Rock ridgeline.

Some residents have expressed support for sealing the Morrisons Gap Road surface, however this has been derived principally from construction period dust generation concerns. If Morrisons Gap Road was

to maintain its current traffic loadings, then I would imagine that in the interest of maintaining the character and ecological value of our area, two of the major drawcards of living in the area, that most residents would be only too happy to live on the secluded and fit for purpose road as it currently is.

The proponent has indicated that the widening and surface sealing is intended to improve road user's safety, however a sealed road will inevitably lead to increased traffic speeds traversing the road, which will likely result in significant increases in wildlife mortality, particularly from the 1km to 3km heavily forested areas of Morrisons Gap Road.

Additionally, along Barry Road from Sheba Dams to the Wind farm northern boundary section, it is common to frequently encounter wombats, wallabies, numerous small forest birds, small mammals, various reptiles, and less frequently quolls & Lyre birds, along the road, all of whom will be at greater risk to mortality.



Photo by Susie Hooper

The photo above is a recent road strike casualty on Barry Road between Sheba Dams and Morrison's Gap Road, I fear the frequency of these incidents will increase significantly with the proposed anticipated traffic loadings.

During construction and the operational phase of the proposed wind farm, significant traffic flows will occur at high-risk collision times for wildlife strike, being morning and evening. The increased traffic numbers and speed are likely to result in unacceptable levels of mortality. I note that the proponent has

proposed to impose a voluntary speed limit to the proposed access roads, however that does not control all road users. I am also skeptical that a voluntary control is going to be strictly adhered to by hungry, thirsty personnel at the end of a day's work. Given that the big picture of preserving planetary life is the aim of renewable energy development, I consider it reasonable that if three alternative access points are available, then they should be used.

After carrying out my own field and desktop analysis of the Head of Peel route I conclude that given the entire length from Crawney Timor Road intersection to the site boundary, there appears to be significant historic clearing and landscape modification. This modification has resulted in a road corridor much more fit for purpose for transporting wind farm components and suitably capable of accommodating the operational traffic as well. The number of residents potentially impacted utilizing this route is significantly less than the Morrison's Gap Road option. (One non associated residence, from my count on the Head of Peel Road).

Conflicts with existing forestry operations and the Heritage and Biodiversity issues around Devil's Elbow are eliminated by not utilizing the Hanging Rock route. The proposed Devil's Elbow bypass has a negligible value to other road users and results in significant landscape scarring in the foreground of a prominent and significant geological landmark (*Hanging Rock cliff face*) that is regularly used by the members of the public as a tourist activity (lookout).

Examination of the EIS and associated reports appear not to have identified a Heritage item in the vicinity of the proposed Temporary Equipment Compound to the North of the development. The Local Heritage item is a remnant water race from the 1800's Gold Rush era that diverted water from the head waters of the Barnard River to the north east, and to the low point to the west in the ridgeline. The water race diverted water over to the western side of the ridgeline for use in the below gold mine.

When pasture grasses are low, a clear view of the water races existence can be viewed by the public from Morrisons Gap Road, hence its significance as an easily accessible heritage item. Aerial views of *six maps* and DP plans clearly show the existence of its location. A reasonable person may conclude it disrespectful to the heritage of the hard workers of the Hills of Gold era that the proposed project has derived its name from to be desecrated for a temporary compound.

The road shoulder of the location shown in the SixMaps image is regularly used by locals to utilise the very limited mobile phone reception. The proposed compound, along with the proposed increase in traffic movements and interaction are likely to create an unsafe environment to park on the road shoulder for the purpose of mobile communication.



SixMaps Image, 2021

For these reasons, I do not support the proposed location of the compound. If Morrisons Gap Road is maintained as a local traffic only road, then the requirement for this temporary compound is negated and is best place elsewhere in the development.

I note that on pg159 in Appendix G – Traffic and Transport Assessment – Appendix B Rex J Andrews Report, the traffic consultant supports the use of Head of Peel Road as *“the only realistic route”*.

NEIGHBOUR BENEFIT SHARING PROGRAM and COMMUNITY ENHANCEMENT FUND

- HUSH FUNDS, NO WAY!

I find the proponents Neighbour Benefit Sharing Program problematic on several points.

Firstly, the name implies that a neighbour is supportive of the proponent's proposal. I consider the words "*Benefit Sharing Program*" to represent a rewarding and satisfying result, when in fact the document on offer is best categorised as a "*Neighbour compensation program*". I appreciate the proponent must pitch and market the proposal to the wider community to develop project acceptance, however I feel it is disingenuous to imply to the wider community that the eligible neighbours are being generously rewarded for engaging in an agreement.

The National Wind Farm Commissioner simply categorises the document as "*Neighbour Agreements*." In my opinion this is a more accurate and neutral title.

