# Submission: TasNetworks North West Transmission Developments Stage 1 – Early Works Contingent Project

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## Introduction

Tasmania's globally significant environment and biodiversity are both assets and responsibilities. Projects such as the TasNetworks North West Transmission Developments (NWTD) Stage 1 – Early Works Contingent Project aim to enhance energy infrastructure to support the transition to renewable energy. However, such initiatives require careful scrutiny to ensure alignment with legislative frameworks, environmental integrity, and community values.

This submission comprehensively examines the NWTD project, identifying potential risks, legislative breaches, and shortcomings while proposing recommendations to ensure the project meets both Tasmania's sustainability goals and its legal obligations. The following analysis is based on detailed research, case studies, and regulatory requirements.

## Key Issues and Considerations

### 1. Environmental and Biodiversity Concerns

The NWTD project traverses sensitive ecosystems, including old-growth forests, wetlands, and habitats critical for threatened species such as the Tasmanian devil (*Sarcophilus harrisii*) and the swift parrot (*Lathamus discolor*). These ecosystems are central to Tasmania's ecological identity and are protected under national and international conventions.

**Potential Breaches:**

- The **Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)** prohibits actions likely to significantly impact matters of national environmental significance. The project risks breaching these provisions without adequate mitigation strategies.

**Case Study:** The Energy Grid Alliance (2021) reports that transmission projects in Australia have led to habitat fragmentation, reducing species resilience and biodiversity connectivity. Such outcomes are especially detrimental in areas with endemic species, such as Tasmania.

**Recommendations:**

- **Thorough Environmental Impact Assessments (EIA):** Conduct comprehensive assessments considering direct, indirect, and cumulative environmental impacts. These should evaluate long-term effects on habitat connectivity and ecosystem services.
- **Real-Time Wildlife Monitoring:** Employ advanced monitoring technologies, including drones and thermal cameras, during construction to prevent harm to wildlife.
- **Biodiversity Offsets:** Develop offset programs to rehabilitate degraded areas, ensuring compensation for unavoidable habitat loss.

- **Infrastructure Adjustments:** Consider underground cabling in high-sensitivity zones or re-routing to avoid critical habitats entirely.

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**2. Community Concerns and Land Use**
Local stakeholders have voiced concerns about the visual, auditory, and economic impacts of the NWTD project. Many rural communities and landowners are worried about reduced property values, noise pollution during construction, and disruptions to their livelihoods.

**Potential Breaches:** The **National Electricity Rules (NER)** require effective stakeholder engagement. Failure to address these concerns risks breaching the NER's transparency and community consultation provisions.

**Case Study:** A similar project in Victoria saw legal challenges from farmers, citing property devaluation and inadequate consultation as major grievances (Herald Sun, 2023).

**Recommendations:**
- **Enhanced Community Engagement Framework:** Establish frequent consultation sessions, accessible grievance mechanisms, and a project website for real-time updates.
- **Community Benefit Sharing Scheme:** Offer direct compensation to affected landowners and invest in community infrastructure to build goodwill.
- **Noise Mitigation Measures:** Implement noise-reducing technologies during construction, including sound barriers and time restrictions.
- **Visual Impact Reduction:** Utilize landscaping, tower designs that blend into the environment, or underground transmission lines in visually sensitive areas.

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**3. Cultural Heritage Preservation**
The NWTD project passes through areas of historical and cultural significance, including potential Aboriginal heritage sites. Tasmania’s Aboriginal communities have expressed concerns about the project’s impact on sacred lands and heritage artefacts.

**Potential Breaches:** The **Aboriginal Heritage Act 1975** protects Indigenous cultural sites, requiring consultation and avoidance of disturbance. Non-compliance could lead to legal and social repercussions.

**Case Study:** In New South Wales, insufficient consultation with Indigenous communities during a similar transmission project led to significant delays and increased costs (Daily Telegraph, 2023).

**Recommendations:**
- **Cultural Heritage Impact Assessments (CHIA):** Partner with Indigenous leaders to map and protect culturally significant sites.
- **Indigenous Land Use Agreements (ILUAs):** Formalize agreements ensuring co-management of heritage protection and active involvement in project decisions.
- **Cultural Education Programs:** Provide training for project staff on cultural sensitivity and Aboriginal heritage laws.
- **Avoidance Measures:** Design the project to bypass significant sites, using alternative routes where necessary.

**4. Climate Resilience and Sustainability**
As climate change intensifies, Tasmania faces greater risks from bushfires, heatwaves, and extreme weather events. The NWTD project must integrate climate-resilient infrastructure to ensure long-term operational reliability.

