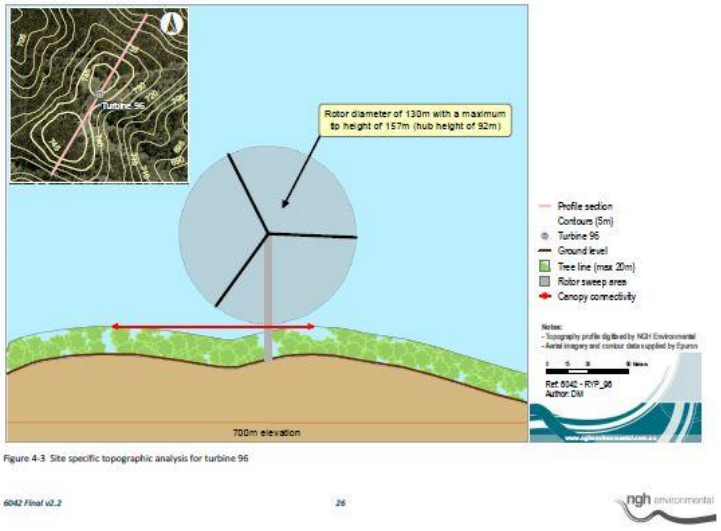
Yass Landscape Guardians Rye Park WindPEG Submission 2016

Note: Throughout this submission we will refer to Wind Powered Electrical Generation industrial developments as WindPEGs.

Biodiversity Assessment Addendum March 2016

Section	Page	Proponent Statement	Issue	Solution
4.4	26	*the rotor sweep area remains above the worst case tree height of 20 metres by 5m. It also remains above the line connecting the two highest points of the canopy by approximately three meters. As such, avifauna flying within the confines of the tree canopy are considered unlikely to be at risk of collision. Avifauna that fly above the canopy will be at an increased risk of collision*	 Figure 4-3 Site specific topographic analysis for turbine 96 6042 Final v2.2 26 ngh environmental WindPEGs with this configuration are totally unacceptable from a Biodiversity standpoint and will have devastating consequences for all bird and bat species found in the area. This proposed design in in Breech of the *Prevention of Cruelty to Animals Act* as it **FAILS TO TAKE REASONABLE CARE TO PREVENT AN ACT OF CURELTY, FAILS TO TAKE STEPS TO ALLEVIATE PAIN WHERE CRUELY IS BEING INFLICTED**. This is a **Criminal offence**. This submission will be referred to the RSPCA by the Yass Landscape Guardians.	**Total Project Refusal Also:** NSW Minimum Standard set for ALL WindPEGs **Minimum rotor sweep set at 50**

			The Proponent has not identified how this project will: • Engage with the RSPCA regarding regular monitoring of animal strikes; • Report all animal strikes; • Attend to wounded animals; • Shut down WindPEGs with high mortality rates due to animal strikes.	
4.5	27	*The Brown Treecreeper was observed in the area closest to turbine areas; however, the other species (Hooded Robin, Scarlet Robin and Flame Robin) were observed to be generally downslope of turbines in areas that would not be impacted by the development.* *Further, birds were not observed to fly within the impact area (i.e. rotor-swept area). They generally were observed lower in the landscape and within the height of the canopy. No direct impact is considered likely for these species, and a higher*	The Hooded Robin, Scarlet Robin and Flame Robin are all vulnerable to threatened species. These species are known to migrate to the low lands during winter and commonly seen in the high country during summer. An observation that these species were observed downslope reflects a winter observation. It cannot be assumed that the birds will not migrate elevation and directly through the proposed BLADE STRIKE ZONE during shoulder seasons. To have recorded all three Robin Species at this site indicates a high degree of Biodiversity and ecological importance.	**Total Project Refusal**

