Submission for Objection

INTRODUCTION

My home is located on the Crawney Road, alongside the Wombramurra Creek, 10km south of the village of Nundle and is represented in the EIS as a Non-Associated Dwelling (NAD) 34.

Over the last 14 years I have called Nundle home, raising my 2 children, aged 13 & 14 here, educating them through Nundle Pre-School, Nundle Primary School, Quirindi High School and McCarthy Catholic College High School. Like so many other friends and families we have watched our children grow within a cohesive community, surrounded by nature and the quiet space that we call Country.

I have always taken pride in my community and served the community when I could including volunteering for Events, serving as Vice President and President of the Nundle Business Tourism & Marketing Group (NBTMG), President of the Nundle Parents & Citizens Group, President of the Great Nundle Dog Race Committee, President of the Go For Gold Committee, Co-Ordinator for Hats Of To Country Festival Committee, Stakeholder for Tamworth Country Music Festival, Country Music Association of Australia (CMAA) 2017 Golden Guitar recipient and since April 2018, President of the Hills Of Gold Preservation Group.

I am writing this objection as a community member who has also served my Community on the Hills Of Gold Wind Farm, Community Consultation Committee.

My comments to be addressed by the proponent or to be noted by the DPIE will relate around the CCC meetings and the minutes, the lack of transparency in the proponent's community consultation & EIS and the misleading information provided by Wind Energy Partners Pty Ltd, Someva Renewables Pty Ltd, ERM and Engie Pty Ltd.

1. Boundaries & Agreements

CCC Minutes 12th June 2019: A concern was raised about how the company can do an EA if they don't have agreements in place, particularly if some agreements are being disputed and boundaries between the prominent host landholder property and Ben Halls Nature Reserve is in dispute and may change?

Finally, a member asked WEP if they were aware of a possible DA to build within the project area and the possibility of ten turbines being removed. Would this affect the project? JC noted that WEP was aware of the DA and would wait and see.

CCC Minutes 1st April 2020: In response to a series of questions from the members, Mike noted that the site boundary in red is based on the lot and deposited plan boundaries. 7 landowners have signed up to the proposal. There are Crown Roads unformed and formed around the site. To the south are unformed and to the north are formed Crown Roads. A community member explained that the watershed is the Aboriginal boundary which is the tip

and top of the ridge. Is the watershed affected? Will a survey be undertaken to determine legal boundaries? Fence lines don't always follow the correct survey. WEP will undertake surveys to finalised the boundary locations. WEP aren't worried about where fence lines are located but more so who owns the land.

CCC Minutes 6th May 2020 *Community member mentioned at the last meeting there was talk about the site layout and terms of boundaries and that Wind Energy Partners said they will be done after construction. Member expressed concern that the survey should be undertaken prior to the EIS and the DA being lodged – the community could be misled about the number of turbines. The member asked for the survey to be done before the EIS – see how many turbines are physically and legally possible. Jamie responded that WEP can't build turbines if the land doesn't belong to a landowner we have an agreement with. He assured the CCC that WEP can't put turbines where we don't have rights to. We don't have tenure, then we can't use the land, especially if we don't do a survey.*

Does the EIS confirm all agreements between boundary owners are complete?

Does the EIS confirm the correct boundaries between the majority landholder and Ben Halls Nature Reserve have been implemented and corrected by NSW National Parks & Wildlife?

Although the proponent notes they are not worried about the location of fence lines, only who owns the land, has correct ownership of land been established and correctly provided within the EIS?

Have all potential DA's for new houses approved on neighbouring properties been identified by the proponent in the EIS?

Will GPS co-ordinates provided within the EIS be peer reviewed against boundaries both disputed or incorrect to determine if Wind Turbines can be placed where listed in the EIS?

Are all neighbouring agreements and property agreements in place along the Transport route provided in the EIS taking into account blade transport and blade trespass?

Have all road upgrades been budgeted for on privately owned land, other Regional Council lands, Crown Lands, or lands managed by Tamworth Regional Council?

If not, why not?

Does the EIS provide adequate Road engineering design for the upgrades, loads and soils that are needed for this proposed Transport Route from the Nundle Road to the site and including within the site corridor?

If not, why not?