Secondly, in accordance with c.2.2(b) Benefit Sharing Deed, to receive reimbursement for legal fees incurred in reviewing the agreement I must sign an agreement, an agreement that I object to. Any individual who has reviewed the thousands of pages of documents relating to the proponent's proposal would concur that a considerable amount of time is required to undertake this task. Whilst the proponent, associated parties and numerous consultants are remunerated for their efforts, many in the local community have had to find and dedicate significant personal time and interruption to their businesses to research, review and query this proposal unremunerated. The inability to be reimbursed for legal advice or gain modest remuneration for essentially being a fact checker and assessment officer I find somewhat irritating and disappointing.

The National Wind Farm Commissioners publication "Best Practice Community Engagement – Some Observations 28 July 2016" recommends "*Ensure agreements (host and neighbour) are fair and reasonable, in plain English and **allow parties access to legal advice.***"

Thirdly, to determine if the annual payment offer is a suitable compensation amount, I consider it prudent and diligent to have all the relevant facts presented to enable an informed determination to be made. Therefore, the requirement for one to enter in to the Neighbour Agreement before the development has gained approval is unacceptable. The findings of the formal development process and responses from the proponent will carry significant weight to my willingness to participate in a Neighbour Agreement. The possible negative impacts to property asset values and sale liquidity impacts on property assets is one such matter which will impact on my decision making.

I have alerted the proponent to my concerns regarding property value impacts in several consultation meetings. There has been no reply of substance or useful information offered to determine this. The publication "Review of the Impact of Wind Farms on Property Values 21 July 2016" compiled for the NSW Government was provided. The findings in the conclusion on pg. 21 of the report which states:

"There is limited available sales data to make a conclusive finding relating to value impacts on residential or lifestyle properties located close to wind farm turbines, noting that wind farms in NSW have been constructed in predominantly rural areas."

Further to the above report, the *Socio-Economic Impact Assessment authored by SGS* cites several international studies on property values, and concludes, on the whole, property prices are not dramatically affected by wind farms. Given Australia's obsession with residential property and cultural differences to Europe I remain unconvinced that this concern has been adequately addressed.

The 2010 Tamworth Local Environmental Plan (LEP) designates the Land Parcels along the first 3kms of Morrison's Gap Road as RU1 zone (*Primary Production, min 800 Hectare Lot size*). The LEP makes provision for historical LEP zoning (*Nundle LEP 2000*) to be considered for the purpose of determining building permissibility. Therefore, the historic land use zone (*1 (c), min. Lot size 2500m2*) which the subject land was identified as, supports the current residential lifestyle land use, not the Rural land use which it is currently zoned for. Amongst other responses, the proponent should be required to provide additional valuation evidence as a condition of consent, which consequently will help me to determine the suitability of any Neighbour Agreement.

Upon opening the proponents supplied PDF file directly from the NSW Planning Portal, I note the file name is titled "*Jupiter 1-2 km Neighbour Benefit Sharing Deed 3 May 2017*", I assume this document has been repurposed from the refused and withdrawn Jupiter Wind Farm. This alone alerts me to the fact this document is a generic and a poor attempt at being a sincere offer to those impacted by the proposed Hills of Gold Wind Farm.

After much review and consideration of the information provided thus far, and the low uptake of the current Neighbour Agreement on offer, I can only conclude that the agreement is unsatisfactory.

Similarly, to the Neighbour Agreement, the enhancement fund is a compensation fund and should be titled as such.

I question, are the communities of the three impacted councils receiving value for Money? Why is the proponent of the Hills of Gold Wind Farm offering \$2500 per operating turbine, yet the nearby Liverpool Range Wind Farm has committed to \$3000 per operating turbine? Whilst I support the intent of the Community Fund and its proposed administration by a council, I have serious concerns that our small communities do not have a large enough population to sustain the required volunteers for its successful operation in the long term and the community has not been offered a market competitive turbine payment.

In the interest of distributing the purported financial benefits to the community in an equitable manner, why has the proponent not offered a community ownership option, such has been proposed by the Winterbourne Wind Farm near Walcha? I consider, optional community ownership as being fundamental to gaining community acceptance when Wind Farms are constructed in areas with small populations, as the smaller the community, the more pronounced inequality among community members becomes.

SOCIO ECONOMIC IMPACTS

From the commencement of the notification and consultation periods the proponent and advocates for the proposed Hills of Gold Wind farm have championed the promise of jobs and employment opportunities for those in the immediate and wider areas as a significant purpose to support the development.

I too champion the idea of new and additional job opportunities to help diversify employment and foster a resilient community into a very uncertain future, however that should not come at significant cost or disruption to existing community businesses nor at significant environmental disruption.

I find it problematic that the Hills of Gold wind farm assessment process appears to favour the assertions of specialist consultants who usually have no connection to the local community and whose documents are factually incomplete or misleading.

Upon reading the Scoping report for the Winterbourne Wind Farm near Walcha authored by ERM, I noted that the full-time employment projections for a 126 turbine/ 700MW proposal was around 16 long term operational jobs.

