



Prosperity for every piece

SUBMISSION RE EIS ENERGYCONNECT (NSW – WESTERN SECTION)

PROCEDURAL IRREGULARITIES

SUBMISSION FROM: restofnsw inc.
PO Box 448 Wentworth NSW 2648 by Bob Wheeldon Chair

PROPOSAL:
EnergyConnect (NSW - Western Section)
Application # SSI-10040
Object to the proposal for reasons in following pages

INADEQUATE PERIOD OF EXHIBITION

The exhibition period is too short to allow for a proper public exhibition for the following reasons:

- The EIS is 356 pages which no ordinary person with some responsibilities could digest and respond to in this period – a full-time development assessment professional would require longer than this to consider and members of the public cannot be reasonably expected to digest and respond more quickly than a full-time development assessment professional
- The EIS contains 13 Technical Papers, over a thousand pages in total – again no ordinary person with some responsibilities could digest and respond to in this period – a full-time development assessment professional would require longer than this to consider and members of the public cannot be reasonably expected to digest and respond more quickly than a full-time development assessment professional
- The EIS area covers hundreds of kilometres during a period when Covid has either restricted or made travel in the area impossible (eg. Vic or SA residents who own property in NSW)
- Covid has caused numerous other disruptions to business and normal life such that people have prioritized essential items rather than responding to EIS documents – more time should be provided in a Covid period as the Department has made numerous other temporary adjustments for Covid
- The exhibition period has covered the whole of the main grain harvest period when many of the impacted landholders are personally involved for extended hours in the grain harvest and can not be reasonably expected to respond to an EIS in this period

RUSHED PROJECT AND EIS

The Project is being rushed with the Timeline in the EIS stating earthworks will commence in Q3 2021 even though the extent of the precise development area is yet to be determined and the EIS process has just commenced.

Given the full Energy Connect Proposal has yet to be specified it is impossible for a proper EIS to be conducted to analyse the Proposal. Transgrid is trying to develop the specifics of the Proposal while conducting an EIS simultaneously so as not to lose time. The EIS needs to assess the exact development in the exact location and not an indicative proposal in an indicative area.

The EIS is a public relations document rather than a rigorous environmental study.

The EIS states that the first stage of the works will include “enabling works [including].....biodiversity and heritage investigations”. Biodiversity and heritage investigations should occur before and not after the Proposal is considered by the Department.

The EIS states that the “final easement for the transmission line along this section would be determined during detailed design”. This shows the detailed design,

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easement location and associated environmental impacts are yet to be determined and cannot yet be assessed.

The EIS states that “some access tracks, and an additional main construction compound and accommodation camp site may be required and could be located outside of the study area”. Again the EIS is meant to assess the whole Proposal and only parts of the Proposal have been finalized in indicative detail. The EIS suggests separate assessments and / or approvals will be obtained later but that goes against the essence of the totality of the major project being assessed for all its impacts.

Numerous parts of the EIS are compromised by the fact that the proposal is not finalized and the EIS is premature.

For example the Biodiversity Credit Section of the Report states “The final obligation would be confirmed as the design of the proposal is further refined and the disturbance area is confirmed”.

Further the EIS states:

“uncertainty around the extent and number of protected matters [species] that may be impacted will need to be resolved through the assessment process once final alignment and construction plans have been completed”.

Finally, the EIS states that:

“Assessments have been based on the **current indicative design and construction methodology for the proposal, and some uncertainties remain**”.

The immediately above statement sums up the rushed nature of the EIS where Transgrid don't want to wait to finalise the proposal and want the EIS to assess the “indicative proposal and construction methodology” rather than the real proposal, which is still being finalised. Such an approach cannot properly allow all the Proposal impacts to be considered by the EIS or Department.

NEED FOR A PUBLIC HEARING

Public hearings have been provided for Proposals of similar scale and impact and should be provided for here.

EIS ASSESSMENT IN A PERIOD OF SEVERE DROUGHT

A significant amount of the EIS work was undertaken in a period of very severe drought with very little groundcover. The limited EIS vegetation samples were not representative of the flora present because they followed a three-year period of severe drought.

The EIS states:

“Severe drought has been noted to be heavily influencing large areas of the proposal study area”.