2. Wind Energy Partners & Engie

CCC Minutes 12th June 2019: Overview of the Proposal JC introduced himself, confirming that he is a Director in WEP, which has four shareholders.

CCC Minutes: 19th October 2019: In the September CCC meeting and newsletter, it was announced that Wind Energy Partners had entered into an agreement with Engie, a French energy utility company with 103GW of installed power generation capacity worldwide. Engie are providing financial, technical and commercial support to WEP to continue HOGWF development and, subject to successful project permits and financial close, would construct and operate the wind farm.

CCC Minutes 29 October 2020: Engie Update Jamie observed that he had promised to notify the CCC of any changes in company structure. Consequently, he advised the CCC of the change in ownership to Engie. Community member observed that the announcement of the Engie partnership with Infrastructure Capital Group is already on the Engie website. Andrew confirmed that they have purchased the Hills of Gold Wind Farm.

Between September 2019 until 29th October 2020 the community has been led to believe Engie's involvement was to provide financial, technical and commercial support for Wind Energy Partners Pty Ltd. It is fair to note that selling Wind Energy Partners Pty Ltd, a company that has been involved with this development proposal for more than 10 years, to Engie would take some level of planning from the Directors and Shareholders of Wind Energy Partners Pty Ltd, and all the while still communicating with our community under the veil of deceit knowing Engie would be buying both HOGWF and Wind Energy Partners Pty Ltd.

Is this corporate restructuring for financial gain misleading to our community?

Has the Director of Someva Renewables Pty Ltd and Directors and Shareholders of Wind Energy Partners Pty Ltd, misled our community by providing consultation through both Someva Renewables Pty Ltd and as a Director of Wind Energy Partners Pty Ltd knowing both the project and the company Wind Energy Partners Pty Ltd would be eventually sold to Engie?

To date Engie has provided no community consultation with Nundle / Hanging Rock / Timor communities, still choosing to forward complaints, concerns and enquires to the Director of or staff of the consulting company Someva Renewables Pty Ltd, is this genuine community consultation by the proponents Engie?

3. Job Forecasts

CCC Minutes 18 September 2019: *Job Forecasts MS discussed job forecasts via a slideshow presentation (page 3) (attached). A member questioned how accurate the figures were and MS advised that the figures used in calculations were from identified projects' Environmental Impact Statements (EIS) and not actual numbers.*

The potential job figures quoted in the PEA, Media and subsequent time that followed were based on a \$600 million project with 97 Turbines, the Turbines were reduced to 70 WT and the project increased from \$600 million to \$826 million the week it sold to Engie.

Are the job figures presented in the EIS over stated due to the decrease in Turbine numbers, in comparison to other Wind Farms?

How could WEP miscalculate the cost of this proposal by over \$220 million, when Wind Turbines Generators had been reduced, yet in the budget provided in the EIS make up over 70% of the budget costing \$605,500,000.00, more than the projects entire value publicised and promoted from March 2018 through to October 2020?

The budget released in the EIS includes up to 33 exclusions, is this project even viable from a commercial perspective in comparison to other Renewable Energy developments and proposals in NSW?

Have WEP misled our community and media throughout the consultation period by underquoting figures of this proposal or providing misleading information of the true costs of this proposal?

4. Land Clearing & Site Preparations

CCC Minutes 18th September 2019: Where will the site office, power station, battery storage facility and any other ancillary works be located? What area is typically needed for these works? Does it need to be flat land and if so, does WEP envisage needing to clear land for this purpose? How much?

"...These facilities will be prioritised in areas that avoid or minimise any clearing required. We seek land that is as flat as possible to locate the substation, switching station, O&M facility and any storage areas".

CCC Minutes 10th December 2019: It was raised that there is an ongoing investigation with respect to alleged illegal land clearing. Will this affect the ecology as the area has been manipulated and changed? JC noted that the survey will deal with what is present and the alleged clearing took place without WEP's knowledge of whether it was legal or illegal.

CCC Minutes 6th May 2020: *Q & A 6. WEP Response: The first meteorological mast was installed in the wind farm development corridor for the Hills of Gold Wind Farm project in November 2010.*

Q 7. What is the date when was the first Wind Monitoring Mast removed? WEP Response: The original met mast was decommissioned in May 2015.