Yet when I read ERM's EIS for the Hills of Gold Wind Farm, 31 operational jobs will be created for a 70 turbine/ 420MW project. I am not a specialist wind farm consultant, so possibly my interpretation of the presented information is flawed, however if my conclusions are correct, there's been a gross miscalculation made. The conclusion one must draw from these two reports is that the smaller the wind farm, the more operational people are employed. This does not make commercial sense, nor instill any faith that ERM's employment projections are credible.

Anomalies as mentioned above have created and fueled heated community debate and added to people's anxiety to the project. It would be most useful if one could have some faith in the documents that have been submitted, however as the process has progressed, I have rapidly become irritated and frustrated with some of the assertions made by the proponent and their advocates.

Excerpt from SGS report Table 13: the following statement

"the operational phase would be likely towards the lower estimate of 25 jobs. Of which 10-20% would be in Nundle, 30-40% in the surrounding LGA's and the balance in the rest of NSW."

Using this SGS data, I calculate the likely long term operational jobs which will be Nundle based personnel to be between 2 and 5 people. In a small community, between two and five new families moving to the area is significant, however relative to the capital cost of the project those numbers are a very poor outcome.

The report also highlights, while not inevitable, it is possible some existing Nundle tourist businesses may leave the area resulting in the net population of Nundle remaining static, but potentially without several independent business's in operation. Calculating the proposed operational workforce using ERM's Winterbourne Wind Farm job projections would result in there being approximately half what the proponents report has identified.

I consider it reasonable that the proponent provides a full job positions list to clearly show the community the positions available and the qualifications required. On several occasions when I queried the proponent's representatives for further information, I was simply given a generalised response that exact job positions were unable to be given until the project had been approved. The idea that an experienced renewable energy development team and a major Global energy company can not provide a clear positions vacant list is disappointing to say the least. Initially I was interested in seeking possible future employment with the proposed Hills of Gold Wind farm, however as I was unable to gather acceptable guidance as to how my existing qualifications may be suitable for a particular position nor examine what training I may have to undertake to be suitable for these promoted, yet unidentified positions I quickly became uninterested and despondent to the proponent's proposal.

Given project advocates have loudly promoted the long-term employment opportunities to the local communities, it would be desirable to have accurate projections to validate and consider the purported benefits. I recall several times in media reports that approximately 30-35 operational personnel would be employed. A more genuine reporting figure could have been "*Nundle is likely to experience between 2 and 5 new long term operation job positions in the local community.*" Cherry picking data further antagonizes opponents and misleads the objective thinker, nor is it helpful in developing community acceptance.

The SGS Socio Economic Assessment briefly mentions the possible opportunity for tourism to arise directly out of the turbines. Whilst this may be true in the short term I think given the current NSW Governments commitment to renewable energy development and Global developments I conclude it will cease to be a novelty for people to visit wind farms in the not-too-distant future. Many people may wish to visit an area where there are NO turbines, somewhere just like Nundle is now.

I therefore conclude that the short-term construction boom to some businesses and individuals does not justify the potential displacement of sustainable existing businesses.

As the SGS consultants failed to provide pictorial evidence of the diversity of views on the Hills of Gold Wind Farm I thought in the interest of fair and objective assessment to include several examples, please refer Appendix A of this submission.

I should also note that many people have chosen to keep their views on the proponent's proposal private until all pertinent information has been submitted for review and some who have not wanted to be ostracized by some community members for holding a particular view.

HISTORIC LAND CLEARING AND LOST SOCIAL COHESION – QUESTIONS NEED ANSWERS!

I believe there has been considerable breakdown of social cohesion within the local communities of Nundle and Hanging Rock.

Animosity towards some potential turbine host landholders has resulted from the perception by some in the community that entities associated with the proponent's proposal have not been subject to thorough investigation or held accountable for recent alleged illegal land clearing activities.

The proponent's proposal indicates they have been closely engaged with the turbine host landholders since approximately 2010 to investigate, validate and prepare a Wind Farm Development proposal. As part of a thorough due diligence process for preparing a wind farm proposal I would have thought it prudent to investigate permissibility of any recent native vegetation disturbance or removal.

The EIS clearly states the vast previous experience of the proponent personnel as being very competent developing promising wind farm assets. The skill sets that the proponent alleges to possess indicate they have a sound knowledge of the potential biodiversity issues and constraints that may pose as addressable issues to a Wind Farm development.

A reasonable person could assume it likely the proponent and host land holders have had detailed discussion since 2010 relating to past and planned land use operations for compatibility with a wind farm development to minimise potential conflicts. During these preliminary discussions I would find it very surprising if any planned native vegetation removal works were not discussed and how native vegetation removal may impact a wind farm proposal.

The publication "Factsheet: Native Vegetation And Rural Land" by The Law Society of NSW notes that:

"When acting on the purchase of rural land it is important that your client is aware of, and understands, their obligations under the legislation, any existing PVPs, the terms of any Code compliant certificates, obligations to maintain set aside areas and any remediation orders.

