

27 September 2023

AEIC Review of Community Engagement Practices

Re: Inquiry into the feasibility of undergrounding the transmission infrastructure for renewable energy projects.

The purpose of this submission is to provide the Review with details about the harm caused to the essential public service being undertaken by Wagga Wagga City Council for its regional community because of Transgrid not undergrounding a 1.8km section of high voltage power line.

It is submitted that this submission is directly relevant to your Inquiry as it highlights the complete lack of action or inclination by Transgrid to avoid harm to communities in circumstances when they make a decision to simply use overhead lines. In our case, as the submission will explain in more detail, Transgrid chose to acquire a 1.8km wide easement through our waste management facility contrary to our strong objection. The result will cause the sterilisation of the entire area for waste management. Consistent with the terms of reference for this Inquiry, it is particularly noted that the powerlines might have been delivered underground through an existing easement requiring a relatively short length of underground line being less than 2km.

The area in question was acquired by Wagga City Council approximately thirty years ago by compulsory acquisition. For more than a generation, strategic planning at and around the site has been dedicated to preserving the long-term benefit of the facility to prudent waste management practices for the region.

The fact that Transgrid can use its own access to a compulsory acquisition power to override and sterilise the public service required to be delivered by another government authority by statute is a disgrace. While the focus of this inquiry is clearly the efficacy of undergrounding high voltage power lines, we submit that our example should highlight an ancillary reform which is that an agency with a power of compulsory acquisition should not be able to use that power in a manner which prohibits or inhibits the public service of another government authority without that outcome being endorsed by a third party decision maker with full knowledge of the harm the acquisition will cause.

In our circumstances Transgrid had full knowledge of the harm they have now caused by sterilising the waste management activity in the area of the easement they have acquired for the location of the overhead power lines. Meetings were held with Transgrid where we pleaded for other approaches to be taken by Transgrid. One such approach would have been using underground power lines through their existing easement. From the perspective of Transgrid, it was cheaper for them to bring an end to our waste management in the area of our facility which Transgrid wanted to use.

At this time, Transgrid have the power to simply acquire the easement, cause the harm to local community, and minimise their own costs while at the same time causing great future cost to others and the local community. This power should not be available to an agency which does not have the culture to exercise that power responsibly. This is one of the key challenges facing this inquiry – even if you identify that undergrounding power lines has efficacy in particular circumstances - the real challenge is how does government change the culture of agencies such as Transgrid where harm to property owners and whole communities is no more than a cost assessment. To put it another way, because undergrounding power has a higher cost in comparison to overhead lines – the culture of Transgrid (in our case) is that long term multigenerational community harm is the preferable outcome if it saves Transgrid money. This needs to be addressed.

To provide a specific example of the immediate consequences of the Transgrid decision – the sterilisation of the waste management activity caused the immediate cessation of a project to manage the waste from lead acid battery recycling. This waste will be transported to Goulburn adding cost and truck kilometres to the recycling task. It also shortens the life of our management facility and thereby increases the cost to the local community in the future. It is short sighted, self-interested, environmentally harmful and shows a complete disrespect for regional communities or indeed any government agency delivering functions outside their own.

I am aware that Transgrid have used a similar cavalier approach to their network design and landowner engagement in other locations. I congratulate the intent of this Standing Committee wishing to bring about positive change in the power transmission sector where that change has efficacy. I would urge the Standing Committee to also address the poor culture of the power transmission decision makers by ensuring that knowingly causing environment harm and harm to communities is no longer acceptable and indeed remove the power to cause this outcome without a third-party decision maker endorsing the decision on the basis of something other than it is cheaper for the delivery of power transmission. Someone ultimately pays the cost.

It should be noted that Wagga City Council is appealing the compensation assessment which flowed from the compulsory acquisition by Transgrid. This is being pursued by an application in the Land and Environment Court. This action will not address the root cause of our loss, nor will it compensate for the actual deprivation of the waste management area which had been in place for more than a generation. The legislation simply does not contemplate or make provision for reparation in circumstances where a government agency with a compulsory acquisition power uses that power to completely undermine and sterilise the long-term public utility undertaking of another government authority.

With specific reference to the Terms of Reference, we would like to make the following additional points:

(a) The costs and benefits of undergrounding

In the circumstances experienced by Wagga Wagga City Council, the benefit of undergrounding high voltage cables would have been the preservation of the functionality of our most significant public asset. The contamination of land by its use as a waste management facility is an act which carries with it a massive social responsibility to manage the site for the long-term future of the regional community. The careless underutilisation or mismanagement of the site in a way that shortens its life is not acceptable. The option to simply find and contaminate another site for waste management is an option of last resort to be avoided. Our site is managed pursuant to an environment protection licence which is appropriate to the good management mandate which comes with any approval to contaminate land for waste management

on behalf of a community. The fact that Transgrid (in our case) can completely disregard and completely compromise this public good to pursue their own corporate interest quite simply beggars belief. Undergrounding of the high voltage line for a distance of less than 2km could have been undertaken either in the existing easement held by Transgrid or perhaps in adjoining land which is the formalised buffer to the waste management facility. The benefit of this undergrounding would have been to completely avoid the harm described in this submission.