NSW Government LLS suspends assessment of groundcover in drought periods and a correct analysis of flora and fauna cannot be undertaken during one of one of the worst droughts in living memory. Recent rains mean the local environment can now be accurately assessed but this was not possible earlier.

EIS BASED ON INACCURATE DATA AND FUNDAMENTAL ERRORS

At the scale of the Western Division the NSW Government mapping of overlays such as flooding, biodiversity, wetlands and related matters are not accurate enough to be used for development assessment. This is recognized in the disclaimers to the source documents. In Sydney where there is extensive data and ground truthing the system works OK but in the Western Division the data is not accurate.

The Western Division of NSW is approximately 35 million hectares in size and most of this land has not been studied at a property specific level. Satellite data can be indicative but it is not a proper basis for the property specific decisions required by the planning system. For example a satellite image does not provide an accurate assessment of the flora and fauna of an area or the condition of the vegetation.

In the case of EnergyConnect the EIS has relied on a very small number of site vegetation surveys and mapping of cultural sites when detailed data simply does not exist.

There were only 86 very small survey plots over a proposal area hundreds of kilometres long.

The EIS states:

“Given the relatively homogenous broad condition states for vegetation types over the four IBRA sub regions, plots have been used for multiple IBRA sub regions rather than individual sampling for each sub region”.

By simply making this unsupported assumption the EIS has significantly reduced vegetation sampling required. The consequence is the extremely inaccurate and misleading conclusion in Section 9.3.2 of the EIS.

A key statement in the EIS at Section 9.3.2 states:

“Much of the remaining mallee areas are comprised of younger whipstick mallee that has regrown following previous clearing for agriculture. The effects of semi-regular clearing combined with grazing (sometimes in drought conditions) has resulted in an overall landscape that while mostly comprised of native vegetation is not high quality undisturbed native vegetation or habitat”.

This statement is:

- **False and misleading – the overwhelming majority of the study area has never been cleared let alone cleared on a semi-regular basis. Mallee is very difficult and expensive to clear and would not be cleared illegally for no economic purpose. It suggests grazing**

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impacts mallee vegetation whereas sheep and cattle do not consume mallee.

- **Evidence free – no evidence is provided in the EIS to support the statement**

The EIS claim that the “native vegetation is not high quality undisturbed native vegetation or habitat” is highly misleading and requires thorough investigation. This statement is repeated a number of times in the EIS even though it is unsupported by evidence.

Tier 1, 2 and 3 constraints have also been incorrectly assessed including private conservation areas and horticultural land being incorrectly mapped.

It is expected that the proposal would be staged as follows:

- > enabling works as follows
 - site establishment and operation of the main construction compound and camp sites at Anabranch South and Buronga
 - site establishment and bulk earthworks at the Buronga substation upgrade and expansion site
 - biodiversity and heritage investigations
 - any other activities described in Section 6.6.1 that are of low impact (refer to Section 23.1).

.. . . .

220kV transmission line easement between Buronga substation and NSW/Victoria border

The existing transmission line is located within a 50-metre-wide easement. The existing easement is expected to be widened by up to 25 metres to allow for the new transmission line to be positioned beside the existing line, resulting in an easement of 75 metres in width until the existing line is decommissioned and removed. Once the existing line has been removed, the easement would be reduced to 50 metres with part of the existing easement area returned to the landholder.

As with the existing easement, the new easement would continue to provide a right of access to construct, maintain and operate this section of the transmission line and other operational assets associated with the line (such as the transmission line towers and conductors). The easement would also ensure safe electrical clearances during the operation of the lines.

For the section of transmission line that would run parallel to the existing 0X5/3 and 0X1 transmission lines, this easement would be widened to the south of the existing easement. Where the transmission line diverges towards the NSW/Victoria, it is anticipated that the easement would be widened to the east of the existing easement for the existing 0X1 line. The final easement for the transmission line along this section would be determined during detailed design.

5.5.3 Operational access requirements

Access to the proposed easement for operational purposes would preferentially use existing public and private roads and tracks, although access tracks created for construction may be retained during operation of the proposal to provide safe access (refer to Section 6.6.3). Access easements may be required to provide TransGrid with access from the nearest public road to the easement. These access easements would be negotiated with landholders as necessary. TransGrid may install locked and signed access gates to enable access to the easement should a landholder not have a suitable existing gate nearby.

