



EcoNetwork – Port Stephens Inc.

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About EcoNetwork Port Stephens

EcoNetwork Port Stephens is a grassroots community-based environmental and sustainability network based in the Port Stephens LGA in the Lower Hunter Region of NSW. We have both individual members and 29 affiliated community and environment groups and eco-businesses, and our focus is on protection of the environment and sustainable planning. We are non party-political and do not donate to political parties.

Terms of reference (a) & (b) – adequacy of consultation and engagement

As ‘in-principle’ supporters of an offshore wind industry, we have major criticisms of the way the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and relevant Ministers have handled public consultation.

Multiple failures and oversights have allowed misinformation to spread and ‘bad faith actors’ to exploit genuine community concerns about environmental and other impacts.

We submit that the Government failed to recognise the obvious danger that some political parties and interests resisting the necessary transition to renewable energy would mount a vigorous campaign against the prospect of offshore windfarms, and how easily the lack of preparation could be ‘weaponised’ in support of that campaign.

The failures have allowed opponents of renewables to drive a wedge into the environmental movement, dividing activists and organisations which might have been expected to rally behind the prospect of a major new source of renewable, zero emissions energy.

Our direct experience is of the consultation on the proposed Hunter offshore wind zone, but we have seen reports of the experience in the Gippsland and Illawarra areas which suggest that the same mistakes have been made, leading to similar levels of unnecessary confusion and uncertainty, allowing misinformation to spread and be weaponised politically.

We recognise that there is a very large volume of information about offshore wind available on the DCCEEW website and also acknowledge the useful occasional newsletter [Australian Offshore Wind News](#), available on subscription.

However, there is almost too much information available from DCCEEW, without enough easy to use navigation tools or explanation. Even those interested parties, like us, who have tried to follow the issue have found it very difficult to fully understand.

Initial Consultation on the proposed Zone

(Offshore renewable energy infrastructure area proposal: Pacific Ocean off Hunter)

The initial consultation from February to April 2023 concerning a Hunter offshore wind power zone was very badly managed.

The Department (DCCEEW) arrived at an advertised public information session in Nelson Bay on 9 March clearly unprepared for the large number of people who turned up. The DCCEEW officers were determined to offer only ‘one on one’ discussion, without even an introductory explanation. Attendees had to insist on at least an initial ‘town hall’ style meeting where everyone could hear about the proposal, and could hear and learn from common questions and answers. Departmental officers only reluctantly agreed to this format, but it was clearly much more useful, and efficient, than the planned approach, even if many questions were left unanswered.

Local community confidence has **never recovered** from this poor start – many left the session feeling that the Government had already decided to proceed with offshore wind and was just going through the motions with token ‘consultation’ and very limited information about the issues of concern.

Subsequent information vacuum

After the close of the period for comments in April 2023 there were many months in which a well organised campaign of opposition was able to grow, based on much misinformation and disinformation, and clearly exploited by certain political parties and actors. Apart from the general

assurances on the DCCEEW website about further investigations, the only substantive new information in the next 14 months was the announcement of the Declared Area.

Announcement of the Declared Area

On 12 July 2023, the Minister declared an area in the Pacific Ocean off the Hunter, New South Wales (NSW), as suitable for offshore renewable energy. The declared area of 1,854km² was smaller than the original Zone, but there was no clear explanation of how (or whether) this was in response to concerns raised in submissions – another missed opportunity to change the narrative.

Applications for Feasibility Licences were then invited, between August and November 2023. After the 14 November deadline there were no announcements or significant information about how many applications were received or the areas they might be for – a further six month information vacuum which again allowed misinformation to spread and suspicions to fester.

Announcement relating to Feasibility Licence(s)

The [announcement in June 2024](#) relating to a feasibility licence for the Hunter Zone left many in the community unclear, and confused, about what it meant. It was widely reported, and understood, as being a decision to only award one such licence in the Hunter Zone, from the 8 applications received, and the fact that it was limited to only one part of the Zone (see Figure below) would have re-assured some objectors (but alarmed others).



However, we read the website as saying that this is only a preliminary decision and that it remains possible (although uncertain) that **more than one** feasibility licence will ultimately be awarded, possibly extending into other parts of the Declared area:

‘The final decision on feasibility licences in the Hunter is subject to the outcomes of the consultation processes with licence applicants and First Nations groups.’

The website goes on to explain the further consultation but it is not clear if this relates only to the ‘preliminary decision’ in favour of Novocastrian Wind Pty Ltd, or to the possibility of *other* possible feasibility licences.

The infographic designed to explain the process and timeline (below) treats the ‘Feasibility Licence’ as a single stage with no nuance about ‘preliminary decisions’.



Overlapping consultations

There has also been widespread confusion about the relationship between different consultations. As well as the general consultation on the proposed Hunter Offshore Wind Zone, commencing in April 2023, there have also been several separate processes relating to all the offshore wind zones, as summarised on the DCCEEW website as follows:

Previous consultations

We consulted on the draft guidelines: [Offshore electricity infrastructure framework: draft transmission and infrastructure licence guideline](#) [↗] from 22 April to 7 June 2024.