Community member raised community concerns about current land clearing and that complaints were lodged in March 2018. Requested assurance that no land clearing will occur in the Development corridor in preparation for this proposal – especially the western side. Jamie observed that there has been no land clearing in preparation of this site. **CCC Minutes 29th October 2020:** A community member asked about Wind Energy Partners and Engie's policy on land clearing. Jamie advised that they would avoid clearing native vegetation and that they bring value to this project and would always try to minimise any impacts they are having.

At a CCC site visit Mike Stranger from WEP advised CCC members that the first Wind Monitoring Mast was installed by WEP in 2010 & removed in 2015.

It was confirmed by the DPIE the majority landholder had been fined for illegally clearing native vegetation within corridor previously and prior to the new investigation in 2018 to 2020 for further illegal land clearing of native vegetation, including old growth trees and tree removal in NSW State Forest and Ben Halls Nature Reserve.

It is inconceivable that Wind Energy Partners Pty Ltd Directors would not notice native vegetation been removed within the development corridor between 2010 and 2018 in some of the exact locations of infrastructure needed for this proposed development.

Wind Energy Partners Pty Ltd, Director makes note "alleged clearing took place without WEP's knowledge of whether it was legal or illegal", the fact is, regardless it did take place and isn't this behaviour unethical for a green energy project not yet assessed by the DPIE?

Was the current proponent of the EIS aware of a 'legal permit' to clear more land on the location of infrastructure needed for this development during the EIS lodgement and Public Exhibition period of the DA?

How has the land clearing that has occurred over the last 10 years been justified, offset or mitigated within the EIS?

How will the DPIE respond to the proponent and majority landholder when assessing the implications of pre-emptive land clearing, native vegetation and biodiversity areas already cleared yet not assessed and the implications to endangered or threatened flora and fauna?

Should the DPIE feel that this proposal warrants a recommendation of approval based on it's merits and it's lack of detail within the EIS, could this set a precedence for other developers and landholders?

Does the proponent feel the DPIE should reward the proponent and majority landholder with a recommendation for approval, whilst acknowledging illegal land clearing activity within an environmentally sensitive area?

5. Reports & Studies

CCC Minutes 18th September 2019: *Question; Will a Hydrology Report be done and by whom? Where will water be sourced for the Hanging Rock proposal?*

Yes, a Hydrology Report will be completed by an independent, specialist consultant and the report will be presented along with the Environmental Impact Statement. This report is expected to be completed in August 2020 and submitted as part of the EIS.

CCC Minutes 24th August 2020: Community Member said they were interested in the turbine footings. They'd each have their own footing / engineering. Are you able to let us know about these? Do they drill down 20 metres / turbine footing anchor design? Jamie advised that the different foundation types will be included in the DA – could be 5 metres by 30 metres – anchor down into the rock / foundations. Another community member said they'd like to see how this works if on the slope end and if you cut into the mountain. Jamie said all the concepts for foundation types will be in the DA but that detailed geotechnical studies and turbine selection will determine the final design specific for each turbine footing. Jamie advised that the civil engineering company provide a design once you select the turbine and know the structure of the ground.

Has the proponent provided a detailed Hydrology Report by an independent specialist in the EIS?

Regardless of which turbines (Commercially in Confidence) will ultimately have been selected by the proponent, if the proposal was approved, the need for site specific Geotechnical data for each and every GPS Turbine footing would be essential in determining the financial viability and environmental impacts associated with establishing footings.

Why have no Geotechnical Studies or Reports been provided in the EIS?

Why have no Geotechnical Reports been provided to the Chief Executive of Muller Partnership Pty Ltd for use in his Capital Investment Value Report?

The exclusion of providing Geotechnical data by the proponent to Muller Partnership Pty Ltd and the assumption the Turbines footings will be located in material other than rock, prohibits a true indication of costs associated with this proposal, and could easily be interpreted as misrepresentation of a transparent budget cost.

It is expected the DPIE will peer review the budget, the inclusions and the exclusions and questioned should be raised.