Reference	Mitigation measures	Timing	Application location(s)
LP2	<p>Transmission line structures (and associated permanent structures or construction compounds) will be <u>located where possible to avoid or minimise impacts, or as agreed with the affected landholder,</u> on:</p> <ul style="list-style-type: none"> > cropping and irrigated horticultural land > areas used for set up and pack up of agricultural equipment, entry points and turning areas > radiocommunication sensitive areas > drainage catchments for farm dams > locations of high biosecurity risk. 	Detailed design	All locations
LP3	<p><u>Final transmission line easement will be located parallel with existing transmission lines or road corridors or along property boundaries, where possible, to reduce potential fragmentation of properties and disturbance to existing land uses.</u></p>	Detailed design	All locations
LP4	<p>To minimise disruption to agricultural activities:</p> <ul style="list-style-type: none"> > landholders will be consulted regarding any required adjustments to property infrastructure (fences, access tracks, etc) and the proposed timing and location of construction works, especially where some restriction on vehicular or stock movements will be necessary 	Pre-construction and construction	All locations

Some access tracks, and an additional main construction compound and accommodation camp site may be required and could be located outside the proposal study area. These sites would be selected within areas of low environmental constraint, and would be subject to additional assessments.

The final design would be reviewed for consistency with the assessment contained in this EIS, including any mitigation measures, and any conditions of approval. If design refinements are not consistent with any approval from the Minister for Planning and Public Spaces, approval would be sought from the Minister for any such modifications in accordance with the requirements of Division 5.2 of the EP&A Act.

This proposal is an essential component of EnergyConnect, which would enhance the energy transmission link between SA, NSW and Victorian transmission networks, as it would:

- > complete the missing transmission link between SA and NSW
- > enhance the capacity of the network to provide electricity between NSW and Victoria
- > enable the development of solar generation around Red Cliffs Terminal Station, and the export of this power to SA and NSW via EnergyConnect.

EnergyConnect would provide for greater electricity transmission and energy security between the states and facilitate the incorporation of low carbon energy generation into the NEM. This would facilitate lower energy costs for consumers.

Not proceeding with the proposal would reduce the security of the electricity supply in SA and NSW, particularly as coal-fired generators commence retirement. It would also discourage investment in energy generation and storage within REZs the Murray River, Riverland and South West NSW REZs. The provision of appropriate infrastructure to these zones is required to allow the adoption of new renewable technologies in the future, which is required to support the delivery of commitments and policies at a State, Federal and international level.

The proposal has been designed, to the greatest extent possible, to avoid and minimise impacts, and to respond to the issues raised by the community and stakeholders. The detailed design and construction methodology for the proposal would be further developed with the objective of further avoiding and minimising potential impacts on the local and regional environment, and the local community.

Assessments have been based on the current indicative design and construction methodology for the proposal, and some uncertainties remain. At this stage of assessment, a reasonable worst case assessment has been carried out which indicates that no unacceptable impacts are anticipated, and that despite efforts to avoid and minimise impacts through design, some residual impacts would remain. These would be addressed through the implementation of the proposed mitigation measures, and the potential residual impacts are considered manageable.

Overall, the proposal is a critical component in delivering long term benefits to SA and NSW electricity consumers, providing security to the NEM and facilitating the transition to a lower carbon emissions future. On balancing the strategic need and benefits of the proposal with the residual impacts, the proposal is justified.

7.1.1.5 Ongoing Surveys

Surveys were commenced by Jacobs in 2018 and followed on by WSP from 2019. WSP is continuing to undertake vegetation community and targeted threatened species surveys in 2020. These surveys are developing a baseline dataset of confirmed PCTs and important habitat to inform proposal scoping and design.

The surveys are finding that the vegetation condition generally ranges from medium to high within areas of conservation reserves or larger areas of intact remnant vegetation outside of reserves. Remaining areas comprise of low value vegetation within cleared agricultural land-use areas and heavily grazed land where cover and diversity of plants is lower. Severe drought has been noted to be heavily influencing large areas of the proposal study area.

