

ENVIRONMENTAL SERVICES REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON MONDAY, 12 DECEMBER 2011



**16) PLANNING PROPOSAL REZONING 137 NEWBRIDGE ROAD
METZIYA PTY LTD (SEA LINK)**
(Acting Director Environmental Services)

RECOMMENDED:

1. That Council note the update report on the Planning Proposal for 137 Newbridge Road, Blayney.
2. That Council waive the \$5,250.00 planning proposal fee in this instance.

REPORT

Council will recall at its meeting held on 14 November 2011 an update report on the Sea Link planning proposal. I can now advise that a formal application has been received from the Managing Director of Sea Link, however, such application has been lodged too late for this Council Meeting and will be submitted to the February 2012 Council Meeting for Councils consideration for referral to the Department of Planning which will still allow the proposal to run in conjunction with Council's new LEP.

The Managing Director has also requested Council to waive the Planning Proposal Fee of Council in this instance due to a misunderstanding of the planning process and the amount already invested by Sea Link in the proposal to date and the time the application has taken to get to this stage. A copy of the Managing Directors letter is attached for Councils perusal.

BUDGET IMPLICATIONS

Loss of \$5,250

POLICY IMPLICATIONS

Nil effect.

Attachments

1 Letter 3 Pages

17)

**PROPOSED FLYERS CREEK WIND FARM
ENVIRONMENTAL ASSESSMENT**
(Acting Director Environmental Services)

RECOMMENDED:

1. That Council note the update report on the proposed Flyers Creek Wind Farm proposal.
2. That Council endorse the submission to the NSW Department of Planning and Infrastructure (DP&I).
3. That Council's submission to NSW DP&I be placed on Council's website.
4. That a letter of thanks be forwarded to Blayney High School for the use of their hall for the Community Meeting.

REPORT

Council received notice on 18 October 2011 from NSW Department of Planning and Infrastructure (DP&I) that the Flyers Creek Wind Farm Proposal would be placed on public exhibition from 21 October 2011 to 19 December 2011.

Council was invited by the DP&I to make a submission on the project, including advice on recommended conditions of approval by Monday 19 December 2011.

Council at its meeting held on Monday 14 November 2011 resolved that a community meeting be held on the proposal to help Council in its submission on the proposal. The community meeting was held on Monday 28 November 2011 at Blayney High School Hall between 7.00pm and 9.00pm with eighty eight (88) persons in attendance. The community meeting was facilitated by Grahame Collier of T Issues and a copy of his comprehensive report is attached for Council's perusal. (See attachment).

The community meeting highlighted a number of issues, and a recurring theme was previous lack of community consultation by the proponent for the project and Council's initiative to hold a public community meeting for the proposal was timely.

Council's Environmental Services and Engineering staff have perused the EA for the development and have developed conditions of consent for the project (see attached letter).

The proposal being a State Significant Project is determined by the DP&I and Council's recommended conditions of consent will be considered by the DP&I in their assessment for the project.

BUDGET IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

Attachments

- | | | |
|---|---|----------|
| 1 | Flyers Creek Wind Farm Proposal Report | 22 Pages |
| 2 | Community Submissions/Comments forwarded to Council | 50 Pages |
| 3 | Flyers Creek EA Comments | 11 Pages |

18) NOVEMBER 2011 DEVELOPMENT APPROVALS
(Acting Director Environmental Services)

RECOMMENDED:

1. That Council note this report on the November 2011 Development Approvals.

REPORT

During November 2011 Council's Environmental Services Department processed thirty seven (37) Development Applications with a combined value of over \$8 million. In comparison to November 2010, Council processed twelve applications for a total value of over \$1 million. This latest statistic certainly reinforces the amount of development currently occurring throughout the Shire and the pressure placed on the currently under resourced Environmental Services Department.

A copy of the November 2011 Approvals to be advertised in the local press is attached for Councils perusal.

BUDGET IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

Attachments

Nil

19) **DA89/2011 - BLAYNEY SHIRE COMMUNITY CENTRE**
(Acting Director Environmental Services)

RECOMMENDED:

1. That Council note the report from the Acting Director of Environmental Services on the Community Centre.
2. That Council approve the modification as submitted.
3. That Council delegate to the General Manager approval to undertake minor modifications to the approved DA.