On a similar point the shortened life of the regional landfilling activity means that a new site will be required earlier than would otherwise have been the case. This means new land will be contaminated and no doubt introduces a massive increase in road transport distances for the waste management activity – with the consequent environmental and recurrent road maintenance impact which comes from that transport activity.

The waste management facility is a busy workplace for Wagga City Council staff, contractors, commercial waste management operators and members of the public. To introduce high voltage overhead power lines to this workplace clearly introduces a workplace safety risk which Wagga Council must now manage on a day-to-day basis – not Transgrid. This risk could have been mitigated by the undergrounding of the high voltage line. Unfortunately, from the perspective of Transgrid – overhead power lines are cheaper to build and the compensation payable for the compulsory acquisition is minor as it does not compensate for the true community harm caused by their actions. Once installed, the risk posed by the overhead high voltage lines must be managed by others -not Transgrid. On the other hand, undergrounding the line is more expensive for Transgrid. With no culture to avoid community harm and no other imperative to pursue anything but the cheapest, most convenient option for the corporation – the tangible benefits of undergrounding a high voltage line were completely ignored.

- (b) Existing case studies and current projects regarding similar undergrounding transmission lines in both domestic and international contexts

We are confident that it will be raised with the Standing Committee by others, but Moorabool Shire Council (Victoria) commissioned a technical report which directly compared 500kV overhead lines with the alternative of 500kV underground cables. This report is available online and is dated September 2020. The point we would like to make is that the report was commissioned by a lay person impacted by a high voltage line proposal. The comparison and the assessment was not undertaken by the proponent. It is further context within which to form the view that the entities with most expertise in the power transmission field and the direct beneficiaries of the financial rewards of the transmission activity have no discernible culture, conscience, or mandate to avoid public harm and as a result they pursue the cheapest option delivering the highest economic return to their company. We accept that providing affordable power is a meritorious goal in its own right but at some point, Government in Australia must start to balance the community cost imposed on regional areas in circumstances such as those described in this submission. We do, however, welcome the opportunity to highlight the issue in this forum.

- (c) Any impact on delivery timeframes and undergrounding, and

We cannot make any informed comment on this reference point.

- (d) Any environmental impacts of undergrounding

In our circumstances the environmental impacts of undergrounding the high voltage power cable would have been positive. These benefits have been described above. It is worth repeating that in our case the decision by Transgrid to forcibly deliver overhead power lines against our protests and against the interests of our community will cause consequential environmental impacts due to the unilateral sterilisation of part of our regional waste management facility by Transgrid.

We note that we have requested a copy of the application for Ministerial approval to undertake the compulsory acquisition of the waste facility land. This has not been forthcoming from Transgrid. This application should have identified the points raised in this submission and that undergrounding the power line was an alternative option offering significant benefit – potentially avoiding any need to even acquire land by compulsory process. If these points were not identified in the request for Ministerial approval, and there was no explanation for why this option was not being pursued, then serious questions must be asked about whether Transgrid has misled the Minister in requesting the exercise of power. It will be interesting to learn why the benefit of undergrounding the line was not pursued, and that the avenue taken was to use the oppressive acquisition power against a public authority to sterilise the activity of that public authority. It is a sharper point still when it is acknowledged that we acquired the land ourselves by compulsory process. It is hard to fathom that Transgrid is entitled to completely ignore that we were undertaking the statutory function of waste management imposed on us by State Government for the betterment of the community – and sterilise that function largely at their whim. This is even more difficult to understand when it has occurred in circumstances that Council itself deprived an owner of their land by compulsory process and has nurtured and managed that site for over a generation for the benefit of the region – only to have that activity sterilised by Transgrid for the benefit of distant communities and no benefit to the region it has harmed.

It should also be noted that ours is but one story of harm at the hands of Transgrid. We are aware and have ourselves received representations from many community members experiencing their own harm by Transgrid. The key issue is that Transgrid arrive with a position of power where the wishes of the community are irrelevant and can ultimately be swept aside and ignored by the corporate entity. Our experience is a case in point. The work of this Standing Committee should rightly be to identify where undergrounding high voltage cables has efficacy, but it should extend to a policy and legislative platform that overcomes the existing absence of any corporate culture in the agencies delivering power transmission infrastructure to deliver outcomes which minimise harm to regional communities.

I note that this submission is the same as a submission previously made to the Legislative Council Standing Committee on State Development.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Thompson', written over a horizontal line.

Peter Thompson
General Manager