6. Aviation Lighting

CCC Minutes 22nd September 2020 Community member asked about the aviation lights and the night sky? Another community member asked if the lights would come on during the day because of fog? Jamie confirmed that they will be including what the night lights will look like – and at dusk as well. We want to see the results, but CASA have to review it first, including issue of fog, and hope that the recommendations hold. We're hoping for examples of others and what night lighting looks like.

Why has the proponent chosen not to include a report with recommendations that are 'site specific' and provide the detailed consultation with CASA which was a requirement of the SEARs?

Aviation Lighting on this range will have a major Visual Impact, by identifying in the EIS 'recommendations only' by CASA and by not committing to the fact that Aviation Lighting will be a requirement, the proponent has deceived the community.

7. Site Placement of Turbines

CCC Minutes 1st April 2020: Members of the committee asked who made the decision on the placement of the turbines? Jamie responded that input came from a number of consultants namely biodiversity (Biosis), ARUP, heritage (K & C) as well as landowners. Constraints were provided where they cannot go. A professional wind engineer (Wind Pioneers based in India and the UK) placed the turbines. A member asked if these consultants set foot on the site, in particular the wind engineer? WEP have advised that the wind engineer is not required to set foot. The consultants who provided inputs have attended the site.

A Professional Wind Engineer based in India and the UK using a desk top, Biodiversity & Heritage Consultants and Landholders who will benefit financially, have chosen the location of the Wind Turbines, that are budgeted to cost \$605 million dollars representing 70% of the total project value, how can this be accepted as industry standard?

Has a fully qualified Wind Engineer set foot on the site and evaluated the placement of every Turbine as per GPS locations provided in the EIS?

Although the proponent states a wind engineer is not required to set foot on site, it should be recommended especially when the proposal sits on a ridgeline with steep falls and rocky outcrops on Class 7 & 8 soils with possible incorrect boundaries.

The DPIE should seek an independent review of the soil information provided and request the proponent provide site specific data for individual placements of turbines and have an Australian Wind Engineer attend the site to determine if the site is suitable or viable.

8. Site Visit & Denied Access to CCC Members by Landholder

CCC Minutes 10th December 2019: Site Visit & Correspondence Site access to two CCC members had previously been denied due to host landowner requirements. The landowner denying access has since accepted everyone should have fair and equal access and permitted all CCC members access to the site upon request by WEP. In the interest of the group and project, site access has been granted by the landowner. The proposed dated for the site visit are 4, 5 or 11 February 2020. DR and MS to prepare an email to this affect ASAP.

CCC Minutes 1st April 2020: Another site visit requested by community members so more of the layout can be reviewed. To particularly incorporate the western portion. Due to COVID 19 a way forward would be to contact Mike to see what can be arranged. Pencilling in a September 2020 visit at this stage.

CCC Minutes 22 September 2020: Discussion: Community member asked if there is a plan for another visit to the western part; Action: WEP to consider another site visit.

Members of the CCC were denied access to a site visit by the majority landholder not once but on two occasions, although the EIS states there are many landholders involved in this proposal, it is clear within the community and to CCC members that the one majority landholder actually controls this development access.

After CCC stakeholder members representing the Nundle Business Tourism & Marketing Group and Hills Of Gold Preservation Group were denied access, the decision was reversed by the majority landholder when he accepted everyone should have fair and equal access.

On the 17th December 2020, the majority landholder again denied access to a 2nd site visit to incorporate the yet unseen Western End of the proposal, both Stakeholder representatives and one other CCC member and two Alternate CCC members.

DPIE were notified and as per Australian Wind Commissioners Complaint Guidelines the proponent Engie was notified and a complaint lodged.

On the 14th January 2021, Engie referred the complaint to Someva Renewables Pty Ltd and as of the 27th January 2021 no response has been forthcoming and the complaint will now be lodged with AWC.

Does the proponent see this Site Access denial as transparency and good meaningful community consultation?

The 2nd site visit didn't eventuate for any members of the CCC, in fact the Western End of this proposal is still a complete mystery with many unable to gain access for many reasons. It is expected and requested the DPIE visit all of the proposed site, especially the Western side, taking with them an independent Wind Engineer with them.

9. Bush Fire Management Plan

CCC Minutes 10th December 2019: A member requested that a Fire Management Plan be created for windfarms. The local RFS to be consulted in doing so to establish a long-term management plan. Action: Fire Management Plan to be created for windfarms and firefighting. The local RFS to be consulted in doing so to establish a long-term management plan.

