

Snowy 2.0 Transmission Connection Environmental Impact Statement (SSI-9717)

Submission by Ted Woodley 5 April 2021

I wish to object to the Environmental Impact Statement proposing overhead lines for the Snowy 2.0 Transmission Connection Project.

New overhead lines are not permitted in Kosciuszko National Park. Not only does the EIS fail to propose a transmission connection that is compliant with the Kosciuszko Plan of Management (POM), but it also fails to address cumulative impacts and feasible alternatives and to make any meaningful attempt to minimise environmental impacts.

The Government has lost its 'independent status' in the assessment process. It has become enmeshed in the proposal by pre-emptively agreeing to overhead lines and proposing to exempt Snowy 2.0 from the POM requirement for underground transmission. It has also incorrectly put the relative cost of underground and overhead transmission as the prime consideration.

The EIS is fundamentally flawed by a non-compliant proposal and Government's inappropriate intervention. The EIS process should be halted and TransGrid instructed to submit an underground connection proposal in accordance with the Plan of Management.

I would appreciate responses to the questions below (*in blue*).

1. Additional overhead transmission lines are prohibited in Kosciuszko National Park

It is a long-established practice that new overhead transmission lines are not permitted in National Parks and areas of natural value throughout the western world.

The last major overhead transmission line to be constructed in a NSW National Park was in 1976 and in Kosciuszko National Park in the 1960's, more than half a century ago.

The Plan of Management¹ for Kosciuszko National Park expressly requires "*all additional telecommunication and transmission lines to be located underground*" (12.6.6). In fact the POM goes further, "*wherever possible, the Service [NPWS] will seek agreement on the rationalising, undergrounding or rerouting of high impact lines or sections of lines*" (12.6.4).

These requirements were specifically added to the 2006 update of the POM.

i) Why isn't this the end of the matter – any additional transmission lines in Kosciuszko National Park must be underground?

2. The EIS must be compliant with the POM, but isn't

All activities within KNP must be compliant with the POM, in accordance with Part 5 of the *National Parks and Wildlife Act 1976* (NPW Act). Surely the EIS must propose a project that is compliant with what is legally permitted under the POM.

If a developer wishes to propose a non-compliant 'illegal' project, they would first need to provide a project that did comply, plus other feasible alternatives (see later), and then provide compelling reasons explaining why a compliant project was not appropriate and an exemption was irrefutably

¹ "Kosciuszko National Park Plan of Management" 1 June 2006 <https://www.environment.nsw.gov.au/research-and-publications/publications-search/kosciuszko-national-park-plan-of-management>

required.

- ii) *As the EIS proposal is not compliant with the statutory POM requirement for underground transmission, isn't the EIS fundamentally flawed?*
- iii) *Why wasn't the EIS rejected at this point?*

3. The EIS fails to address cumulative impacts

The EIS fails to provide any detail on the cumulative impacts of the transmission connection in addition to the impacts from the other components of the Snowy 2.0 project.

More relevantly, the EIS fails to consider the cumulative impacts of the proposed transmission lines in addition to the impacts of the existing overhead lines in KNP. It was the presence of these existing lines that precipitated the explicit inclusion of the prohibition of any additional overhead lines in the 2006 POM update, together with the requirement to rationalise, underground and reroute high impact lines in the Park.

- iv) *Shouldn't TransGrid be required to provide cumulative impacts, both with respect to the other components of the Snowy 2.0 project and in addition to existing overhead lines in the Park, in accordance with the SEARs?*

4. The EIS fails to analyse feasible alternatives

The *Environmental Planning and Assessment Regulation 2000* (Clause 7(1)(c) of Schedule 2) requires all EISs to include 'an analysis of any feasible alternatives' for a proposed project:

"7 Content of environmental impact statement

(1) An environmental impact statement must also include ...

(c) an analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure"

This requirement is repeated in the SEARs, *"In particular, the EIS must include a summary of the background to the project, including alternatives that were considered to the project"*.

The EIS provides so-called 'high level considerations' of some alternatives but fails to provide a comprehensive analysis conclusively demonstrating that underground cables are inferior to overhead lines.