REPORT

Following a recent meeting of the builder, Councils Project Manager and Director of Engineering minor internal modifications were made to the floor plan of the approved DA for the new Blayney Shire Community Centre. These modifications included:

- A reconfiguration of the dance floor orientation. It is noted that the dance floor will still provide an equivalent floor area.
- Reconfiguration of meeting rooms and operable walls to maximise utilisation of the building.
- Provision of storage space beneath the stage area.

These internal amendments are seen as minor modifications to the approved plan, however the project has had to be ceased until Council approves the minor modifications as Council was the approval body for the original application. To ensure the speedy progress of the development it is suggested that future minor modifications be approved by the General Manager similar to the minor contract variations already delegated to the General Manager for the project.

BUDGET IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

Attachments

Nil

This Is A Reprint Of A Scanned Image



METZIYA PTY LTD
P.O. Box 16
BLAYNEY NSW 2799

ABN: 95 040 219 926

Ph: (02) 6368 9400
 Fax: (02) 6368 4290

29th November 2011

The General Manager
 Blayney Shire Council
 PO Box
 BLAYNEY NSW 2799

Dear Sir

**Proposed Rezoning of SeaLink, 137 Newbridge Road Blayney
 To Industrial Land**

Last week, the final submission of the rezoning proposal for SeaLink at 137 Newbridge Road, Blayney, was submitted to Council.

In April 2008, the Councils of Blayney, Cabonne and Orange released the draft of the Sub-Regional Rural and Industrial Land Use Strategy. The Strategy defined the SeaLink land on Newbridge Road for conversion from Rural (1a) and Environmental Protection-Scenic 7(a) under Blayney Local Environmental Plan 1998 (BLEP 1998) to IN1 General Industrial.

Council resolved to prepare the plan but required Metziya Pty Ltd, owner of the land, to prepare a Study which included noise and transport impact assessment. At that stage, the rezoning of SeaLink was still to be incorporated in the Shire Wide LEP (BLEP2011) that was being prepared for public exhibition and comment.

In 2010, in consultation with Planning NSW, Council changed the process whereby the rezoning proposal to Industrial was taken out of the draft Blayney 2011 LEP and replaced with RU2 Rural Landscape zone.

Metziya was advised that the new process for changing the zone of the land was called the Gateway process and the specific study and plan for SeaLink rezoning would run concurrently and parallel with the exhibition on the Blayney LEP 2011. Still, it was understood from discussions with Council, that Council would prepare the plan.

As some additional studies were required to be undertaken by Metziya Pty Ltd in relation to noise and traffic generation, prior to inclusion in the Comprehensive Blayney Local Environmental Plan 2011, it was decided preparation of a planning proposal for rezoning 137 Newbridge Road, Blayney, to Industrial, Rural Landscape and Infrastructure (Rail Siding) would be appropriate. It was proposed by Council that this planning proposal would be advertised with the Draft BLEP2011.

DataWorks Document Number: 326951

This Is A Reprint Of A Scanned Image

Council workshopped this proposal on 20 July 2011, and agreed to accept a report to Council recommending preparation of a planning proposal to facilitate that rezoning in line with the draft zoning plan agreed on by Councillors at that workshop.

A report was presented to the August 2011 Ordinary Meeting of Blayney Shire Council and it was resolved:

1. That the Director Environmental Services prepare a planning proposal for the rezoning of 137 Newbridge Road, as detailed in figure 1 (draft zoning plan).
2. That in addition to any other public consultation, the Director Environmental Services consult directly with the owner of 84 Newbridge Road, "Athol", in relation to this planning proposal.
3. That Council refer that completed planning proposal for 137 Newbridge Road, Blayney to the Department of Planning under Section 56 of the *Environmental Planning and Assessment Act 1979*

Throughout the whole process in discussions with Council and Councillors, it has always been that Council would prepare the plan. It was not until 2010 that Council required Metziya to contribute to the study. Even then it was understood Council would prepare the plan. The situation now is that the planning proposal has been prepared, not by Council, but by Metziya Pty Ltd, at a cost in excess of \$40,000. In addition, Metziya has conceded a large buffer on the western side that was not included in the original Strategy.

Given that it was Council who were going to prepare the plan, it is unreasonable now for Council to demand \$5250 in fees, **or the progress of the planning process would halt**, as outlined in an email yesterday, from Council's Acting Director of Environmental Services. This is an unreasonable demand particularly when Metziya has done all the work at which I believe met more than fair and reasonable requests.