The purchaser should also make enquires of the vendor to establish if any clearing has taken place under the Code or under any provisions (including Ministerial Orders) under the Native Vegetation Act, or if the vendor has notified clearing under the Ministerial Orders that has not yet been completed. It may also be prudent to obtain a warranty from the vendor that it has not undertaken any clearing in contravention of the Acts (including the repealed Native Vegetation Act)."

I acknowledge the proponent's contractual agreements with host land entities is one of property access and occupation rather than a land purchase, however in my opinion the same due diligence should have been observed by the proponent as recommended by The Law Society of NSW.

My desktop analysis has examined historical Google Earth images, NSW Six Maps, Zoom Earth, NSW Native Vegetation Regulatory map, and various map images published within the proponents submitted reports that indicate substantial vegetation modification in the last decade, particularly 2017 – 2020 periods.

Review of the NSW Native Vegetation Regulatory (NVR) map indicates expansive areas of *Vulnerable Regulated Land*, and notable areas of *Sensitive Regulated Land* and *Sensitive and Vulnerable Regulated Lands* are all located within the Hills of Gold Wind Farm project boundaries.

Review of NSW Local Land Services (LLS) publication *Allowable Activities for Landholders fact sheet* denotes the subject land is in the Central Zone.

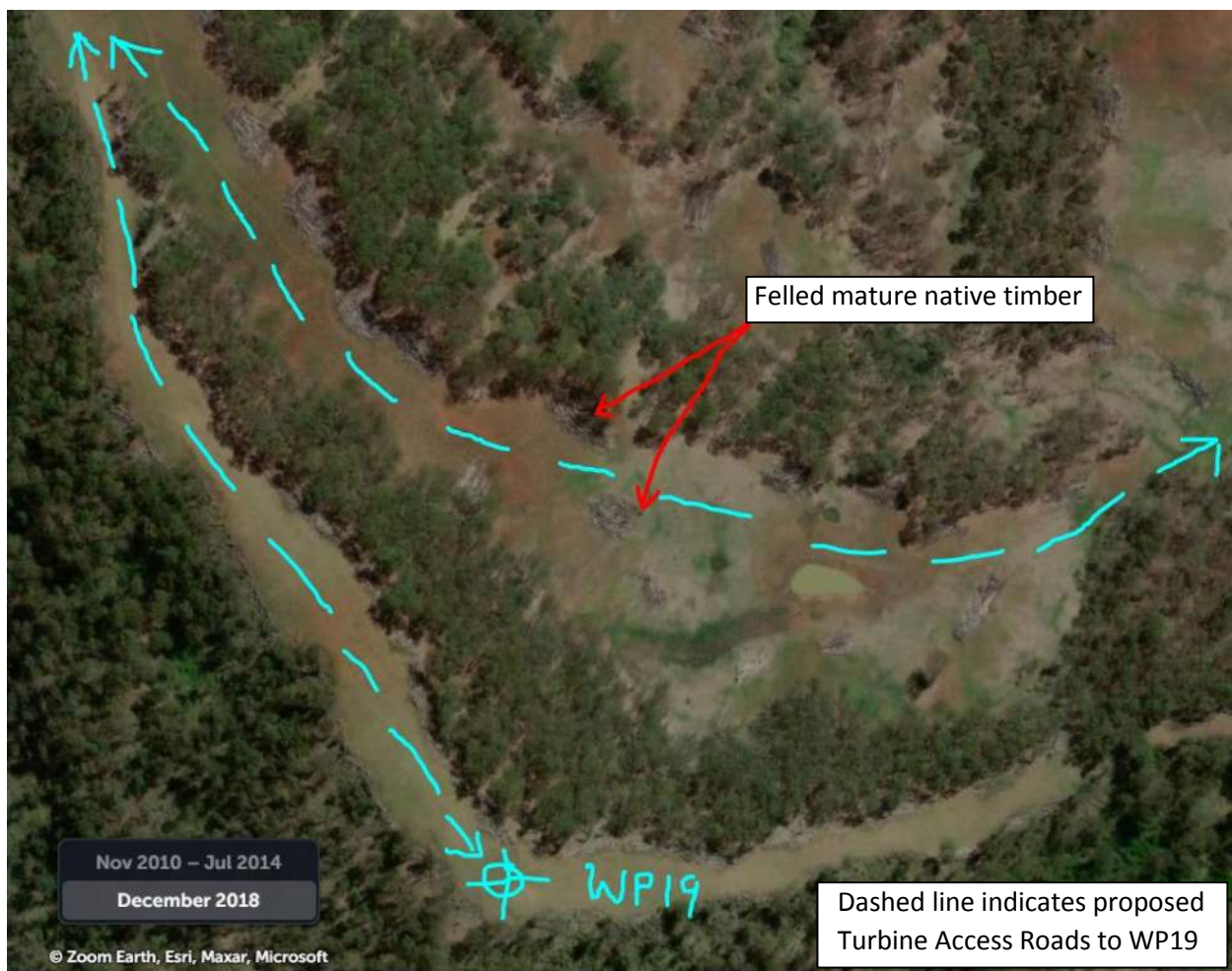
The LLS fact sheet states

*“Clearing for rural infrastructure **must** be undertaken to the **minimum** extent necessary to build and maintain rural infrastructure.”*