Important habitat values and notable features have been identified and include:

- > Old growth mallee and intact mallee habitats, predominantly along the western portion of the NSW alignment, near the SA border. Although there was evidence of some grazing within the understorey at sites assessed, these habitats take many years to develop, and within adjacent habitat in SA they are characterised as critical habitat for the EPBC listed Black-eared Miner. Old growth continuous mallee also represents important habitat for a number of other conservation significant species.
- > The Darling River and Darling Anabranch crossings, and associated riparian habitat, represent important habitat features in the proposal study area. Parts of the riparian floodplain have been subjected to heavy grazing impacts and were suffering from impacts as a result of drought conditions following the time of the survey, but these areas still reflect ecotonal transitions in habitat across the landscape, and therefore are likely to support elevated biodiversity.

Vegetation integrity plots used for BAM calculations rely on a combination of plots collected by WSP (2020) and Jacobs (2019).

Vegetation integrity plots used for BAM calculations for each IBRA subregion have been sampled within the broader proposal study area. Given the relatively homogenous broad condition states for vegetation types over the four IBRA subregions, plots have been used for multiple IBRA subregions rather than individual sampling for each subregion.

3.6.5 VEGETATION INTEGRITY PLOT SURVEY EFFORT

A total of 86 vegetation integrity plots were sampled using the method contained in the BAM and as described in section 3.6.4. The minimum number of vegetation integrity plots required per vegetation zone is presented in Table 3.9 with plot locations details outlined in Appendix A-1 and Appendix A-4. Full vegetation integrity plot data is presented in Appendix C-3.

Table 3.9 Minimum number of vegetation integrity plots required per vegetation zone area

VEGETATION ZONE	INDICATIVE DISTURBANCE AREA (HA) ¹	MINIMUM PLOTS REQUIRED	PLOTS COMPLETED
Arid Shrublands (Acacia sub-formation)			
PCT 139 – Prickly Wattle tall open shrubland of dunes and sandplains of semi-arid and arid regions (modified)	2.05	2	Q79, Q80
PCT 143 – Narrow-leaved Hopbush – Scrub Turpentine – Senna shrubland on semi-arid and arid sandplains and dunes (modified)	0.99	1	Q100
Arid Shrublands (Chenopod sub-formation)			
PCT 153 – Black Bluebush low open shrubland of the alluvial plains and sandplains of the arid and semi-arid zones (modified)	62.73	5	Q54, Q55, Q76, Q78, Q87, Q88
	0.99		

dry areas

Arid Shrublands (Chenopod sub-formation)				
PCT 153 – Black Bluebush low open shrubland of the alluvial plains and sandplains of the arid and semi-arid zones (modified)	62.73	5	Q54, Q55, Q76, Q78, Q87, Q88	
PCT 154 – Pearl Bluebush low open shrubland of the arid and semi-arid plains (modified)	9.88	3	Q47, Q53, Q67	
PCT216 – Black Roly Poly low open shrubland of the Riverina Bioregion and Murray Darling Depression Bioregion (modified)	0.54	1	Q31	
Forested Wetlands				
PCT11 – River Red Gum – Lignum very tall open forest or woodland wetland on floodplains of semi-arid (warm) climate zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion) (modified)	1.58	1	Q34, Q83	
Freshwater Wetlands				
PCT17 – Lignum shrubland wetland of the semi-arid (warm) plains (mainly Riverina Bioregion and Murray Darling Depression Bioregion) (modified)	0.04	1	Q33	
Saline Wetlands				
PCT 63 – Spiny Lignum – Slender Glasswort open forland saline wetland on lake edges in the semi-arid and arid climate zones (modified)	0.30	1	Q39, Q86	
PCT 166 – Disturbed annual saltbush forland on clay plains and inundation zones mainly of south-western NSW (modified)	2.53	2	Q81, Q82	