		constraint level is not considered justifiable.		
4.7		**Wedge Tailed Eagle Ecology** *The site-specific collision risk at Rye Park is expected to be much lower than averages cited above. It has been possible to build upon lessons learnt elsewhere to reduce the risk of collision at Rye Park by minimising high risk turbine placements.*	The following article proves 2 things: a) Wedge tailed eagles (along with numerous other species) are prone to Blade Strike; b) There is insufficient information available to determine the risk. As per WindPEG's effects on human health their impact on animal health whilst significant is not fully understood and our knowledge is limited due to an inability to obtain reliable data from private WindPEG operators. Further the impact of this project on this species ignores the cumulative impact of other approved "like" projects such as Conroys Gap and Yass Valley WindPEGs in the Yass region on regional raptor populations. **As per Human Health the precautionary principal should be applied and this project should be refused.** **Broad scale and domestic Solar projects with minimal environmental footprints should be supported by both State and Federal Governments as legitimate renewal energy alternatives.** *Wind-farms and collisions* *It is unfortunate that data on bird strikes with wind farms are only publicly available from the Tasmanian wind farms. With no other data available, the list of bird and bat species recorded (Table 1) as colliding with the Woolnorth Holdings two wind farms in north-west Tasmania was used to investigate the potential overlap between species observations and operating and proposed wind-farms nationally. Note: The list of affected species in Table 1 does not*	**Total Project Refusal**

currently include introduced species. This list is approximately 20% of all species observed with the area (see Hull, submitted).

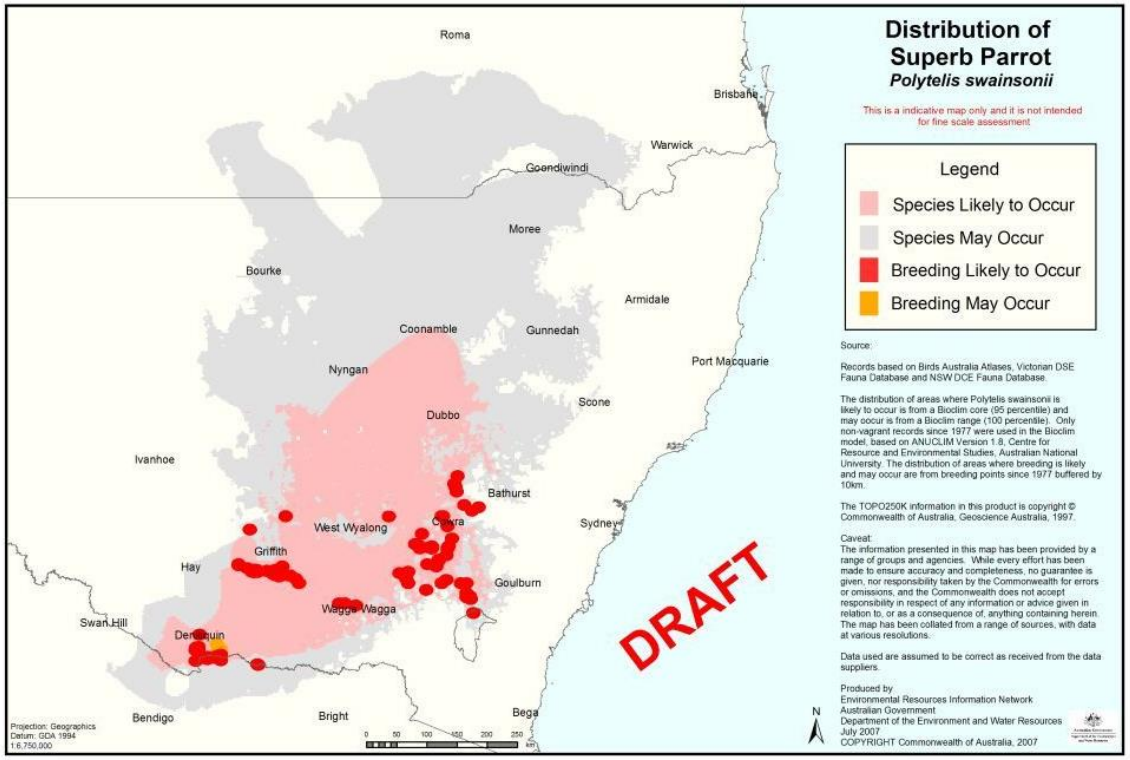
If a species assemblage that appears to be vulnerable from Tasmanian data also occurs widely on the mainland, then without additional strike data, we can only hypothesize that this assemblage would be also be vulnerable at mainland wind-farms in areas of similar observational density. Note that the Tasmanian Wedge-tailed Eagle is a subspecies, so inference about other Wedge-tailed Eagle subspecies on the mainland is not proven.