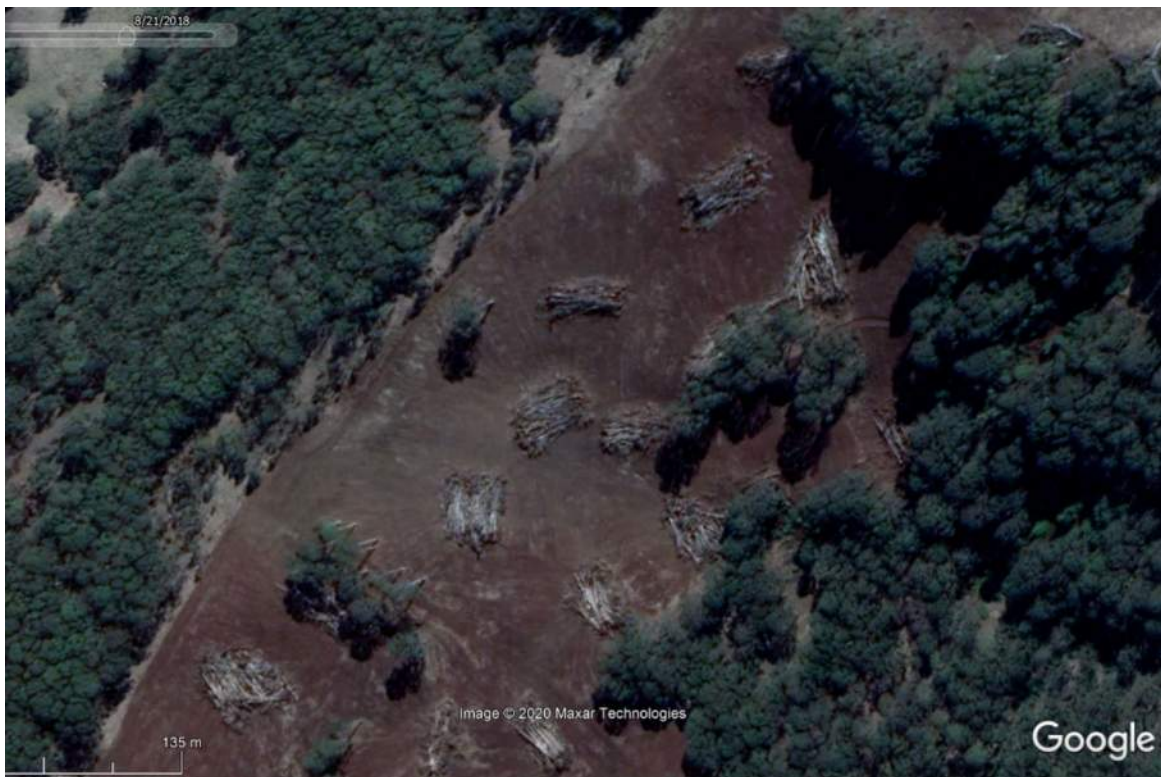
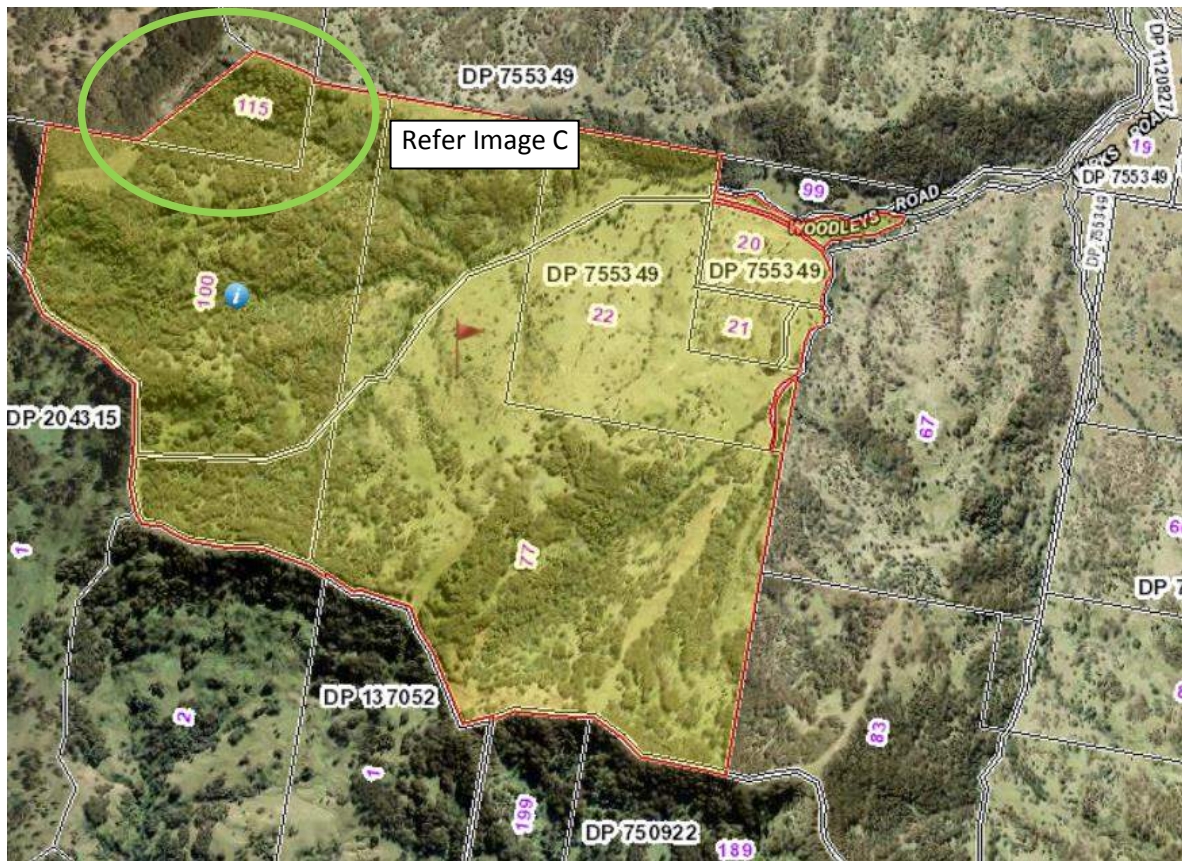
Permitted clearing for rural infrastructure in the Central zone is a maximum of **30 metres** in width, however this is reduced to a maximum of **6 metres** in width when Vulnerable and Sensitive Regulated land is encountered.

