

ISSUE: DEVELOPMENT THREAT TO HABITATS OF CRAWNEY PASS NATIONAL PARK AND BEN HALLS GAP NATURE RESERVE

This proposed wind farm's development footprint would sit right on the boundaries of the Crawney Pass National Park and the Ben Halls Gap Nature Reserve as well as the Ben Halls Gap State Forest. Such contiguous proximity to these areas, which form part of the connectivity corridor for threatened animal species, cannot be allowed to occur. The sections below outline the reasons for desperate need to protect and conserve this habitat and reject this Project development.

Crawney Pass National Park

I draw your urgent attention to the the Crawney Pass National Park Community Conservation Area Zone 1 Plan of Management (found at environment.nsw.gov.au). This Plan was adopted by the Minister for Environment on 8/08/2019. Its adoption by the Minister should make it untenable for any Government to support the proposal for 70 wind turbines that would be located on the Park's boundary. The Crawney Pass NP is well within the 1500m buffer zone around all parts of the Development Footprint under the Biodiversity Study Area (see section 9.2.1 page 143). There did not appear to be any mention or reference to the Crawney Pass National Park Conservation Area Zone 1 Plan of Management within the EIS.

Crawney Pass NP is a Zone 1 community conservation area reserved as a National Park under section 30E of the National Parks and Wildlife Act and as such it is managed to:

- conserve biodiversity, maintain ecosystem functions, protect geological and geomorphological features and natural phenomena and maintain natural landscapes.
- Protect the ecological integrity of one or more ecosystems for present and future generations

P 1: *"The park is part of a network of conservation reserves located on the Liverpool Range that includes Coolah Tops, Murrurundi Pass and Towarri National Parks and Ben Halls Gap, Cedar Brush, Wallabadah and Wingen Maid Nature Reserves."*

P 2: 1.2 Statement of Significance

"The park....protects the headwaters of the Isis and Peel rivers. The park is part of a regional corridor providing habitat connectivity along the Liverpool Range and is also located within the broader Great Eastern Ranges Initiative conservation corridor".

"The park protects 13 threatened native animal species and 3 plant species of conservation significance. Of particular significance is a population of Booroolong frog recorded in the park. This frog has experienced massive population declines in parts of its range and is now highly restricted within NSW."

P 5: Geology, Landscape and Hydrology:

“The main threat to soils is extreme rainfall events especially following an intense bushfire that removes vegetation. Major soil erosion may also lead to reduced water quality in the catchment. The protection of the water quality is also important to protect the Booroolong frogs that occur in the Park.”

The Crawney Pass NP Plan of Management (Page 8) tables 13 threatened native animals recorded in or within 2 kms of the park. The Booroolong frog (*Litoria booroolongensis*) is listed as Endangered both under NSW and National status.

I note that the distribution of the Booroolong Frog, recorded within 2 km of the Park, puts it and 12 other vulnerable animals wholly within the Development Footprint for the proposed wind farms.

This information alone should see the immediate cessation of this Project, given the enormous and irreplaceable biodiversity impact.

Ben Halls Gap Nature Reserve

Ben Halls Gap National Park became a Nature Reserve in 2016. It is a 2500 ha reserve, located at the junction of the Liverpool and Mount Royal Ranges. It is under the responsibility of NSW National Parks and Wildlife Service and the Plan of Management signed off in 2002 applies.

Ben Halls Gap Nature Reserve is placed well within the 1500m buffer zone around all parts of the Development Footprint under the Biodiversity Study Area (see section 9.2.1 page 143). In fact **11 turbines** are situated right on the boundary of the Reserve (WP 31, 32, 33, 39, 40, 41,42,43,44,45,46) and another 8 are similarly situated on the boundary of the Ben Halls Gap State Forest (WP 46,47,48,49,50,51,52,53).

I draw your urgent attention to the the Ben Halls Gap National Park Plan of Management (found at environment.nsw.gov.au). This Plan was adopted by the Minister for Environment on 1/10/2002 and applies to the Reserve.

P 2, 2.1: Importance of Ben Halls Gap NP

“Ben Halls Gap is one of a series of conservation reserves and state forests located on the basalt cap of the Liverpool and Mount Royal Ranges”

“The park features an outstanding area of tall, high nutrient old growth eucalypt forest....Very little logging and grazing have occurred in the park and as a result it has high quality habitat and virtually no weeds.