I would like an answer to the following questions:

- The Councils of Cabonne Orange and Blayney as part of their Land Use Strategy identified **all** of the SeaLink land for rezoning as Industrial. To my understanding, the Strategy has been exhibited, adopted by the Councils and by Planning NSW for inclusion in Council's new Shire Wide LEP 2011. Why did Council change its position and not include the rezone in the Shire Wide LEP?
- Metziya has always been led to believe that Council would prepare the Shire Wide LEP including the rezone of SeaLink to Industrial. Now, Metziya has prepared the plan at its cost and is also required to pay a fee. Why?
- Why was Metziya forced to concede a buffer with a restrictive zone on the western side of the property when no restriction was included in the Land Use Strategy? The restriction sterilises over 9ha of serviced land with a developed value of approximately \$2m and prohibits Metziya from developing the full potential of the land. Is this a reasonable demand if it is only designed to retain the rural outlook of an adjoining property?

I consider that Metziya has been a good corporate citizen. To grow the business, Metziya has actively sought government grants obviously to benefit it's business but also to benefit Council. Those grants have included approximately \$325,000 for upgrading Newbridge Road and \$250,000 towards water and sewer to the SeaLink site. While the water and sewer may not have assisted Council, the grant for the road upgrade certainly did. And currently Metziya has assisted Council by including the replacement of the bridge over the Belubula River on Newbridge Road in a grant to improve electrical power to SeaLink. Council will benefit from a \$350,000 grant towards the replacement of the bridge.

DataWorks Document Number: 326951

This is A Reprint Of A Scanned Image

I ask that you submit this letter to Council for their consideration in removing the demand for me to contribute \$5250 in fees for a plan that was always to have been undertaken by Council and has resulted in me preparing the plan at Metziya's cost.

I would also ask Council to reconsider at this stage the imposition of the restrictive zone which has been imposed.

Yours faithfully



George Tanos
Managing Director.

DataWorks Document Number: 326951

Flyers Creek Wind Farm Proposal - Community Meeting

28 November 2011

Report for Blayney Shire Council



This report was prepared by Grahame Collier, T Issues Consultancy, following the community meeting.

Writing up the raw data from the meeting was a responsibility under the contract for this project. I have gone further than this, by aggregating recurring themes into key findings. Note all raw data is also included in this report in unedited form as per the contract.

A handwritten signature in dark ink, appearing to read "G. Collier", is written over a light blue horizontal line.

T Issues Consultancy

1. Introduction

The purpose of this meeting was: *To inform Council's submission to NSW Planning and Infrastructure about the Flyers Creek Wind Farm Proposal.*

The meeting, held on 28 November 2011 was not a part of the Infigen Energy consultation on the proposal. It was made clear in the letter of invitation, see Appendix 1, and at the outset of the meeting, that Council was seeking the community's views about this proposal in order to inform their submission to the NSW Department of Planning and Infrastructure – who are the consent authority. The closing date for submissions is 19 December 2011, hence the limited notice for the meeting. Members of the community who attended this meeting were encouraged to develop individual submissions into the process. Details about how to do this were provided.

Overall the workshop attracted 88 people, but not all engaged in all of the processes of the workshop. There were a number of reasons for this:

- Blayney Councillors and some state government agency staff and Infigen staff choose not to be involved in the small group discussion because they did not wish to influence the discussion.
- A very small number of participants did not join in the small working group discussions, because they objected to the process, they seemed to see it as beneath them.
- A very small number of other participants just got talking with someone near them. Clearly this was about the issue, but their discussions were not recorded, unfortunately.

The workshop was structured as follows

Welcome and Introduction - Councillor Bruce Kingham. Mayor Blayney Shire Council

Opening Remarks - Glenn Wilcox General Manager Blayney Shire Council

A perspective from Outside of Blayney – C Malcolm Barlow Upper Lachalan Shire

Presentation by Infigen Energy about the Proposal - Jonathon Upson

Question and answers about the proposal

Small group discussion - Putting positions forward. Four Key questions

- What more do you need to know?
- What are your concerns about the project?
- What might address these concerns if anything?
- What are the benefits in the proposal?

Reporting back – drawing out key themes

Whole Group Discussion and further Input

Meeting Close – Glenn Wilcox

The 88 people attending the meeting included Councillors from other NSW Councils proximal to Blayney and from Blayney Shire Council Councillors and Officers and staff. Sixty four people were involved in the small group activity. Forty seven people completed the Individual Feedback Form [see Appendix 2.] and not all of these completed every question.