To illustrate some of the native vegetation removal within the proposed Hills of Gold Wind Farm proposal I have attached several Google Earth Images of before and after clearing events within the development corridor and which was undertaken concurrently with the proponents Biodiversity surveys.

SIX Maps Image B following (page 16) is a sample location of recent native vegetation removal that will be advantageous to the proponents yet to be approved Wind Farm.

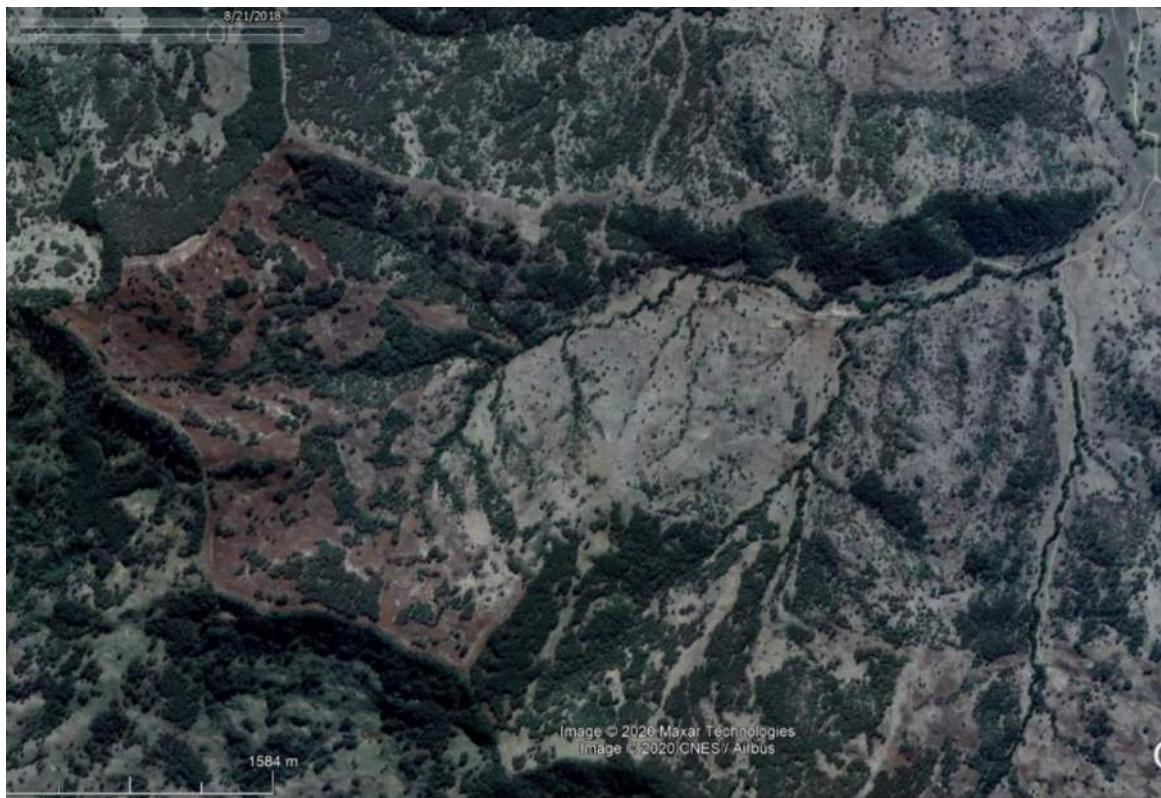


Un-assessed land clearing beneficial to Proponent's Wind Farm, Zoom Earth, December 2018





