

Objection to the construction and operation of a gas turbine power station and associated infrastructure known as the Dalton Power Project (as proposed by AGL)

My name is Kahli Weir and I have been a resident in Dalton for the past 15 years. I object to AGLs proposal to modify the Project Approval (MOD 1) in order to extend the lapse date for a further two years. The current lapse date for the DPP Project Approval is 19 July 2017. AGL have had 5 years to act on their previous approval. Any extension in time would render their previous Environmental Assessment out of date and a new contemporary submission should be required/enforced. New considerations/scientific information have emerged since the initial DPP approval, which changes the risk to human health and the environment. A review/reconsideration of the project proposal and any modifications that AGL want to make should be required in order to scientifically reassess the risks and determine whether further conditions are necessary to ensure the project remains safe. The project proposal/modifications should be subject to assessment under current legislation and not the repealed 3A legislation which was current at the time.

I provide my submission below.

Importance of the Project – change in market conditions

AGL specify that the state's energy requirements have changed and that AGL need more time to further consider if the DPP is required. The answer to their request for extension should be NO!! AGL say that the extension will allow them to consult with the local community, landholders and other stakeholders on potential modifications to the proposed power station that will take into account new technologies and changing energy needs. Any modification to the proposed power station should be refused.

AGL have had their 5 years. Their time is up. We have lived under the shadow of this cloud for far too long and any extension of time is cruel and unfair and should be refused. Our community has changed. Our environment has changed. The existing Environmental Assessment that supports the DPP project is now out of date. The legislation that existed at the time the DPP project was submitted has been repealed. If AGL want to reconsider their options for the DPP this should be done afresh. We do not need another gas fired power plant in Australia. What we need is a government and an energy industry that develops our renewables. We need to reduce our emissions and replace our coal and gas power plants with renewable options such as solar and wind. The need for a peaking power station in Dalton is not necessary.

There are a number of important guidelines and models that were used/referenced in the original DPP EA. A quick search indicates just a couple of these guidelines that have now been superseded (see below). The DPP needs to be reassessed using the most up to date information at hand. AGL need to seek reports/assessment from the relevant agencies whose policies / guidelines have changed.

- The DPP EA reported on the potential impact on air quality in accordance with the Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (2005). This model is now more than 10 years out of date and has been replaced by the Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (2016; <http://www.epa.nsw.gov.au/air/appmethods.htm>).

- The aviation hazard analysis was compiled in accordance with the Civil Aviation Safety Authority's (CASA) Advisory Circular "Guidelines for Conducting Plume Rise Assessments" (June 2004). In 2012 these guidelines for conducting plume rise assessments were reviewed and they replace the 2004 guidelines (<https://www.casa.gov.au/standard-page/project-1107-review-guidelines-conducting-plume-rise-assessments-ac-139-05>).
- The preliminary hazard analysis (PHA) assessment has been undertaken in accordance with the DoPs Hazardous Industry Advisory Papers (HIPAP) No 6 (Guidelines for Hazard Analysis) and HIPAP No 4 (Risk Criteria for Land Use Planning). These guidelines were updated in 2011 (<http://www.planning.nsw.gov.au/Policy-and-Legislation/Hazards>).
- The Environmental Assessment included reference to the Environmental Criteria for Road Traffic Noise (EPA, 1999), this document was replaced by the NSW Road Noise Policy from July 2011 (<http://www.epa.nsw.gov.au/noise/traffic.htm>).

There are many other guidelines that have been superseded including Guidelines for Threatened Species Assessment (July 2005) and Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC, 2005).

Air Quality

We have always held great concern as to the pollution and dust that will be generated during construction and operation of the proposed Dalton Power Project (DPP). These concerns have been highlighted to the Department of Planning and to AGL during the initial submissions process. The original Environmental Assessment did not establish the existing levels of air quality in our town or surrounds. Proper estimations of emissions from the proposed plant should be measured at several sites within Dalton, including the primary school, and not at distant air monitoring stations. While levels at more heavily polluted sites may provide conservative assessments of the expected total emissions of the project, the absence of any data with respect to existing conditions does not provide sufficient information to determine the environmental impacts of the Dalton Power Project. It also allows AGL to make false conclusions such as "no adverse impacts on local air quality".

AGL had committed to the preparation of an Air Quality Management Plan and that a monitoring strategy would be put in place.

At Schedule C41 of the Project Approval (Conditions of Consent; [here](#)) - The Proponent shall establish and maintain a meteorological station on site within one month of the approval of the Project, with the capability of continuously monitoring the parameters set out in Table 1 of the Conditions of Consent. At Schedule C45 after a period of 12 months of monitoring data, this report was to be made available on the dedicated website for the project within 1 month of its being forwarded to the Director General.