Has the local RFS been consulted when creating a Fire Management Plan?

Is the Fire Management Plan using consultation with the local RFS in the EIS site specific?

If not, why not?

10. Transport Road Assessment

CCC Minutes 10th December 2019: Transport Route Assessment The desktop and field transport studies were undertaken on 18 June 2019 by a specialist contractor. It was undertaken from Nundle to the site boundaries. A member believed that the document stated it was to 91 Gill Street in Nundle and didn't include up to the site boundary. However, JC noted that this was not the case. JC noted that, as presented in last September CCC meeting, transport assessment included Main Routes for blades, towers and remaining components from Newcastle port to Nundle including to the site boundary. Currently, as technology is under investigation, preferable route from Nundle to Site will be further investigated once technology is selected. Full assessment transport assessment will be presented as soon as it is finalised.

"... The CCC wants to see the transport route assessment as well as upgrades and modifications that will be undertaken as required within the assessment. In August 2020 a preferred route will be identified and therefore consultation can take place around that point. A lot of detail for modifications and improvements, etc will be contained therein".

CCC Minutes 29th October 2020: Murray confirmed that if the project is confirmed, they have committed to seal Morrison's Gap at the beginning of the project but it depends on the road condition as they need to be able to take blades and the vehicles need to be able to travel on those roads for 25 years. So, the surfaces needed to be compacted with good material.

"...Murray mentioned most turbine areas he saw were relatively flat. A community member asked Murray has he visited the western end of the development. Murray noted that no, he was unable to due to weather and road access – but other staff have been there".

Transport Route Assessment desktop and field studies were undertaken on 18th June 2019, the CCC asked several times for these reports, as per guidelines of the CCC, and was told consultation could take place in August 2020 when a preferred route would be identified.

The report was never forthcoming until 29th October 2020, the day of the announcement of the sale of the proposal, HOGWF and WEP sale to Engie just three weeks before lodgement of the DA, EIS. *It should be noted the report provided was incomplete.

Does the proponent or the DPIE see this as good transparent community consultation?

The transport study to the site boundary excludes how all the WF infrastructure will traverse along the ridgeline over steep falls, rocky outcrops in particular the Western end of the development, it was noted that Murray Curtis from ERM had not visited the Western end of the development, as he was unable to due to weather and road access. It should be assumed and requested that an independent road assessment be conducted to gauge that it is even possible and or viable to transport components with the site boundaries, in particular the Western end and gauge the true environmental impacts of these roads.

Why has the proponent not provided Geotechnical studies associated with transport within the site boundary where access is restricted, on Class 8 soil that is a safety risk?

11. Soil & Water

CCC Minutes 29th October 2020: Murray then presented on the existing soil types. The site is situated predominantly on soil types categorised as zones 7 and 8, which are not great for agricultural use. Murray declared that some land in the area is categorised as BSAL land (biophysical strategic agricultural land, which is land with high quality soil) – highlighting the difference of opinion of the quality of the soils around there. The government just asks the proposal team to put this information into the EIS as baseline information. Murray mentioned most turbine areas he saw were relatively flat. A community member asked Murray has he visited the western end of the development. Murray noted that no, he was unable to due to weather and road access – but other staff have been there.

Murray noted that the overall potential risks to water and soils are relatively minor. Pad sites and access road construction occur on relatively low-moderate gradient lands high up in the respective drainage catchments. This area presents a low erosion hazard considering factors such as climate, soils, and landform and that vegetated buffers lie between work areas and watercourses. Water flows are not anticipated to be affected during the construction of the project, given the localised impacts are located upstream on the top of the ridgeline.

Why has flooding not been addressed within the EIS as per SEARs requirements and Tamworth Regional Council requirements?

Why hasn't a comprehensive underground Hydrological Study been provided within the EIS?

Has the proponent engaged in meaningful consultation with Soil experts?

Has the proponent checked with relevant Government Mapping Departments for updated Soil Mapping?

Murray Curtis stated the site is situated predominantly on soil types categorised as zones 7 and 8, which are not great for agricultural use and declared that some land in the area is categorised as BSAL land highlighting the difference of opinion of the quality of the soils around there. Murray says, "The government just asks the proposal team to put this information into the EIS as baseline information".