*Image D – **Before** native vegetation removal – Google Earth 06/10/2016*



*Image E – **After** native vegetation removal – Google Earth 21/08/2018*

I acknowledge there are limitations to the accuracy of the measurement tools within Google Earth and NSW SixMaps aerial imagery which can only facilitate approximate distance calculations. It appears the maximum clearance for rural infrastructure clearing may have been exceeded in numerous locations to the ridgelines within the development corridor.

Analysis of the aerial imagery appears to show considerable areas have had native regrowth, invasive blackberry, and large native eucalypt trees (*Image C, Google Earth*), pushed into windrows which has subsequently been burnt. **Image D** indicates substantial native vegetation cover prior to clearing events.

Image E appears to indicate that substantial clearing is evident to the slopes (*SW end of proposed development Google Earth Image Date 21/8/2018*) depicted as Vulnerable Regulated Lands on NVR mapping, which may be subject to requiring a “Property Vegetation Plan” or Certification by NSW Local Land Services.

In my opinion, documentary evidence of the relevant regulatory approvals must be submitted by the Hills of Gold Wind Farm proponent, to publicly confirm that the recent historical native vegetation clearing was permitted.

The above cited resources indicate the subject land appears to have extensive topographical and environmental sensitivities. The proponent may not have authority or liability for any past land use; however, a reasonable person may conclude that the proponent’s proposal may potentially benefit from having historical development constraints removed and therefore not captured and addressed by the currently proposed Hills of Gold Wind Farm assessment process.

I find the entire credibility of the proponents Biodiversity Development Assessment Report to be questionable when significant changes to native vegetation appear to have occurred concurrently with when the Biodiversity surveys were undertaken.

Assuming my desktop analysis is broadly accurate I conclude a reasonable person would concur that it is in the public interest to determine the permissibility of these recent activities by any of the related entities.

I acknowledge the Host landholders right to privacy and the issue has not been directly captured by the SEARs for the proponent to address, however I request that clear, transparent evidence is publicly provided to clarify this issue that has contributed to the loss of social cohesion in community members relationships and to foster reconciliation of the division that has erupted in the Nundle and Hanging Rock Communities.

The Published literature in the SGS Socio Economic Impact Assessment cite numerous reports, as does the Australian Wind Farm Commissioner on the importance of transparency in the approval process.

I fear failure to adequately address this community concern will further alienate and erode public trust in the assessment process and damage the social licence to operate future renewable energy projects in the regions more broadly.

The proponents EIS and BDAR has cursory references to the establishment of additional biodiversity corridors. Perhaps instead of the proponent relying on Biodiversity Offsets on neighboring properties and the National and State Park estates they could demonstrate a firm commitment to meaningful Biodiversity corridors within the development footprint to allow flora and fauna migration through the wider landscape and improve the connectivity between the existing nature reserves.

On a Radio program - Saturday Breakfast with Geraldine Doogue, ABC Radio National, 17 December 2005, ecologist Professor Hugh Possingham of the University of Queensland stated that in his opinion:

“Biodiversity is not fungible; it is not possible to trade it from one place to another and hope to retain its value; biodiversity is dependent on where it is in the landscape (place) and when it is (time).”

I acknowledge that the NSW Biodiversity Offsetting system is a legal avenue available for the proponent to use, however given its disputed effectiveness by academics in the ecology field, offsets should only be used as an absolute, last resort method of compliance. In my opinion there is immense scope to rectify the poor clearing and agricultural practices of the past generations and revegetate much of the steep, cleared country to the western slopes of the entire development proposal before offsets should be considered.

Even though the BDAR declares that several vulnerable species are present and are technically not “important populations”, I consider all of our threatened and endangered species populations are “important” simply for their contribution to genetic diversity within a species and possible future contributors to species reestablishment programs.

The current scientific projections for a warming climate highlight the importance of connectivity in the wider landscape to enable our flora and fauna the best chance of adapting to the rapidly changing climate, given the significant elevation differences in the local topography the proponent needs to clearly demonstrate how any Biodiversity corridors help facilitate migration throughout the differing elevations.

I consider this development to potentially be a showcase opportunity for future modern agricultural development. If the philosophies of the “Regenerative Agriculture Movement” were used as holistic guidance to develop an **integrated** Wind Power Generation, grazing enterprise, and nature conservation effort, then I could possibly see merit in the proponent’s proposal. As presented, I consider the proposal is not sufficiently integrated with the other land uses and lacks meaningful commitments to improving the local landscape biodiversity.