Where is this information? There has been no monitoring information provided publicly. This is in breach of the conditions laid out for the DPP approval. This data is vital to establish the prevalence of certain weather conditions that significantly influence the noise and air quality impacts, and to provide baseline levels against which the impacts can be assessed. The Planning Assessment Commission of New South Wales approved the project application referred to in Schedule A, subject to the conditions specified in Schedules B to G. Conditions have not been complied with, Project Approval has already been voided.

The Community update provided by AGL in September 2012 specifies that a "meterological station was established on site on 17 August 2012 as outlined as one of the conditions of NSW PAC

approval. The station will be continuously monitored by AGL in accordance with the parameters required by the NSW Government. After 12 months of meteorological monitoring, a report will be produced and made available on the AGL website within one month of it being sent to the Director-General". If this is true – where is the data? It has been nearly 5 years!!

Also in their community update the following "AGL is aware that there has been some community concern about the potential impact on air quality resulting from the proposed Dalton Power Station. To help address this, AGL has committed to an ongoing air quality monitoring program which will be installed on the grounds of the Dalton Public School in October 2012. The results of this monitoring will be made available by AGL on the projects website: agl.com.au/Dalton. Where is this data!! Where is this website?

We have been lied to by AGL. They have said that they have listened to our concerns and they are acting on them. I have seen no evidence of this.

The DPP project can only adversely affect Dalton's air quality. My son and I both suffer from Asthma. We live in the country because the health benefits are great. My family rely on tank water for our entire household use including drinking water. How safe will my water be to drink when we have major increases in air pollutants and particulate matter falling from the sky?

Air quality assessment has been done assuming 35m and 46m stacks and is invalid if shorter stacks are used. However, it is stated that the height of the exhaust stacks are likely to be in the order of 28 to 30m. The plume dispersion modelling will have very different outcomes if shorter stacks are to be used and the impacts on air quality and noise will need to be reassessed. You will also note that the plume rise modelling guideline was replaced in 2012.

Background concentrations of some air pollutants were measured at an ACT Monitoring station. Whilst we have been reassured by AGL that the air quality will meet some upper bound of pollutant concentrations for our region, we have not chosen to live in Canberra and hence the baseline air quality should be measured from Dalton. Further, without such data, any subsequent applications to operate beyond 5% annual threshold sought by the application should require an assessment of the impacts in the context of the pre-development environment. AGL had promised they would provide us with that data. We have not seen it!! Nothing has been communicated to us.

Noise and Vibration

Again we as a community through our submissions to the earlier project proposal have voiced our concern with respect to Noise and Vibration that may result during the construction and operation of the DPP. No background levels of pollutants or noise have been established against which any impact the proposed construction will have on our community. AGL have had 5 years to produce this data and we have seen nothing. One of the conditions of approval was that AGL needed to establish these background levels to enable a comparison of pre and post construction levels and to allow monitoring of any adverse impacts on local air quality and noise.

Concerns have been raised about the noise and vibrations associated with the operation of the DPP. These concerns have also been raised in regards to other gas-fired power stations located in rural areas, including Uranquinty Power Station. Dalton regularly experiences adverse weather conditions such as inversions and these weather conditions will impact greatly on noise and vibration. How can these scenarios for noise /pollution impact be examined if we do not have background monitoring data? AGL need to recognise how often these varying weather conditions occur and their impact on

noise and vibration. Certain meteorological conditions may increase noise levels up to 20 dB in extreme conditions, thereby causing significant noise impact on residents.

New residents have moved to Dalton and surrounds in the last 5 years. Have AGL considered these new community members? Had AGL been present in our community they would have known that our community has changed. These new residents have not been considered by AGL and have not been considered within the Environmental Assessment. Their concerns need to be heard and they need to be considered as new 'sensitive receptors' in the DPP.

Construction Impacts, Traffic Impacts

My children regularly ride their pushbikes with friends around Dalton including the loop road and Walsh's road. One of the impacts of construction would be the loss of freedom my children will experience with trucks zooming in and out of Dalton for the next two years. I will be unlikely to encourage them out on to our normally peaceful and safe roads with the construction traffic that is expected.

More traffic means interruptions and delays for residents. Not only will there be more traffic, there will also be an increase in noise levels generated by the traffic.

Widening of the road to accommodate oversized loads would necessitate removal of trees and habitats. It is well known that roadside corridors provide the only native habitat within a highly modified landscape. These corridors allow plants and animals to move from one habitat to another, facilitating colonisation of suitable sites. No consideration has been given to roadsides during construction and traffic movements. Full assessment of the impacts of any road modification or project transport processes need to be undertaken.