**Potential Shortfalls:** Current plans lack comprehensive strategies to address the effects of climate change on transmission infrastructure, such as efficiency losses during heatwaves or fire damage.

**Case Study:** A study by the University of Queensland (2023) found that underground cabling significantly reduces risks from bushfires and heat-induced efficiency losses, although it incurs higher upfront costs.

**Recommendations:**
- **Climate Risk Assessment:** Conduct detailed assessments of vulnerabilities, incorporating fire modelling and temperature-based performance analyses.
- **Underground Cabling in High-Risk Areas:** Where feasible, bury transmission lines in fire-prone or climatically vulnerable regions.
- **Use of Fire-Resistant Materials:** Incorporate advanced materials that withstand extreme temperatures and reduce fire ignition risks.
- **Emergency Response Plans:** Establish monitoring systems and rapid-response protocols to mitigate fire risks during operation.

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**5. Economic and Regulatory Compliance**
The NWTD Stage 1 project's increased revenue request for early works has raised concerns about cost transparency and efficiency. Stakeholders require detailed justifications to ensure regulatory compliance and public trust.

**Potential Breaches:** The **National Electricity Rules (NER)** mandate that revenue proposals must demonstrate cost efficiency and provide sufficient evidence for stakeholder scrutiny. A lack of detailed financial breakdowns risks non-compliance.
**Case Study:** In Queensland, a transmission project faced public backlash due to vague cost estimates, which were later found to include unnecessary expenditures (Energy Grid Alliance, 2021).

**Recommendations:**
- **Independent Cost Audits:** Engage third-party auditors to verify cost estimates and ensure budget alignment with project objectives.
- **Detailed Cost-Benefit Analysis:** Publish reports comparing the project's financial and operational advantages with alternative solutions, such as decentralized energy systems.
- **Ongoing Financial Transparency:** Create public-facing dashboards to provide updates on expenditures, funding sources, and cost adjustments.
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**Legislative and Regulatory Review**
The NWTD project must adhere to a range of legal and regulatory frameworks, including:
- **Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act):** Protects matters of national environmental significance.

- **Aboriginal Heritage Act 1975:** Safeguards Indigenous cultural sites and requires consultation with Aboriginal communities.
- **National Electricity Rules (NER):** Ensures cost transparency, efficiency, and stakeholder engagement in energy infrastructure projects.
- **Major Infrastructure Development Approvals Act 1999 (MIDAA):** Mandates compliance with approved corridors and environmental standards.
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**Potential Breaches and Shortfalls**

1. Insufficient mitigation strategies for biodiversity and habitat protection.
2. Non-compliance with community consultation requirements under the NER.
3. Inadequate engagement with Indigenous communities and heritage protections.
4. Lack of climate adaptation measures for infrastructure resilience.
5. Limited cost transparency and failure to justify revenue increases.

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**Recommendations**

**Environmental Oversight**

- Conduct independent audits of environmental management plans.
- Integrate biodiversity offsets and advanced monitoring systems to mitigate habitat loss.

**Stakeholder Engagement**

- Enhance communication channels with communities and ensure timely responses to concerns.
- Develop compensation schemes for landowners and affected stakeholders.

**Cultural Heritage Safeguards**

- Partner with Indigenous leaders to map and protect cultural sites.
- Incorporate Indigenous knowledge into project planning and execution.

**Climate Resilience**

- Employ fire-resistant and heat-resilient designs in infrastructure.
- Implement underground cabling and other climate-proof technologies in high-risk areas.

**Economic Accountability**

- Commission independent audits to validate project costs.
- Ensure financial transparency through regular public updates and detailed reporting.

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**Conclusion**

The TasNetworks North West Transmission Developments (NWTD) Stage 1 – Early Works Contingent Project represents a critical step in Tasmania's renewable energy strategy and the Marinus Link connection. While this submission has provided recommendations to align the project with legislative and regulatory requirements, the broader implications of the development demand a more cautious approach. After a detailed analysis, it is evident that the project's profound environmental, cultural, and social impacts outweigh its potential benefits. As such, this project should not proceed.