*The mountain gum **Eucalyptus dalrympleana**/messmate **E. obliqua** association of the park is rare on an Australia-wide basis because of clearing, and is limited in extent in other conservation reserves. The **E. dalrympleana** trees in the park are probably the tallest in the State...*

Sphagnum moss moulds found in some areas of rainforest are significant. The sphagnum moss cool temperate rainforest community within the park has been listed as an endangered ecological community under Schedule 1 of the Threatened Species Conservation Act 1995 (TSC Act).

*Two other plant species listed on Schedule 2 of the TSC Act are found in the park (broad leaved pepperbush **Tasmannia purpurascens** and fragrant pepperbush **T.glaucifolia**) plus several other species with unusual distributions. “*

P4: “in 1991 the NSW National Trust listed the Park area as the “Ben Halls Gap old growth forest landscape conservation area” in recognition of its outstanding natural heritage features. The park is also listed on the register of the National Estate.”

P 5: 2.2 Summary of Significance

- *“...the park provides important habitat for several threatened native plant and animal species (broad –leaved pepperbush, fragrant pepperbush, powerful owl, tiger quoll, koala, great pipistrelle and olive whistler), the sphagnum moss cool temperate rainforest endangered ecological community and the rare skink **Lampropholis caligula**; it is a stronghold for the tiger quoll”*
- *“the park is located at the overlap of the distributions of many eastern and western bird species and has one of the highest recorded densities of the great glider”*

Apart from General Objectives for the Ben Halls Park NP there are a series of Specific Objectives that pertain to the conservation for the abovementioned ecological communities of flora and animals, the latter particularly native mammals and birds dependent upon tree hollows as their natural habitat.

The Proponent in the EIS has chosen to ignore the role and importance of the connectivity corridor to the safety and continuing numbers of animal life, and in particular of the threatened species. The linkage of parks and reserves that exists along the Liverpool Range and as part of the Great Eastern Initiative conservation corridor cannot be broken by a 513 ha Development Footprint in its midst without dire consequences to threatened ecological communities.

The disruption to these ecological communities will occur from massive construction, run off industrial waste from erosion into natural water flows, clearance of 100's of ha of timbered land between habitat corridors, severing of connectivity corridors for wildlife, loss

of tree hollows....the list can go on. The end result cannot be anything else than a permanent change and permanent loss of the ecosystem that supports threatened species and communities, with a high potential of extinctions.

The Proponents ultimate remedy on P 167 of the EIS is *“For residual impacts that cannot be avoided or fully mitigated, offsets will be required to ensure no net loss of biodiversity”*.

It is impossible by simply using the offsetting scheme to declare “no net loss of biodiversity”. This project cannot offset the impact of the destruction of the naturally vegetated, timbered and forested corridor that runs across the entire range including all of the proposed project area and development footprint.

I object to this Project based on its site location severing the connectivity corridor along the Liverpool Range and especially given the site is contiguous with the Crawney Pass National Park and the Ben Halls Gap Nature Reserves.

I object to this Project based on the certain threats to the identified rare and Significant status (under legislation), of the plant and animal species within the Crawney Pass National Park and the Ben Halls Gap Nature Reserve.

ISSUE: SITE CONCERNS

The surrounding communities are painfully aware that there has already been wholesale clearing of a large percentage of land on the ridgeline within the Development Footprint by a landowner, who signed up with the Proponent early in this process. It is understood that this land clearing has been underway for up to 8 years – the same time frame as the wind testing masts have been erected on such land. Such clearing has enabled the Proponent and this EIS to claim much of the land is “historically” cleared.

It is understood that investigations following complaints to GIPA (Government Information (Public Access) Act) of this clearing have discovered that the use of offsets has been the unsatisfactory response to vegetation habitat that has been altered irreparably. I have viewed photographs of this clearing after rain fall events this year, after 3 years of droughts, showing the devastating erosion channels of run off water as a result of the clearing.

This type of land dealing/clearing cannot be seen as following just legal processes and what does it say about faith in governmental process in general. By not approving this Project, the Government can cease the further wrongful clearing of land and natural habitat. Every day more land is potentially being cleared for a Project that has not been approved. We cannot get this habitat back but it can be stopped at this point.