The structure and format above was used in order to optimise the opportunity for input from the large number of people at this meeting. Some people might have expected a different structure for a meeting of this sort - discussion directed from the front with a large number of presentations and little time for input from the floor. As the objective of this meeting was to obtain input from the floor from as many people as possible, small group discussion were held. In addition, time limits on presentations, actively facilitating those who spoke in the whole group to a strict time and content limit and attempting to control interruptions were also used to optimise the opportunity for input. Some participants, five in total, in their individual survey form responses, said they had difficulties with this approach and some said so in the meeting and in written feedback, for example: *'Groups- like being treated like children! No opportunity to air concerns to complete audience'* Many more people expressed the view that they got: *'sufficient opportunity to put.... views forward in this evenings meeting'* [twenty eight respondents]. A further four respondents expressed mixed views about this issue.

There seems to have been a view among most that people got to have their say. Certainly the extent of data in Sections 4 and 6, below, would seem to support this view.

This report documents discussions and draws out some key themes for Council's consideration. This report contains all raw data gathered at the meeting in Sections 4, 5 and 6.

The following information drawn from the Individual feedback forms [see Section 6] provides some information about those who attended the meeting.

Most were local residents – the following provides postcode details for the forty one participants who responded to this question

2798- 24 respondents

2791- 11 respondents

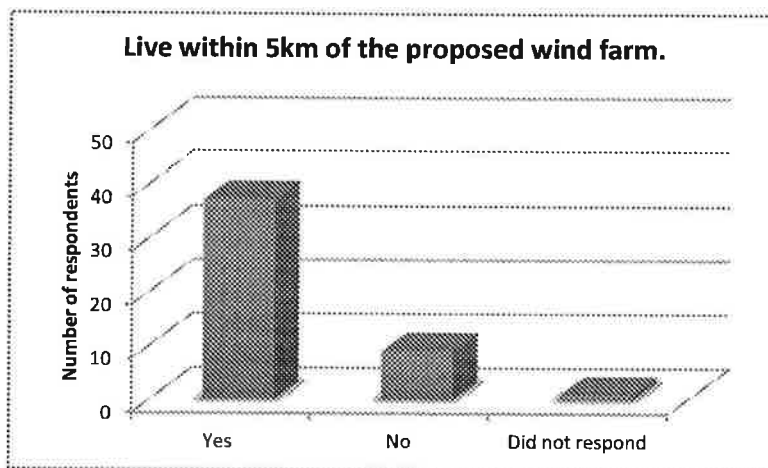
2800- 2 respondents

2799- 2 respondents

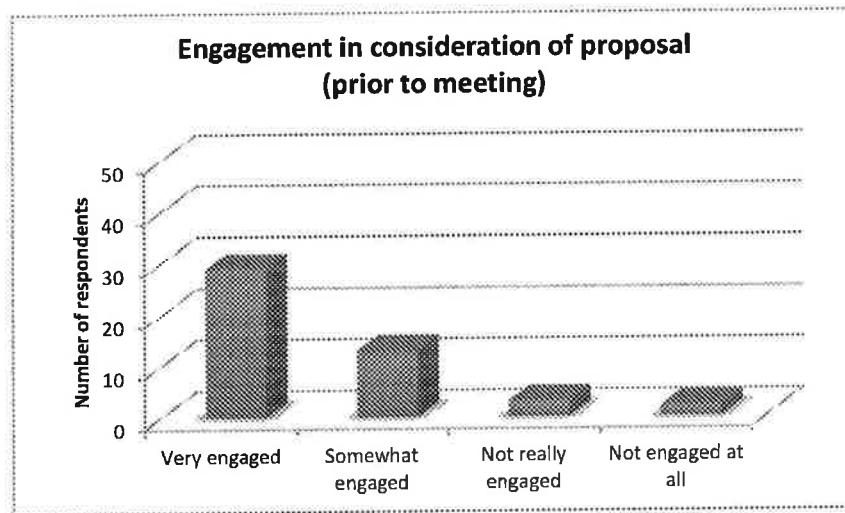
2049- 1 respondent

2799- 1 respondent

The majority of people live within five kilometres of the site. See data below



The majority of people attending who completed the workshop form had been engaged in considering the proposal previously. Very few people had not been involved at all [3 only], although it is not known how engaged those who chose not to complete the form [or chose not to complete this question -8 people] have been.



