

Submission
No 37

**INQUIRY INTO FEASIBILITY OF UNDERGROUNDING
THE TRANSMISSION INFRASTRUCTURE FOR
RENEWABLE ENERGY PROJECTS**

Organisation: NSW Farmers Yass Branch

Date Received: 10 November 2023



Yass
Branch

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The Director
Select Committee on the Feasibility of Undergrounding
Infrastructure for Renewable Energy Projects
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Director

Re: Feasibility of undergrounding the transmission infrastructure for renewable energy projects

Thank you for the opportunity to make a submission to this critical inquiry. I am the Junior Vice-Chair of the NSW Farmers Yass Branch (“the Branch”) and I write this submission to detail the concerns of our members in relation to Transgrid’s Humelink Project and reiterate the support of NSW Farmers for undergrounding transmission infrastructure.

The last inquiry found that the proposed overhead lines are the most feasible option for building transmission. The Senate Committee Chair said, “undergrounding would result in substantial additional cost and lengthy delays and would be unlikely to receive regulatory approval”. I would like to draw the Select Committee’s attention to a recent review that has been conducted by Amplitude Consulting: *HumeLink Undergrounding, Review of Transgrid Report and Costing of HVDC Alternatives*. This report reassesses the additional costs and delays referred to by the Senate Committee Chair. The Branch requests that the Select Committee considers the figures in this report when reconsidering the feasibility of undergrounding.

While considering the decreased cost and timeframe estimates detailed in Amplitude’s review, the Branch also requests that the Select Committee further consider the costs that have not been included in this project’s net benefit calculation but **will** be incurred by our rural communities. As stated by NSW Farmers Association in their initial submission under section 1.1 Cost-benefit analysis

“Only economic costs and benefits have been accounted for, which at the very least will (and already has) led to an underestimation of impacts on communities and the environment, and at worst could led to a suboptimal outcome for society.”

It is well understood that the regulatory framework this project is governed by fails landholders. Specifically, the RIT-T tests do not require these costs to be considered as there is no triple bottom line. However, it is extremely important that the Select Committee explore the likelihood that if these costs are not successfully addressed, the current project will face negative impacts on delivery timeframes as a result of community opposition.

Evaluating the possibility of impacted delivery timeframes due to large scale opposition is listed in the terms of reference for this inquiry and it is therefore important to acknowledge the lack of social licence this project has and the potential power of the people. Even with threats of compulsory acquisition, it has been heard (loud and clear) that landholders are willing to stand their ground. For interest, I have attached a copy of a recent opinion letter sent to the Law Institute Journal by Penny Swain, an experienced lawyer specialising in the field of construction/infrastructure and alternative dispute resolution based in Melbourne. Penny says:

“the government has an obvious conflict of interest because the planned compulsory acquisition will impact the cost, program and viability of the energy project”. The letter finishes with “compulsory acquisition raises questions about social justice, human rights and overreach of government power”.

This project does not have social licence. The community know that there is power in grouping together and they know that compulsory acquisition is a process that most proponents will likely avoid. Why risk this expensive battle when addressing non-market costs and then reconsidering undergrounding is an option?

I move on to address some of the impacts that landholders in our region will face. The majority of impacted landholders in the Yass Valley are primary producers who operate broadacre grazing farms. These landholders face decreased farming productivity and increased bushfire and biodiversity risks. Impacts that can be decreased by undergrounding the transmission infrastructure.

Decreased Productivity

Overhead lines will decrease productivity for farmers in the area by limiting the areas that can be spread and sprayed by aerial contractors. Often these areas are not accessible to ground spread or spray contractors as the terrain is not safe for ground spreading/spraying vehicles. This will result in less productive land as a result of limited fertiliser application, as well as an increase in weed and thistle growth as a result of limited control through spraying. Increased thistle will affect wool growers, as fleeces will be contaminated with vegetative matter which will decrease wool prices and increase shearing costs. Undergrounding the lines will negate these issues as aerial contractors will be able to complete spreading and spraying.

It has been suggested that undergrounding transmission lines will sterilise soil and limit plant species that can be grown in the easement. There are many examples of underground pipelines, transmission and cables (including telecommunications) that have proven this is not the case. Many landholders will see decreased productivity as a result of loss of tree lines and shelter paddocks that will be removed with the 70m easement of overhead transmission. It is likely that the narrower 11m easement required for undergrounding will have a far lesser impact on farming operations, even in the case that the soil was impacted.

Increased Bushfire Risk

Farmers in our region are familiar with bushfires and understand the devastation that can result. They are concerned that the overhead lines not only increase the risk of a bushfire starting but increase the risk of a bushfire remaining out of control as the lines will impede firefighting abilities. Transgrid has recently increased their correspondence with government in an attempt to reassure

people that they have a management plan to control vegetation, however farmers have seen these plans fail before and need to be given more confidence. The Branch would like to see a comparison of the budget for vegetation management over the life of the 500kv line vs the budget allocated for 300kv lines.