Flora and Fauna

Southern Pigmy Perch and yellow spotted southern bell frog have recently been identified in our water ways. In 5 years these two discoveries have been made. What else has happened in the 5 years that AGL have been absent? Has the site on which the DPP is to be built been left un-grazed for the last 5 years. How have habitats changed? Have habitats been restored? If AGL were to conduct their flora/fauna surveys again what changes would we see? What weed species have been left unchecked? What may be discovered if AGL actually took their Environment Assessment seriously? Maybe they would look for species of significance when those species are likely to be present. I refer to AGLs initial submission when they looked for possible presence of the Golden Sun Moth. The survey was conducted over a few days in February. The flying season of the Golden Sun Moth can vary between November and January. The proponent even identified that that the survey carried out regarding the Golden Sun Moth was inadequate and that they propose further surveys be undertaken prior to construction (13.4.3). Have they done this? What other assessment were inadequate? The DPP project needs to be re-examined. This project needs to be taken seriously. Our community and our concerns need to be taken seriously. AGL should be made to resubmit their proposal, to conduct a new Environmental Assessment under the current legislation that governs this type of project approval. Using current guidelines and methodologies.

The DPP will see an erosion of local biodiversity.

Socioeconomic Impacts

The DPP would impact on and degrade the value of our homes. This application to extend the lapse date already has (Evidence from Michael Gray, Principal, Yass Real Estate). Cumulative negative impacts on the community's health and well-being. Lack of social and economic impacts assessment and no social or economic benefits to the Dalton Community. We now have new community members that are unaware of AGLs DPP approval. AGL have not considered or consulted with these new residents.

There will be no jobs created for residents, as the facility will be operated remotely. The DPP will impact negatively on tourism. The DPP will impact negatively on agriculture. There are no benefits to the community of Dalton. The impacts for us are only negative.

Consultation

There have been a number of families move to Dalton and surrounds in the past 5 years. Had AGL implemented their "Community Consultation" project these families might have had a clue about what was being proposed mere kilometres from their new home. They have not been given the opportunity to object to the original submission and as AGL have not complied with their conditions of consent in terms of community consultation the DPP project approval should be void. The request for an extension in time should be refused. If AGL want to go ahead with the DPP project they should be made to start again and consult with the community that now live in Dalton. They should be subject to the new legislation that governs the approval of such projects. AGL have been absent from our community since their announcement in October 2012. Nearly 5 years ago. Things have changed and an extension in time will only allow AGL further opportunity to make changes to their proposal using data that is now outdated and under legislation that has now been repealed.

I note the following at Schedule B16 of the Project Approval - Within 12 months of the date of this approval, unless otherwise agreed by the Director- General, the Proponent shall enter into a Planning Agreement with Council in accordance with Division 6 of Part 4 of the Act, to provide contributions to Council for a Community Enhancement Fund. The contributions shall be consistent with those contributions identified in the letter from the Proponent to the Department dated 30 May 2012 titled "Dalton Power Station Planning Agreement with Upper Lachlan Shire Council".

To my knowledge AGL have not made any contributions for a Community Enhancement Fund? Isn't this a condition of their approval?

I note the following at Schedule D2 of the Project Approval - Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent shall ensure that the following are available for community enquiries and complaints for the duration of construction and operation of the Project:

- (a) a 24 hour telephone number(s) on which complaints and enquiries about the Project may be registered;
- (b) a postal address to which written complaints and enquires may be sent;
- (c) an email address to which electronic complaints and enquiries may be transmitted; and
- (d) a mediation system for complaints unable to be resolved.

The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation for both stages of the project. This information shall also be provided on the website (or dedicated pages) required by this approval.

There is no dedicated web page. There has been no community consultation in 5 years. AGL have not had a presence in our community for nearly 5 years.

LIMITS of APPROVAL

At Schedule B13 of the Project Approval - This project approval shall lapse five years after the date on which it is granted, unless the works subject of this approval have been commenced before that time.

As the works subject of this approval have not commenced – the project approval shall lapse.

What is the point of granting a timeframe for project approval if the proponent can then submit an extension request? The data in the Environment Assessment is now more than 6-7 years old and is no longer current. Project approval should lapse as specified in the conditions of consent document.

COMMUNITY INFORMATION, REPORTING AND AUDITING

The so called “Community Communication Strategy” detailed in Schedule D is non-existent. This was a condition of approval and has not been complied with. Again the Project Approval has not been complied with and approval of the DPP project should be void.

CONCLUSION

We have chosen to live in Dalton for many reasons. Dalton is a quiet country town, it is not an industrial zone, our community is friendly and welcoming and I feel safe here. I feel that my children are safe here. They are growing up in a community, which is strong.

Any new DPP application should be considered under the current legislation than governs such projects. The transitional 3A legislation under which the DPP project was approved is about to be repealed and any new submission made by the proponent should be made subject to the relevant legislation. AGL have breached their conditions of approval and should not be allowed the proposed extension in time. Five years is a long time. The community have suffered. We feel as if AGL has been a black cloud over our heads and having to face another 2 years of this uncertainty is horrendous. The DPP project should lapse in July 2017. If AGL want to make a new proposal, they should do so in the current environment, with a new Environmental Assessment, under new governing legislation and consult with the community that has changed so much over the last five years.

Regards,

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