2. Meeting Logistics

The meeting was held at Blayney High School at 7pm on 28 November 2011. A number of fairly major logistic issues impacted on the delivery of the meeting and on its tone.

- The meeting space was not set up as requested prior to the meeting; there was no screen, whiteboard, insufficient, single chair seating and insufficient tables. Not all participants had a nametag and there was no roving microphone.
- When I arrived at the venue nothing was set up and so the twenty five minutes prior to meeting opening required a fairly mad panic to get the space set up. Thanks to a lot of willing hands this happened but it was less than ideal.
- Thankfully the school managed to patch together a long lead on the microphone so that the final discussion [from 8:30 onwards] could be heard by all. Prior to that the acoustics were difficult, except if the lectern microphone was used.
- As facilitator I was only made aware of the inclusion of Malcolm Barlow into the list of speakers at 5pm on 28 November; the agenda and PowerPoint had to be adapted quickly and the flow of the meeting was affected. He was told he had 15 minutes, but I was concerned they this cut too deeply into the time for participant discussion. Because of the set-up issues, I did not meet Cr Barlow prior to the workshop. Hence the timing was negotiated in front of the participants - not a good situation. The time issue was a significant challenge as far as the Infigen presenter was concerned.

- More than one participant wanted to take on the role of meeting facilitator – determining speaker order and methodology, and this also impacted on the capacity of the meeting to flow smoothly. Interruptions during the Infigen presentation were also concerning.

3. Key themes and Issues Emerging

I have extracted the following key themes from the data provided in Sections 4, 5 and 6 below. There were three specific data collection methods used for the meeting – Small group discussion records - Notes taken on issues raised during the whole group discussion [recorded by Mr Alan Lindsay] and material drawn from individual feedback forms.

The following findings are provided for Council's consideration, without prejudice and based on the input in Sections 4, 5 and 6 below. They do not express my personal views in any fashion. Others involved in the meeting will have their own views of the key outputs and issues.

- a. There is significant amount of 'heat in the community' about this proposal.* The evidence for this is the number of people who attended the meeting and the passion with which they expressed their views both verbally and in writing.
- b. Despite the best efforts of the Mayor, the General Manager and the facilitator to make it clear that the meeting was to inform Council about the views of the community about the Infigen proposal, many people wanted to obtain information about wind-farming and about the specific detail of the proposal.* While some of this detail was provided, as indicated in Section 1, the intention of this meeting and the need for it was aimed at a different result. It was made clear in the meeting invitation, the PowerPoint presentation and verbally, that this meeting was not a part of the consultation process which should have been held during the development of the proposal.
- c. It would seem that whatever consultation has occurred prior to the submission of the proposal to NSW Planning and Infrastructure many, many questions remain unanswered as far as the community is concerned.* Sections 4 and 6 below capture these in detail. In the main questions seem to relate to the following themes - note these are listed in no particular order and are not weighted. It is noted that the Council's attempts to obtain informed views were somewhat thwarted by the need for more information
 - The infrastructure itself – height of towers, what turbines will be installed, size and model of turbines
 - Planning issues – need for a development Control Plan
 - Roads Issues, access, maintenance and what is the developer responsible for/doing?
 - Health issues covering a range of matters including acoustic issues, proximity issues, scientific research.
 - Buffer zone issues and guidelines and commitments
 - Learning from other sites
 - Project creep issues
 - Decommissioning issues