Birds	
Australasian gannet	*Morus serrator*
Australian pelican	*Pelecanus conspicillatus*
Black currawong	*Strepera fuliginosa*
Blue-winged parrot	*Neophema chrysostoma*
Brown falcon	*Falco berigora*
Brush bronze-wing	*Phaps elegans*
Common diving petrel	*Pelecanoides urinatrix*
Flame robin	*Petroica phoenicea*

			Forest raven	*Corvus tasmanicus*	
			Green rosella	*Platycercus caledonicus*	
			Grey-backed storm-petrel	*Oceanites nereis*	
			Ground parrot	*Pezoporus wallicus*	
			Short-tailed shearwater	*Puffinus tenuirostris*	
			Silver gull	*Chroicocephalus novaehollandiae*	
			Silvereye	*Zosterops lateralis*	
			Swamp harrier	*Circus approximans*	
			Tasmanian Wedge-tailed eagle	*Aquila audax fleavi*	
			White-bellied sea-eagle	*Haliaeetus leucogaster*	
			White-faced storm-petrel	*Pelagodroma marina*	
			White-throated needle-tail	*Hirundapus caudacutus*	
			Bat		
			Gould's wattled bat	*Chalinolobus gouldii*	

			Table 1. The assemblage of bird and bat species reported to have struck by the Woolnorth Holding's wind-farm in northwest Tasmania. Source: Eric Woehler and Lee Belbin (Atlus of Living Australia) http://www.ala.org.au/faq/spatial-portal/spatial-portal-case-studies/wind-wind-farms-birds-and-bats/	
5.1	36	*"lower rotor sweep which increases the collision risks for low flying species."*	The proposed turbines with rotors extending from 27 m agl to 157 m agl will be a biodiversity disaster and a massacre of bird and bat species both endangered and protected.	**Total Project Refusal Also:** NSW Minimum Standard set for ALL WindPEGs **Minimum rotor sweep set at 50 metres agl.**
5.2	36-37	Project Impact New Tracks 103 km Transmission lines in Woodland and Forest 13 km Line tracks 18.6 km	Requires **194 ha of cleared Woodland and Forest** Much of this woodland is Box Red Gum EEC. The proposed clearing is totally inconsistent with the Swift Parrots Threat Abatement and Recovery Proposed Action 2d "*Management and protection of habitat with on ground actions in relevant catchments throughout the range of the species.*"	**Total Project Refusal**
5.2.1	42	"*The preferred project would remove up to 240.8 hectares*	The Box Gum Woodland and Derived Native Grasslands is an EEC because it is Critically Endangered!	**Total Project Refusal**

		of native vegetation including 50.2 …..Box Gum Woodland and derived grassland, and endangered ecological community …"	Clearing on such a scale cannot be endorsed by the NSW Government. A solar farm would never entertain such a proposition. Any other rural land user in NSW would be condemned for such a proposition. Further this ignores the cumulative Clearing Effect of other approved "like" projects such as Conroys Gap and Yass Valley WindPEGs.	
5.4.1	44	Re: Superb Parrot, Regent Honeyeater and Painted Honeyeater "*the conclusion of a non-significant impact is still considered relevant to the preferred project design…*"	The Proponent proposes to clear 240 hectares of native vegetation including EEC and lower the blade height to 27 meters, less than 10 metres above tree height and yet still insists the impact will be NON-SIGNIFICANT, this proposition beggars believe. **No person of sane judgement could accept this position.** The National Recovery Plan for the Superb Parrot states that: *Over 90% of the NSW South Western Slopes bioregion has been cleared (Benson 1999), and the White Box-Yellow Box-Blakely's Red Gum woodland is now listed as an Endangered Ecological Community (NPWS 2002b). Remaining habitat now largely exists only along roadsides and in small, scattered remnant patches on private land. Clearing of box-gum woodland foraging habitat has been followed by the abandonment of nearby traditional breeding areas* The Rye Park WindPEG project extends over a critical area of the Superb Parrot's known breeding area in the south west slopes.	**Total Project Refusal**