- v) *Isn't the EIS lacking by failing to fully analyse all 'feasible alternatives'?*

5. The EIS fails to mention the most promising underground alternatives and dismisses other suitable alternatives for spurious 'reasons'

A number of example underground alternatives are included in the Background Paper and Addendum to the [Open Letter to Ministers Stokes and Kean, 18 January 2021](#) signed by two dozen environmental organisations and 50 experts, calling for a comprehensive analysis of transmission alternatives and the adoption of an underground solution.

The EIS only mentions a few of the less promising alternatives, and dismisses them for specious 'reasons'.

For example, the EIS provides a tunnel route option to Maragle that no engineer would contemplate and then concludes that tunnelling is impractical. Far more obvious and practical tunnelling options are not canvassed, let alone analysed.

One of the most promising alternatives is to connect Snowy 2.0 and HumeLink to the existing Lower Tumut Switching Station rather than the proposed Maragle Substation. As outlined in the Background Paper and Addendum, such a connection has substantial financial, operational, and environmental advantages. The reason for dismissing this alternative is contained in three paragraphs and is patently false.

- vi) Shouldn't TransGrid be required to re-do the EIS and present the most promising underground alternatives, with a full comparative analysis?*
- vii) Shouldn't such an analysis be open for public submissions, and not just included in TransGrid's response to submissions (for Departmental consideration)?*

6. The proposed lines dwarf existing lines in the Park

Not only are additional lines prohibited in the Park, what is proposed would be far more intrusive than existing single-circuit transmission lines.

Two side-by-side sets of massive steel lattice towers, up to 75 metres high, would carry four 330 kV overhead lines, traversing eight kilometres of Kosciuszko over a cleared swathe up to 200 metres wide. The towers and lines would be a visual blight over tens of kilometres.

One new overhead transmission line would be bad enough. The proposed lines would have more than twice the impact of existing lines in the Park.

- viii) Is not the relative magnitude of the proposed lines a relevant consideration?*

7. The proposed lines are overdesigned and lack best practice

Not only does the EIS fail to justify an overhead connection, but it also fails to justify the need for four lines and fails to apply the latest designs.

Two higher capacity lines, not four standard capacity lines, would be sufficient to transmit Snowy 2.0's output and provide for a single event contingency, in line with the NEM standard.

Shorter towers, possibly of a pole design, no cleared easement, no access tracks, and construction/maintenance by helicopters and drones are some of the techniques applied elsewhere in the world to reduce environmental impacts. None of these contemporary practices are mentioned in the EIS.

All that is proposed is TransGrid's traditional design and construction, with the most conservative approach to easements and clearing of vegetation.

The environmental impact of the overhead lines could be substantially reduced, though should still be replaced by an underground connection.

- ix) Shouldn't the EIS be rejected for failing to propose a best-practice overhead design that minimises environmental impacts.*

8. Reprehensibly, the NSW Government proposes to amend the POM

Announcements and actions of the NSW Government clearly show that it has supported overhead lines from the outset of the Snowy 2.0 project, despite this being precluded by its own POM.

NPWS exhibited the 'Kosciuszko National Park Draft Amendment to the Plan of Management', on 5 February 2021 to exempt Snowy 2.0 from being required to locate its transmission connection underground (Section 12.6):

"Remove:

Require all additional telecommunication and transmission lines to be located underground.

Replace with:

Require all additional telecommunication and transmission lines to be located underground, except those constructed as part of the Snowy 2.0 project."

The solitary 'reason' given was *"to ensure that all Snowy 2.0 operations undertaken after February 2022 are consistent with the plan of management"*.

Any amendment of a POM must go through an extensive process, including an assessment of the 23 matters in s.72AA of the NPW Act. It would appear that the Government, in its haste to exempt Snowy 2.0 from the POM, has inappropriately circumvented the amendment process.