We consulted on the [Offshore Electricity Infrastructure Amendment Regulations 2024 \(proposed Regulations\)](#) [↗] to support the Offshore Electricity Infrastructure Act 2021 from 12 April to 12 May 2024.

We consulted on [offshore electricity infrastructure fees, levies and licences](#) [↗] from 22 March to 22 April 2022.

We consulted on the [proposed regulatory framework](#) [↗] in early 2020.

Consultation in May 2024 on proposed regulations supporting the Offshore Electricity Infrastructure (OEI) Act 2021

This important consultation was not widely publicised and appears not have been noticed by many interested parties, despite both potentially clarifying the processes and timescales and offering an opportunity for input on matters of concern.

In our submission on the Draft Regulations, we pointed to the confused terminology relating to licences:

‘There needs to be a better explanation about the relationship between feasibility licences and eventual operational licences or project approvals - what is the correct terminology? Words matter! On page 15 of the Consultation Paper 5 different types of licence are mentioned, but ‘licence’ is used loosely elsewhere.’

Similarly there was a lack of clarity about the meaning of ‘*licence activities*’ and of *Management Plans* and *Stakeholder Engagement Strategies*. We submitted as follows:

The timing of submission of Management Plans and Stakeholder Engagement Strategies is not clear – it appears to be expected that proponents will seek approval of an ‘initial Management Plan’ which can then be revised. Roughly when is it expected that initial Management Plans will be submitted within the much talked about ‘5-7 years of studies’, prior to any final project approvals?

There should be a clear explanation that approval of a Management Plan is NOT the final approval for an OEI project to proceed (if this is indeed the case). If approval of a Management Plan is in effect the approval of a Project/issue of an operational licence then this needs to be made much clearer, as it would radically change the implications and affect the basis of any comments on the proposed Regulations.

Third parties left to defend the proposal

In the absence of a more effective communication and engagement strategy by DCCEEW, local environmental and community organisations were left to step up and try to counter the torrent of misinformation. Three such initiatives were:

EcoNetwork Port Stephens made an initial statement in May 2023, and subsequently published [Frequently Asked Questions](#) (FAQs)

The independent think tank **Newcastle Institute** held a well attended public forum on 11 October 2023 – [Offshore Wind – Facts and Fiction](#)

Hunter Jobs Alliance brought together regional Unions, Business and Environmental groups to promote a more rational debate, and organised a campaign that included a flyer ‘[Let’s talk about Hunter Offshore Wind](#)’, a major rally in Newcastle on 4 February 2024 and an Open letter to Federal and State Ministers. (The effectiveness of this initiative may have been limited by its clear declaration of ‘support’ for offshore wind and association with labor and business organisations with a clear ‘bias’ in favour of the proposal.)

It is very unfortunate that the task of defending the offshore wind proposals was in effect left to third parties, some of whom were necessarily conflicted.

Term of reference (d) – Impact on marine environment

This is one of the major areas of concerns about the Hunter proposal for most community members, understandably in light of the proximity of the declared area to the Port Stephens-Great Lakes Marine Park, its overlap with whale and potentially also seabird migration routes, and the presence of other marine animals, fish and flora.

The adequacy of consultation and engagement on these issues is however of similar concern in relation to other environmental issues, including visual impact from onshore including from adjacent National Parks and other protected areas.

We are not aware of any credible evidence, world-wide, of any significant threat to whales and other megafauna specifically from offshore installations (whether for wind power or oil and gas production).

There are however genuine concerns about the possible impact of offshore wind turbines on migratory birds.

Environmental Assessment urgently requires re-think

We fully understand that many years of investigation and studies will be required before any final decisions are taken to allow offshore wind turbines off the Hunter Coast. We are concerned however that the traditional model of environmental assessment has lost credibility. Leaving assessment to be conducted by consultants engaged and paid by project proponents will not give the community confidence in the results. There is unfortunately now much suspicion and cynicism about this flawed model.

We submit that the Government needs to adopt a new approach to environmental assessment for offshore wind (and arguably for all major projects). Experts need to be selected and engaged by an independent process that can be trusted to not be beholden to, or unduly influenced by, commercial or political interests. A mechanism for joint funding of independent studies can be developed to ensure that the commercial interests rather than taxpayers still pay for the assessment work.

Term of reference (e) – related matters

We have many outstanding concerns but are also broadly supportive of the development of a Hunter Offshore Wind industry. We acknowledge that there will be many more opportunities to explore and debate the pros and cons over the next few years before final decisions are made.

We do not see this Inquiry as the appropriate forum for these wider issues, and have therefore largely focussed our submission on the consultation and engagement process, which in our view has been badly flawed both in design and in implementation.

Conclusion

We hope that the Government learns from the serious mistakes that have been made in communications and consultation on Offshore wind projects around the Australian coast.

Improved engagement and consultation throughout the multi-year process can hopefully ensure that the potential of offshore wind to contribute to the urgently needed transition to renewable energy and a net-zero emissions future is realised, but with appropriate environmental safeguards.

We have no objection to this submission being published in full and unredacted.

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