			 This WindPEG Project represents an **unacceptable risk** to: 1. Threatened species; 2. EEC's; 3. Other protected native birds and bats.	
5.4.3	45	Eastern Bentwing-bat & Yellow-bellied Sheathtail bat "*..number of hollow-bearing trees to be removed that were assessed as potentially suitable*	Whilst hollow bearing trees are significant habitat for all forms of birds, bats, reptiles and animals they are not the only bat habitat, nor the greatest risk to bats from this project. Bats live in any nook or cranny, from under loose tree back to raincoats on the veranda! The greatest risk to bats is reducing the Blade rotation to 27 metres above ground level, and less than 10 metres above tree height. Blades are now directly in the bat forage zone and significant losses of these species is likely.	**Total Project Refusal Also:** NSW Minimum Standard set for

		for this species has also been reduces …" "*no additional mitigation is considered to be warranted*"		ALL WindPEGs **Minimum rotor sweep set at 50 metres agl.**
5.6.1	48-49	The Proponent list 7 common native species that "*In accounting for impacts from the revised range of possible turbine dimensions, these species are also now considered at risk of collision during operation….*" "*All these species are common species which were also observed flying at lower elevations."*	The Proponents inference is that because these species are "common", there likely death by Blade Strike is OK. My understanding is that it is Illegal to kill native birds in NSW; and a Breech of the *Prevention of Cruelty to Animals Act*. The Proponents attitude is that the death of common native species if of little consequence. This Proponent has **NO SOCIAL LICENCE**. The NSW Department of Planning needs **to STEP UP** here, this position is totally unacceptable; any other rural landowner would end up in goal for the same illegal activity.	**Total Project Refusal**
5.6.1	49	**Superb Parrot** "*With the revised turbine RSA there may be a moderate increase in collision risk for individuals….."*	This conclusion is totally flawed and contrary to our first hand observations of these species. NB. **We are talking about Blades less than 10 metres above tree canopy.** Our observations are that Superb parrots when moving from tree to tree fly in or above canopy height. However Superb parrots flying from feeding ground to feeding ground fly at 10 to 20 metres above tree height and move at "*breakneck*" speed.	**Total Project Refusal**

		"*The revised design is unlikely to result in a significant impact to the Superb Parrot*."	This flying elevation and "*breakneck*" speed is likely to result in unacceptable mortality to this Vulnerable species.	
5.6.1	49	**Powerful Owl and Barking Owl** "*Given that the owls favour woodland/forest edges and interior for foraging, changes to the RSA would not create a collision risk for these species*."	The Proponents assumption is totally inconsistent with fact: *"Powerful Owls are known to disperse up to 18 km,* ***including across sparsely wooded areas*** *(Higgins 1999; Cooke & Hogan 2008* NSW Scientific Committee September 2008 Turbines at 27 metres above ground will have a "*meat grinder*" effect on these species.	**Total Project Refusal**
5.6.1	50	**Swift Parrot** "*The project area is not considered to support important foraging habitat for the Swift Parrot; this species was not observed during targeted surveys*."	The Proponents statement is not supported by the Threatened Species Profile and Threats Database: "*In New South Wales, a number of ecological communities that provide habitat for the Swift Parrot have been listed as Endangered under the New South Wales Threatened Species Conservation Act 1995, including: White Box-Yellow Box-Blakely's Red Gum woodland on the New South Wales tablelands and western slopes;….*" **The Proponent proposes to Destroy 50 hectares of this Critical Habitat.** "*Because of their mobility, Swift Parrots have been recorded from hundreds of locations. These vary depending on the flowering of eucalypts and availability of other food resources such as lerp (eg. Blakers et al. 1984; Barrett et al. 2003; C. Tzaros June 2005, pers comm.).*" It is not surprising that the Proponent failed to sight the highly mobile species during their very limited ground surveys. **The fact remains that the whole WindPEG site is central to the Swift Parrots Winter habitat and that the site also contains recognised habitat of Box-Gum EEC.**	**Total Project Refusal**
5.7.1	51-53	**Southern Pygmy Perch** "*The main risks to the Southern Pygmy Perch from the*	The Proponents position is equivalent to saying: "**Trust Me - No Worries Mate**". **The Proponent has not:**	**Total Project Refusal**

		project …….sedimentation and/or pollution downstream from the work areas." "Recommendations have been included in Section 6 of this addendum….."	1) Committed to any recognised Code of Practice i.e. "A Resource Guide to Local Councils Erosion and Sediment Control"; 2) Not committed to Third party Environmental monitoring and auditing; 3) Has not committed to achieving their own Environmental Certification; 4) Not commenced Baseline Steam and Water Quality Monitoring; 5) Not committed to Baseline fish and frog species monitoring; 6) Not articulated how environmental breaches will be addressed.	
6.1	56	"The CEMP for the project would contain: a) Strict sediment and erosion …. b) Detailed strategies….."		