- Wind-farming verses other power generation issues.
- d. *There are major issues of concern expressed about the proposal. In the main they related to the following [note there is congruence between what is raised as a concern and questions highlighted above]:*
- Health and related acoustic issues
 - Degradation of local roads and failure to upgrade and maintain roads. Also increased traffic leading to safety concerns.
 - Increased traffic during construction.
 - Employment of local people- numbers and length of employment. Will it really give jobs to locals in the short medium and long term?
 - Ruin of rural aesthetic- noise destruction of rural lifestyle.
 - Impact on wildlife, especially birds
 - Guidelines or lack thereof. Use of South Australian Guidelines
 - Aesthetic and lifestyle issues. Why here? Visual impact
 - Depreciation of land values.
- e. *There are some things that can be done to address concerns and these were raised throughout the meeting. The following summarises what might be done to address the concerns in some fashion. It was not suggested that these would alleviate all concerns:*
- More transparency about the proposal, clearly people feel that they have been left in the dark
 - More science and scientific studies made available
 - Improved consultation processes
 - A guarantee of local employment
 - No impact on neighbor lifestyle and health
 - A buffer zone
 - Improved roads and maintenance of roads
 - Certainty about the end of life issues
 - Blayney City Council has a DCP in place to manage this issue.
- f. *There are some benefits to Blayney and beyond in the proposal. These were raised through the small group discussions but they were not raised in any depth in the whole group discussion stages of the meeting. In the main the benefits related to cleaner energy generation and reduction in carbon emissions, Local benefits raised included: increased tourism, local employment during construction, the project will bring dollars into the local community and there is opportunity for local investment.*
- g. *At first glance it would seem that participants at the meeting were broadly against the proposal. Certainly this would seem to be the case if only the verbal feedback stated publically, is analysed. There were a lot of negative views expressed forcibly and these must be considered. Many of these were also expressed in writing, as indicated above. Balancing this however is the data available from the individual feedback form [See*

Section 6]. Here the question was asked: *Write in one sentence what you want Council to say in its submission?* Results for this question are found at Section 6 and these have been organised under three headings, broadly for the *proposal/broadly against the proposal and related to other issues*. If this measure is used, nineteen respondents were broadly for the proposal, sixteen broadly against the proposal and ten raised other issues that they wanted the Council to raise in its submission. This is telling data because it is the only private/confidential feedback that gives data, unaffected by the discussions. It shows the views of the people at this meeting in a somewhat different light and needs to be reviewed thoroughly.

h. A range of miscellaneous other issues were raised during the meeting and key issues are noted below

- How much is the facilitator for the meeting? [two participants]
- The need for more clarity and information about the co-op proposal.
- A desire to find out about real experiences of other communities who have wind farms.
- Council logo and Council's overall position on wind farms.

4. Raw Data for Small Group Activity

The following is a complete record of all of the material drafted by the small working groups at the Workshop. It is unedited and overlap has not been removed. All comments recorded in each working group report are listed below for Council's consideration and records.

a. What more do you need to know?

- Height of towers.
- Number of houses affected.
- Is there a possibility to put solar panels adjacent to towers?
- Health issues- scientific surveys.
- Questions over acoustic models, viz acuz [drafters note- this may be incorrect, difficult to read] South Australian study.
- Real effect on property values.
- How can Blayney develop? Development control plan.
- What roads will be impacted, what on-costs from this project will Blayney Council likely to bear in regard to roads, infrastructure etc?
- Medical research required to prove health issues
- How do we get development Control Plan?
- What's going to be done with Errowanbang and Gap roads
- Why are our questions dismissed as irrelevant?
- Affects of turbines on animals, birds etc.
- Are wind turbines really the fastest growing industry within energy production? What about oil/coal etc?
- Why can't we be told exact turbines are to be used
- Who is responsible for maintenance and upkeep of these roads, once sold by Infigen? Council, landowner?
- The truth!
- How much did the facilitator cost Blayney Ratepayer?
- Land values.
- When will it start?
- How long will it take?
- Will the roads (Council) hold up and will they be restored?
- Will more be added in the future (project creep)?
- Will there be a rehabilitation bond payable?
- Proposed co-op venture details
- Other wind farm experiences.
- Size and Model of turbine so as to address the submission.
- 2 km buffer zone approved in other states, will this be implemented in NSW?
- Will the government be breaching their duty of care, knowing there are proven issues in other states (e.g. financial, health issues etc.)
- What is Infigen going to do about accumulative noise between the 4 mines at Cadia and the wind turbine as they cannot keep them under 5 Scib when the mine operates under 4 Scib.[Drafters note – difficult to read]
- What turbines are they using- what size and capacity?
- Have they exhausted all possible locations?
- Does Infigen have empirical scientific evidence to back up their claim? What guarantees they don't increase the concentration of turbines?

- How much is the facilitator costing?
- How much is it costing the taxpayer?
- EA 2.2. 1 P. 2-8 Infigen states Blayney Council was generally supportive. Therefore what aspects didn't thy support?
- If the industry is increasing globally 28% year on year as presented then why is Infigen selling farm assets in Europe and the US due to maturity of the industry in these areas? Contradictory.
- Why doesn't Blayney Shire have a Section 94 plan as well as a DGP plan as suggested y the member of Upper Lachlan Shire?
- Are there people near the site in favour of the project? Are people willing to live on the site?
- Carcoar Wind farm: What impact on noise, visual, value of land, given Blayney wind farms more than Carcoar, more noise, more issues?
- Advantages/disadvantages of wind farm versus coal, gas, fossil fuels
- When is carbon footprint of wind farm?
- What are the positives/negatives of the Daysford Wind farm?
- Why did Blayney Council allow subdivisions of 5 areas?
- How much coal use reduction could this wind farm involve?

b. What are your concerns about the project?