dry area

NATIVE VEGETATION TYPES	VEGETATION ZONE	THREATENED ECOLOGICAL COMMUNITY	CURRENT VEGETATION INTEGRITY	VEGETATION INTEGRITY LOSS	AREA (HA)	BIODIVERSITY RISK WEIGHTING	ECOSYSTEM CREDITS
PCT 170 – Chenopod sandplain mallee woodland/shrubland of the arid and semi-arid (warm) zones	modified 'bull' – disturbance area-A	not a TEC	66.5	-66.5	9.85	1.5	246
	modified 'bull' – disturbance area-B	not a TEC	66.5	-27.4	18.17	1.5	187
	modified 'whipstick' – disturbance area-A	not a TEC	58.6	-58.6	45.43	1.5	999
	modified 'whipstick' – disturbance area-B	not a TEC	58.6	-20.7	87.56	1.5	681
PCT 171 – Spinifex linear dune mallee mainly of the Murray Darling Depression Bioregion	derived – disturbance area-A	not a TEC	2.6	-2.6	34.53	1.5	0
	modified 'bull' – permanent	not a TEC	66.4	-66.4	1.82	1.5	45
	modified 'bull' – maintenance	not a TEC	66.4	-24.1	4.53	1.5	41
	modified 'whipstick' – permanent	not a TEC	73.4	-73.4	16.64	1.5	458
PCT 172 – Deep sand mallee of irregular dunefields of the semi-arid (warm) zone	modified 'whipstick' – maintenance	not a TEC	73.4	-28.1	32.48	1.5	342
	modified 'whipstick' – disturbance area-A	not a TEC	61.9	-61.9	8.69	1.5	202
	modified 'whipstick' – disturbance area-B	not a TEC	61.9	-18.9	19.48	1.5	138

3.6.4 VEGETATION INTEGRITY PLOTS METHOD

Vegetation integrity plots were completed in accordance with BAM. A schematic diagram illustrating the layout of each vegetation integrity plot is provided in Figure 3.1.

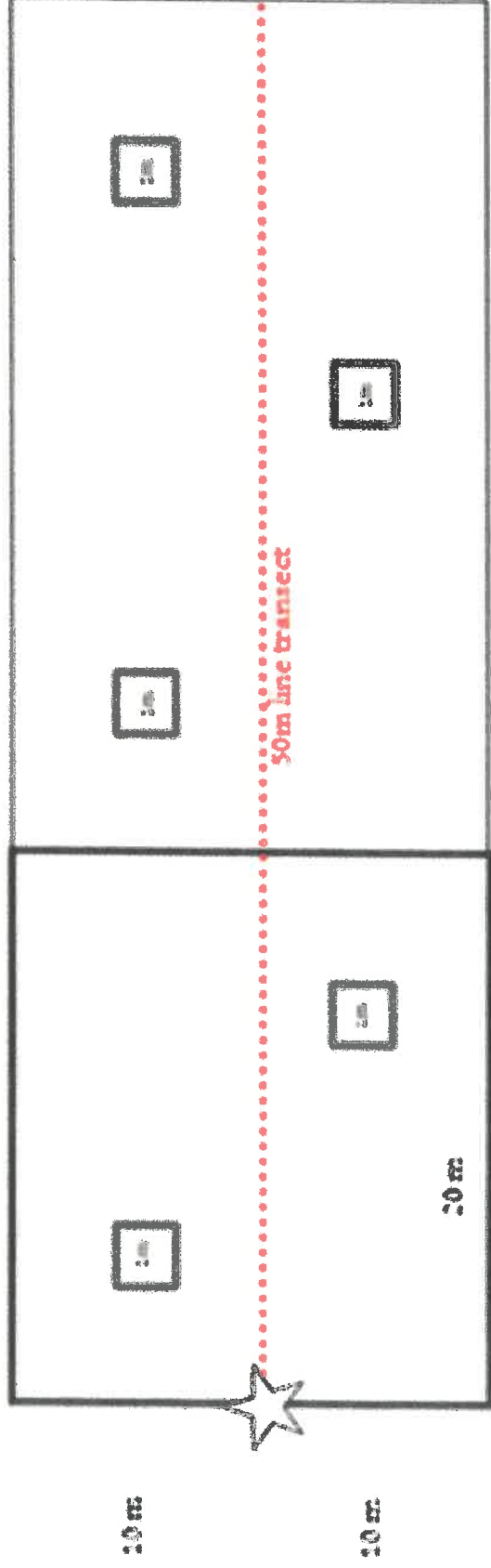


Figure 3.1 Vegetation integrity plot layout

The following site attributes were recorded at each vegetation integrity plot location:

- **location:** (easting – northing grid type MGA 94, Zone 56)
- **vegetation structure and dominant species and vegetation condition:** Vegetation structure was recorded through estimates of percentage foliage cover, average height and height range for each vegetation layer
- **native and exotic species richness** (within a 400-metre squared quadrat): This consisted of recording all species by systematically walking through each 20 metre x 20 metre plot. The cover and abundance (percentage of area of quadrat covered) of each species was estimated. The growth form, stratum/layer and whether each species was native/exotic/high threat weed was also recorded
- **number of trees with hollows** (1000 metre squared quadrat): This was the frequency of hollows within living and dead trees within each 50 metre x 20 metre plot. A hollow was only recorded if (a) the entrance could be seen:

9.3.2 Native and exotic vegetation

The proposal study area predominately comprises of native vegetation, with limited scattered areas considered to be cleared of native vegetation (for the purposes of LLS Act), and therefore being excluded from the BAM. Large areas within the proposal study area are used for grazing, but comprise of derived native vegetation that exceeds 50 per cent native cover. As such, these areas have been assessed as native vegetation, along with other sensitive regulated land (such as land covered by Property Vegetation Plans).

Broadly, the proposal study area has been subject to ongoing historical agricultural use, primarily for grazing. Much of the remaining mallee areas are comprised of younger whipstick mallee that has regrown following previous clearing for agriculture. The effects of semi-regular clearing combined with grazing (sometimes in drought conditions) has resulted in an overall landscape that while mostly comprised of native vegetation is not high quality undisturbed native vegetation or habitat.



Handwritten: *Overall*

Broadly, the proposal study area has been subject to ongoing historical agricultural use, primarily for grazing. Much of the remaining mallee areas are comprised of younger whipstick mallee that has regrown following previous clearing for agriculture. The effects of semi-regular clearing combined with grazing (sometimes in drought conditions) has resulted in an overall landscape that while mostly comprised of native vegetation is not high quality undisturbed native vegetation or habitat.

Twenty plant community types (PCTs) were identified in the proposal study area. Two of these PCTs (PCT19 and PCT21) meet the criteria of one threatened ecological community, being Sandhill Pine Woodland in the Riverina, Murray-Darling Depression and NSW South Western Slopes bioregions (Sandhill Pine Woodland). This community is listed as an endangered ecological community (EEC) under the BC Act. The PCTs found within the proposal study area do not correspond to any EPBC Act listed threatened ecological communities.

Further detail on the native vegetation is presented in Technical paper 1. A full set of detailed PCT maps within the proposal study area refer to Appendix A-4 of Technical paper 1.

Two of the exotic flora species recorded within the proposal study area during field surveys were *Lycium ferocissimum* (African boxthorn) and *Opuntia* species (Prickly pear – *Opuntia*). These weeds are listed under the BC Act as priority weeds for the Western region (Department of Planning, Industry and Environment, 2020) and Weeds of National Significance (WONS) (Australian Weeds Committee, 2020). A number of other weeds were recorded during field surveys, including as *Asphodelus fistulosus* (Onion Weed), *Emex australis* (Spiny Emex), *Marrubium vulgare* (Horehound), *Nicotiana glauca* (Tree Tobacco), *Onopordum acaulon* (Stemless Thistle), *Tribulus terrestris* (Cat-head) and *Xanthium occidentale* (Noogoora Burr).

Issue

Potential impacts

Biodiversity

The proposal has been developed to avoid and minimise impacts to biodiversity values, and further opportunities to minimise impacts would be achieved during detailed design.

However, based on the conservative indicative disturbance area, the proposal would directly impact 20 native vegetation Plant Community Types (PCTs) and one endangered ecological community (EEC) listed under the (NSW) *Biodiversity Conservation Act 2016* due to the impacts on 607 hectares of native vegetation (of which 293 hectares would not be completely cleared). The clearing of native vegetation would also result in direct impacts to 59 threatened species or their habitats. Ongoing historical agricultural use (primarily grazing) and the effects of semi-regular clearing combined with this grazing (sometimes in drought conditions) has resulted in an overall landscape that while is mostly comprised of native vegetation is not high quality undisturbed native vegetation or habitat. This includes the 14 hectares of the Sandhill Pine Woodland in the Riverina, Murray-Darling Depression and NSW South Western Slopes bioregions EEC that would be directly impacted by the proposal. Opportunities to further reduce the impacts to native vegetation will be considered during detailed design. This would include the selection of the final transmission tower structure locations and access tracks.

Other minor impacts associated with other biodiversity impacts are expected (such as impacts to connectivity, water quality and bird strike). Indirect impacts are considered unlikely given the retention of vegetation (up to two metres in height) within the