The proposed location for the wind farm sits outside of the State Government Renewable Energy Zone (REZ) as stated on P 221. The EIS claims, *“The project is 60 kms SW of the*

indicative New England REZ...it is unlikely that the perceptions of the regions broad landscape character would be altered as a result of the Project”.

This is a completely unsubstantiated claim by the Proponent and the number of Submissions objecting to this Project will certainly give testament that a wind farm installation on the high ridgeline of the Great Dividing Range will absolutely negatively alter the character of the area.

This Project will be the highest structure in the Hunter Valley one turbine sitting at overall elevation height of 1635 m. The ridgeline itself, 1100-1400 m, with 230 m turbines on top of that would make this wind farm the highest man made or natural structure in the entire Hunter Valley – Brumlo Tops is 1586m. Of comparison, the tallest man made structure in the world is only 828 m.

If this Project is allowed to proceed it will be the highest and most visible wind farm in Australia. At the expense of what is currently the natural beauty of the Liverpool Ranges, an important natural environmental ecosystem for threatened communities of flora and fauna.

I would challenge anyone to honestly assert as the Proponent does that it is unlikely that perceptions of the *“regions broad landscape character would be altered as a result of the Project”*.

I object to this Project based on the unconscionable clearing of land that has occurred to date to enable this Project to get to its current stage. This should be further investigated and stopped immediately.

I object to this Project as an inappropriate site for a wind farm, whereby a turbine will stand at 1635 m elevation.

I object to this Project due to the negative impact it will render on the landscape character of the region

ISSUE: SUSTAINABLE DEVELOPMENT PRINCIPLES

The EIS uses the Environmental Planning and Assessment (EP & A) Regulation to define principles of ecologically sustainable development as it applies to this Project.

P 353 22.1

(a) “the precautionary principle – namely that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

- (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
- (ii) *as assessment of the risk-weighted consequences of various options,*

(b) ***“the inter- generational equity – namely, that the present generation should ensure that the **health**, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.”***

(c) ***“conservation of biological diversity and ecological integrity- namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration”***

The EIS responses to these principles cannot be said to meet the bar set. Under the Precautionary principle and Conservation of Biological Diversity and Ecological Integrity no amount of the Proponents strategies of mitigation or management can allay the certainty of the environmental degradation to identified threats to species of fauna and flora and their communities. The BDAR in Appendix D shows that this is the case. The Proponents ultimate remedy on P 167 of the EIS that *“For residual impacts that cannot be avoided or fully mitigated, offsets will be required to ensure no net loss of biodiversity”* is offensive as it already shows liability for irreversible damage being done to the environment.

I note that the Environment Minister, Sussan Ley, rejected a QLD wind farm on the grounds it would clear habitat important to vulnerable species, including the Koala and greater Glider. (see Decision relating to Lotus Creek Wind Farm (EPBC Act referral 2020/8627) The habitat under this Project development threatens koala, glider and their feed trees and refuge trees, amongst a host of other threatened communities outlined in the EIS, and as discussed above there has already been wholesale clearing of this same habitat, already gone for good. This is cannot be seen in any context as following conservation and ecological integrity.

The EIS response to the Inter-generational equity principle does not even attempt to answer its application to this Project. The attempt used is to compare apples with oranges by using the entire response on P 354 to compare wind farms with coal mines. This is not a discussion about the environmental merits of wind farms versus coal mines and this is just a diversional tactic on behalf of the Proponent.

Objections to this Project under the inter-generational equity principle are about the fact that once land of this high value habitat has been cleared and industrialised its health will be destroyed. The risks of erosion, construction waste, disturbance to 14 water courses, night lighting will all pose unacceptable threats to the diversity of its Significant flora and fauna, containing many threatened species – threats that may include extinction. Replanting grass at the end of the decommissioning of a wind farm is not maintaining its current status and certainly does not enhance it. Future generations will not experience this natural habitat and will wonder yet again what this current generation has done to their environment. This site is not acceptable and does not align with the sustainable development principles.

Again I note that Minister Sussan Ley considered, in her decision mentioned above, that the ***future value*** of the habitat as a refuge for threatened species was its quality and no amount of offsets could likely suffice.

I object to this Project based on its non-adherence to the sustainable development principles, as defined under the EP&A Regulation; in particular, to its lack of adherence to the Precautionary principle, Inter-generational Equity principle and the principle of Conservation of Biological Diversity and Ecological Integrity