**Key Reasons for Opposition**

1. **Irreversible Damage to Critical Habitats:**
   The NWTD project traverses highly sensitive ecological zones, including old-growth forests and habitats essential for endangered species such as the Tasmanian devil, swift parrot, and eastern barred bandicoot. These ecosystems are irreplaceable due to their role as biodiversity reservoirs, carbon sinks, and climate regulators. Habitat fragmentation and construction-related disturbances will cause long-term harm that cannot be fully mitigated by biodiversity offsets or monitoring programs.
2. **Insufficient Mitigation for Fragmentation:**
   Offset programs proposed to compensate for habitat loss often fall short, especially in complex ecosystems like Tasmania's. These measures rarely achieve their stated ecological goals, leaving gaps in biodiversity corridors and disrupting wildlife populations. Fragmentation undermines the survival of endangered species reliant on connected habitats for migration, breeding, and genetic exchange.
3. **Conflict with Indigenous Cultural Values:**
   The project risks disturbing sites of immense cultural and spiritual significance to Tasmania's Aboriginal communities. These landscapes are not only heritage artefacts but living cultural entities integral to Indigenous identity. Disturbance to sacred areas and traditional lands is irreparable, and while consultation and compensation are necessary, they cannot substitute for the preservation of these irreplaceable cultural assets.
4. **Increased Climate Vulnerability:**
   While the project aims to facilitate renewable energy, it introduces risks exacerbated by climate change. Overhead transmission lines are vulnerable to heat-induced inefficiencies and bushfires, posing threats to both infrastructure and surrounding ecosystems. While underground cabling or fire-resistant materials could address some vulnerabilities, these measures are cost-prohibitive and logistically challenging in Tasmania's rugged terrain.
5. **Disruption to Community Wellbeing:**
   The project would impose significant social costs, including noise pollution, visual impacts, and property devaluation. Local opposition is already strong, reflecting widespread concerns about disrupted livelihoods and insufficient engagement from TasNetworks. Without a robust social license to operate, the project risks delays, legal battles, and escalating costs.
6. **Availability of Alternative Renewable Energy Pathways:**
   Tasmania's existing renewable energy capacity, primarily from hydroelectric and wind power, offers a strong foundation for less invasive alternatives. Decentralized energy systems, local battery storage, and smaller-scale transmission upgrades can achieve comparable outcomes without the significant ecological and social trade-offs of the NWTD project. These solutions align better with Tasmania's environmental commitments and the expectations of its communities.

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**References**


1. **Australian Energy Regulator (2024)**, *TasNetworks North West Transmission Developments Stage 1 – Early Works Contingent Project*, Australian Energy Regulator.
2. **Australian Energy Regulator (2024)**, *Contingent Project Application Guidelines*, Australian Energy Regulator.

3. **Climate Change in Australia (2023)**, *Case Study: Heat and Transmission Line Ratings*, Australian Government.
4. **Climate Change in Australia (2023)**, *Case Study: Fire and Transmission Line Hazards*, Australian Government.
5. **Daily Telegraph (2023)**, 'Transmission lines to be built on top of koala habitat: Report', *Daily Telegraph*, 23 November.
6. **Energy Grid Alliance (2021)**, *Fragmentation of Critical Biolinks: Impacts and Mitigation*, Energy Grid Alliance.
7. **Environmental Protection and Biodiversity Conservation Act 1999**, Commonwealth of Australia.
8. **Herald Sun (2023)**, 'Farmers prepare for legal battle over transmission line impact', *Herald Sun*, 15 October.
9. **National Electricity Rules (2023)**, Chapter 6A – *Economic Regulation of Transmission Services*, Australian Energy Market Commission.
10. **TasNetworks (2024)**, *Environmental Management Practices for NWTD*, TasNetworks.
11. **TasNetworks (2024)**, *North West Transmission Developments Planning and Approvals*, TasNetworks.
12. **University of Queensland (2023)**, *Comparison of Overhead and Underground High Voltage Transmission Lines: Environmental and Economic Impacts*, University of Queensland.
13. **Energy Grid Alliance (2023)**, *Integrating Renewable Energy Projects: Lessons from Community Resistance in Australia*, Energy Grid Alliance.
14. **Australian Bureau of Statistics (2023)**, *Tasmania's Environmental and Cultural Significance*, Australian Bureau of Statistics.
15. **New South Wales Government (2022)**, *Protecting Indigenous Cultural Heritage in Major Infrastructure Projects*, NSW Government.
16. **International Energy Agency (2023)**, *Global Trends in Energy Infrastructure Resilience to Climate Change*, International Energy Agency.
17. **Australian Institute of Landscape Architects (2022)**, *Designing for Visual Harmony: Case Studies in Energy Infrastructure*, Australian Institute of Landscape Architects.
18. **Australian Conservation Foundation (2021)**, *The Impact of Transmission Lines on Protected Areas: Policy Implications*, Australian Conservation Foundation.
19. **Australian Renewable Energy Agency (ARENA) (2023)**, *Advancing the Marinus Link: Integrating Tasmania into the National Energy Market*, ARENA.
20. **CSIRO (2023)**, *Climate Adaptation Strategies for Energy Networks in Australia*, Commonwealth Scientific and Industrial Research Organisation.