Does the DPIE value the Class of Soil as only baseline information as suggested by Murray Curtis from ERM?

Should the stability of the soil be one of the most important deciding factors when choosing a location for one of the largest industrial renewable energy stations proposed in the region?

Should the safety of the water catchment for the Regional City of Tamworth be a priority?

The risk of Soil displacement on a huge scale has been addressed by elders within our community from the beginning.

Failure to correctly identify soil maps, soil types and their meaning is a risk to human life, the health of the rivers and creeks, water for human and stock consumption.

Independent studies should be carried out by the DPIE, or EIS studies peer reviewed.

Will the proponent withdraw this development application if updated soil maps and their meanings show an unacceptable risk to human life, soil stability and unacceptable risks to the water catchment?

12. Decommissioning

CCC Minutes 18th September 2019: If the owner of a wind farm goes bankrupt, the liability for decommissioning of wind turbines falls to the turbine host. If the turbine host declares bankruptcy what guarantee does the community have that the wind turbines will be removed at the end of the wind farm's life?

There are provisions in land owner agreements that require the removal of wind turbines if they are not continuously operated or at the end of the agreed lease. The requirements are supported by bank guarantees to ensure resources are available to fulfil this obligation. Further to this if an approval is granted with a condition to remove the turbines this obligation would be on the next owner of the project.

Has the EIS provided the details of the bank guarantees to ensure resources are available to fulfil this obligation?

If the owner goes bankrupt before these provisions or bank guarantees begin or are fulfilled, what guarantee does the community have if the removal responsibility falls to the landholder?

Does the EIS provide a copy of these Bank Guarantees and Land Owner Agreements?

13. Community Division & Community Consent

CCC Minutes 18th September 2019: During the first meeting in February 2018 when WEP met with a few Nundle residents to advise us of the potential project, a representative of WEP told the group, (quote) 'if the majority of the community does not want this project, the project will not go ahead'. Does WEP still stand by that?

General Business; A member advised that the majority of the Nundle Community oppose this project.

CCC Minutes 10th December 2019: Lack of communication to the southern side (Crawney Pass) of the project. Owners around Crawney and Timor may be unaware or not have accurate communication.

Why has transparent meaningful community consultation not occurred with Timor community members?

Does the proponent concede this proposal does not have community consent at an acceptable level?

Will the proponent withdraw this DA proposal knowing the implications of the information now provided in response to the EIS and the incorrect and misleading data presented?

CONCLUSION

The decision to oppose this choice of location for the Hills Of Gold Wind Farm was an easy choice, it was a choice made on the preservation of both social and natural environment, rather than economics or commerce.

To say it's been an easy process opposing the Hills Of Gold Wind Farm is so much further than the truth.

Representing not only my family, my home and my business, I also chose to represent the endangered and vulnerable flora and fauna and water catchments that have no voice, those who were unable to find courage to voice their concerns and those who feared repercussions for openly opposing this development.

I stood together with an Executive group of people alongside and representing the majority of our community to bring forth the concerns that we felt needed to be addressed.

My time as a community representative in the CCC was not comforting, I found those members who were "FOR" the development unable to contribute to any concerns, more so showing detachment to the real issues that were put forth, and representatives of the three Councils, unable to make decisions on behalf of their councils and unwilling to comment on controversial issues.

Many members of our community's dealings with Jamie Chivers, Director of Wind Energy Partners Pty Ltd (February 2018 – October 2020) and Someva Renewables Pty Ltd his staff representatives Mike Stranger and Aref Taleb were always unpleasant with the concerns put forth by our community forever falling on deaf ears.

If there was ever saying so true for this proposal, it would be; "It's not the size of the dog in the fight, but the size of the fight in the dog".

Renewable Energy proponents and developers should choose their locations wisely, they should honour the existing use of a peoples surrounds, look for community consent and be prepared to walk away when the economics and commerce cannot or should not replace the social and natural environment.

I look forward to the day when either the proponent withdraws their DA or the Department of Industry & Environment and the Independent Planning Commissioner recommends the Hills Of Gold Wind Farm be Rejected.