Farmers have also been told that in the event of a bushfire, the lines can be turned off to allow for firefighting activities. This does not mean that they will be turned off. We have seen this solution fail when larger populations are in need of the power and therefore the benefit is outweighed. If the lines are to be constructed overhead, our primary producers need more reassurance that their livestock and property assets will be protected in the event of a fire.

Undergrounding the transmission lines is the only solution that negates both of these bushfire related concerns.

I would like to draw your attention to the Final Report of the NSW Bushfire Inquiry, 31 July 2020: Section 4.4.5.5: How can we achieve no or minimal service disruptions in a bushfire? The inquiry says this could be achieved by:

“Making the electricity network more resilient, for example by putting overhead powerlines underground...”

Is it not time we followed these recommendations? I note that the report goes on to suggest under section 4.4.5.5.2 that undergrounding can be “significantly more expensive” and “more complicated to repair”. In response to this, I would again like to refer the Select Committee to the community commissioned independent review by Amplitude Consultants. I also pose the question; What cost is too much if we are protecting our primary producers and their livestock in the case of a bushfire?

Increased Biodiversity Risk

As described by the Department of Primary Industries website:

“A biosecurity risk is anything that could increase the impacts of pests, diseases, weeds or contaminants on the economy, environment or community. The risk may not directly impact you and your property, but may impact someone else. By law, you must still take steps to address these risks. This means everyone is doing their part.”

Biosecurity has been a major focus for farmers in recent years and there has been a large push to increase awareness and decrease risk in this area. The Branch acknowledges that there will be a biosecurity risk whether the lines are placed underground or overhead as both options will require equipment access that cannot be completely controlled. However, the main concern for primary producers affected by the proposed overhead lines is the limited ability to control weeds with aerial spray applications. Introduced weeds and weeds already being managed will become more difficult to contain and control if aerial spray applications are no longer possible. As mentioned above, this results in decreased productive land and decreased fleece quality. As farmers, we are expected to

“do our part”. So, as farmers, we expect those coming onto our land to do their part and take these concerns seriously.

In order to minimise these impacts on primary producers in the Yass Valley, I urge the Select Committee to recommend undergrounding the HumeLink project.

Yours sincerely

Amy Wyer
Junior Vice-Chair
NSW Farmers Yass Branch

Letters

Unsolicited

Compulsory acquisition conflict

As an LIV member, I wish to raise concerns about the Practice column in the October 2023 LJ "Energy transition planning for regions" from the Australian Energy Infrastructure Commissioner's (AEIC) office.

The AEIC is appointed by the Australian government and reports to the Minister for Climate Change and Energy.

In the article the AEIC comments on the government's planned wave of compulsory acquisition for 400km of 220kV and 500kV high voltage transmission lines along the Western Renewables Link – VNI West corridor. The AEIC suggests that the Commission is "available to ensure that landholders are well supported and invites [lawyers] to reach out should you wish to discuss how your firm may be able to assist in providing legal services to regional Victorians".

Government has an obvious conflict of interest because the planned compulsory acquisition will impact the cost, program and viability of the energy project. Government will be paying some of the cost of legal advice provided to landholders and has an interest in minimising that spend. Government also has an interest in speeding up the compulsory acquisition process. Private discussions between law firms and the AEIC raise questions about conflict of interest and independent thinking. The AEIC article suggests lawyers need to warn landholder clients about "the implications of preventing access to land" but fails to mention serious questions that have

been raised about the validity of the powers to access land under s93 of the Electricity Industry Act 2000 (Vic) for this particular project.

The AEIC also fails to mention the recent challenge in the Victorian Supreme Court to the validity of Minister for Energy and Resources Lily D'Ambrosio's ministerial orders concerning the Western Renewables Link – VNI West project. McDonald J's decision is pending.

Conflict over competing land use objectives and government plans for a significant program of compulsory acquisition are both sensitive topics in the regions. Compulsory acquisition raises questions about social justice, human rights and overreach of government power. In this setting, the AEIC's suggestion that compulsory acquisition will create a business opportunity for lawyers is tone deaf and unhelpful.

Penny Swain, director, Penny Swain Consulting Pty Ltd

Happiness boost

Thank you for supporting Megan Fulford's series on happiness in her wellbeing columns in the LJ. It has been fantastic work. The column regularly includes excellent summaries of research in bite-sized lengths including the recent "The happiness set point" (Health and wellbeing, LJ September 2023, p91). I am looking forward to her next column.

My congratulations and thanks to Megan for her work. ■

Emma Montgomery, deputy president, Mental Health Tribunal



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