- x) *Why was the Amendment proposed before the EIS has been assessed?*
- xi) *Doesn't this indicate the Government has already determined to pass the Amendment?*
- xii) *Hasn't the POM amendment process, as set down in the NPW Act, been circumvented?*

9. The Snowy 2.0 Transmission Connection EIS confirms the Government has already agreed to overhead lines

Three weeks after the POM Amendment was exhibited, the EIS for the Snowy 2.0 Transmission Connection Project was released. The EIS acknowledged that it is inconsistent with the POM but countered that NPWS had advised TransGrid that the POM would be amended *"to reflect the requirement ... [for] an overhead transmission connection"*:

"All activities within KNP must be consistent with the KNP PoM in accordance with the requirement of the National Parks and Wildlife Act 1974 (NPW Act, as discussed in Section 4.1.2). Consequently, the project is currently not consistent with the back country management zone as outlined in the KNP POM.

Whilst an amendment to the KNP POM is required to support the construction and operation of an overhead transmission connection within KNP, this amendment had not been made at the time of writing this EIS.

Notwithstanding this, TransGrid has consulted with NPWS who advised that the KNP POM would be amended in due course to reflect the requirement to connect Snowy 2.0 to the grid via an overhead transmission connection."

It is unclear if it was NPWS's 'requirement', but either way the EIS statement confirms that Government approval for overhead lines will be forthcoming in due course.

- xiii) *What advice was provided to TransGrid by NPWS on the exemption, and on what basis?*
- xiv) *Why does Snowy 2.0 warrant an exemption from the POM requirement for an underground transmission connection, but no other developer?*
- xv) *Does the Government intend to approve the EIS, conditional on it amending the POM?*

10. The NSW Government is supporting overhead lines because they are cheaper (inappropriately and possibly illegally)

Minister Kean, together with officials from DPIE and NPWS, appeared before the NSW Government Legislative Council Portfolio Committee No. 7 – Planning and Environment on 2 March 2021 and addressed questions on the Snowy 2.0 Transmission Connection². The responses by the Minister and officials to questions indicated that the Government has already agreed to overhead lines, and the POM Amendment is merely to formalise and ‘legitimise’ that decision.

Minister Kean repeatedly referred to considering undergrounding if there is “*no material difference in cost*”. This was in effect his only criteria for assessment. He did not refer to considering the ‘material difference’ in environmental impacts, nor did he refer to the POM’s requirement for underground transmission.

Minister Kean was focussed on the commercial interests of Snowy Hydro. (Note that it is Snowy Hydro, not electricity consumers, that will have to pay for any extra costs.)

But neither the cost of a project nor the commercial interests of a developer are relevant when assessing an EIS or amending a POM.

- xvi) Should the relative cost of overhead versus underground connection be a criterion, or the primary criteria, in assessing the EIS?*
- xvii) If not (which is patently the case), why is cheaper cost being promoted by the Government as the justification for an overhead connection?*

11. The EIS process has been corrupted and needs to start again

The EIS fails to satisfy the basic requirements for an EIS. It is not compliant with the POM, doesn’t address cumulative impacts and fails to provide an analysis of feasible alternatives. It makes no serious attempt to reduce environmental impacts.

The Government has been implicated in this flawed process by prematurely agreeing with overhead lines that its own statute prohibits. The Government has failed to approach the assessment of the EIS with an open mind, and has incorrectly stated that the primary criteria for assessing the project is its relative cost.

The only way forward is for the EIS to be rejected and TransGrid to be instructed to resubmit an EIS for an underground connection that complies with the Plan of Management, the *Environmental Planning and Assessment Regulation 2000* and the SEARs.

Anything less would expose the Government to community condemnation and legal challenge, let alone the legacy of approving a massive overhead infrastructure in a National Park for the first time in half a century, when there are far better underground alternatives.

- xviii) Will the Government reject the EIS and insist on a new proposal consistent with the POM?*
- xix) Why would a Government contemplate promoting and approving new overhead transmission lines in Kosciuszko National Park, and achieve infamy as the first Government to do so for half a century (especially when there are viable underground alternatives)?*

² “Hansard” <https://www.parliament.nsw.gov.au/lcdocs/transcripts/2524/Transcript%20-%20Tuesday%202%20March%202021%20-%20UNCORRECTED%20-%20PC7%20-%20Energy%20and%20Environment%20-%20Kean.pdf>