Perhaps the proponent could offer to coordinate with local landholders and sponsor a program with local Landcare groups to fence off and revegetate all waterways and gullies from the very start of the Peel River and tributaries, down the Peel Valley to Chaffey Dam, thereby improving water quality and wildlife corridors on a meaningful scale, benefiting the environment and Tamworth residents with improved water quality. A commitment of substance such as this may help heal the community division more sincerely than simply throwing “Hush” money in a fund.

Unfortunately, the current proposal simply lacks any innovative or Industry Leading practices, rather it appears to be a box ticked, guidance compliant proposal. Given the many sensitive issues surrounding the proponent’s proposal I consider it imperative that they demonstrate more than a “*box ticked*” proposal.

VISUAL IMPACTS AND NIMBYISM – AM I JUST A NIMBY?

Australians are pretty good at slinging acronyms and slang at their fellow countrymen, often without really thinking of the full meaning the term they sling and often slung by the ill-informed.

The term NIMBY is often used as a derogatory term to describe someone who rejects any development that is close to them, that they are being unreasonable. Well, this NIMBY has reviewed more than 4000 pages of the proponent's literature, considered the proposal, and determined, as presented, this proposal is far from satisfactory. If a NIMBY is someone who proudly and passionately cares about what happens in one's own backyard, then I wear this derogatory term with pride.

To satisfy my curiosity of turbine visual impacts I travelled to the NSW White Rock and Sapphire Wind Farms. I wanted to gain a sound understanding of the visual impacts in differing contexts. I concluded when turbines are sited on ridgelines in gentle, rolling hills of similar elevation, as many Australian Wind Farms are, then the visual impact is palatable to most people. However, given the proposed Hills of Gold Wind farm rises in elevation approximately 600 meters higher than Nundle's elevation, I can sympathise with the view by some that they are still prominent, imposing structures that will exhibit an awkward Industrial stance within the natural landscape they sit. The proponent and visual consultants have attempted to condition the community to these industrialised structures, however for me personally they have failed to convince me that they will not dominate the local landscape views that I have grown up admiring.

The Sapphire and White Rock wind farms have been subject to criticism from surrounding neighbours for disrupting the local area amenity with nighttime aviation lighting. I conducted a night visit to the Sapphire and White Rock Wind Farms and concur with the objecting residents that to someone who enjoys a dark night sky the aviation lighting is not acceptable. I do not want to see red lights where I have viewed and enjoyed pure darkness for the last 40yrs.

Following on from my Wind Farm education, my wife and I decided, due to the uncertainty of the impacts to us and the local community that we would cease construction of our new house until we feel comfortable that we know the full impacts of the proposed wind farm.

On the 16/06/2020 I met with the proponent's representatives and visual consultants on our lifestyle property for the purpose of capturing the visual impacts from the proposed turbine locations. Mike Stranger, who I believe is a former proponent representative indicated to me that anywhere I had concerns with visuals, now was the time to capture the images so montages could be generated.

I nominated two vantage points on our property that we frequently use for outdoor recreation to be assessed. As the visual consultants conducted the survey, I discussed with Mike Stranger the significance of the selected visual site, explaining from the time of purchasing the property (2016) it was our preferred location for the construction of our new house as it had great views, mains power and semi cleared of vegetation. I then remarked our House location was reassessed and changed after we were formally notified of the proposed Hills of Gold Wind Farm.

I remarked I thought it was prudent to locate our new house as far away from the potential Wind Farm impacts as we possibly could. I also commented this has come at considerable additional cost, as now the mains power is more than 200 meters away for connection and our access road has become considerably longer. I commented, perhaps as I have incurred addition costs in mitigating the visual impacts of the proposed proponents Wind Farm that I should be reimbursed for my additional costs.

Mike Stranger chuckled and indicated that was not an offer the proponent would entertain; however, they would gladly generate the visual montages from my nominated locations.

I was subsequently informed by proponent representative, Jamie Chivers that as the nominated locations were not at my residence location the montages would not be produced. Whilst I was disappointed the proponent refused to supply the requested montages, most problematic is that interaction has now somewhat eroded the integrity I thought the proponent possessed.

I can only therefore approximate what the visual impact will be. Photomontage 07 (EIS, Appendix D) is a similar view but is approximately 50 metres lower in elevation. As this location is an area that I currently enjoy for private recreation on my lifestyle property, I request that turbines WP70, WP69, WP68, WP67, WP66, and WP65 be removed from the proponent's wind farm proposal.



Photo Montage 07, EIS Appendix D



Photo from original house site and private recreation area, Photo by Yestin Hooper

CONCLUSION

When I contemplate the “*greater good*” of the proposed Hills of Gold Wind farm, after all information presented to me, I find difficulty concluding that the project holistically achieves the greater good for planetary life and sustainable human occupation. Without substantial modification to this proposal, I can only formally object to this proposal.

APPENDIX A

Photos by Susie Hooper