- Less than coal and gas generation.
- Degradation of local roads.
- Increased traffic during construction.
- Employment of local people- numbers and length of employment.
- Ruin of rural aesthetic- noise destruction of rural lifestyle.
- Real subsidies to taxpayers- are they subsidising it and how
- Increased traffic during construction.
- Removal of redundant wind turbines
- Impact on wildlife, especially native birds
- Infigen's leave agreement, allowing more turbines on host properties in the future.
- Will other wind farms follow?
- What is the impact on wildlife, especially birds
- What on-costs to ratepayers due to development.
- Environmental vandalism on landscape-upheaval of lifestyle-views from property ruined.
- Increased traffic-how is this to be made safe on rural roads.
- Noise emitted-levels.
- What if company goes bankrupt?
- Removal of wind turbines-how many turbines are to be built?
- Who is responsible for towers when they fall down and the roads, major and minor Council roads?
- Why are they being built in our area rather than the coast where the population is bigger?
- They are noisy and ugly.
- Land value depreciates.
- No truth in consultation Wind is twice the price of coal.
- Health
- Noise

- Vibrations
- Affect flora and Fauna (Bee farmers etc)
- Visual impact.
- Cumulative impact (noise and visual)
- Roads
- Community dislocation and disunity.
- Land value
- Economics-will put our bills up.
- SA Noise Guidelines-NSW Assessments of these guidelines in court in SA.
- No employment – only 3 employees when operational according to EA.
- Noise – audible and non audible? Proximity and compensation?
- Fires- starting a bushfire? Toxic fumes? Proximity and compensation?
- Land values
- Traffic effects during construction and afterwards with narrow roads.
- Land values.
- Health risks.
- Not given all the facts. (independently)
- Is there any compensation for diminishing land values?
- Decommissioning.
- Mechanical failures.
- Decommissioning, blades are non recyclable.
- Visual impact, noise, health, fauna and flora.
- Community relationships deteriorating especially those having turbines and those who don't.
- Roads!! Where will they be going?
- The close proximity to the turbines, being 40 turbines in sight.
- Who subsidizes the turbines when they stop? There is no traffic or transport strategy as at Bodangora Wind farm- Wellingtonshire.
- Very limited consultation with Thomas Aviation and ultra lights.
Very concerned about cumulative effects between Cadia Mine and Wind farm in terms of over industrialization, cumulative noise, visual amenity.
- Noise (Including tonally, infrasound)
- The industry is being supported/subsidized by Federal Government
- Concern over property Values
- Who will be responsible for deconstruction?
- Aesthetic concerns
- Causing community division
- Worried about noise.
- Whether it will do what it says it will.
- Land values and damage to roads.
Will any construction money come into the local community?
- Are there any renewable alternatives to wind?
- That the animosity of a group opponents to the wind farm may influence major developments in the shire.
- That developers may fail to maintain council roads-i.e. leave them better.
- Property owners have concerns about Infigen's roads through properties.

c. What might address these concerns if anything?

- Funds to council for road maintenance.
- Construction management plans.
- Guarantee of Infgen financing round-or some input into.
- Guarantee no impact on neighborhood lifestyle and health
- Guaranteed income for farmers
- Infgen provide bond for removal at end of economic life.
- Will roads be developed to an acceptable level.
- Are NSW taxpayers subsidizing project?
- Infgen guarantee no reduction in health standards by providing evidence from other studies overseas.
- All secrecy agreements be known to neighbours.
- Open contracts with no gag clauses.
- Transparency.
- Proper community consultation.
- Proponent must undertake appropriate and justified level of consultation with BCC as per Director General's requirements.
- The Truth!
- Moratorium until well-designed health research is done.
- Remove/do not build these industrial blights on landscape.
- Minimum difficulty from dwelling?
- C.S.I.R.O. investigations – health, wellbeing.
- Historical fire data from other installations.
- Data from land values at other Australian operations.
- Feedback from landowners at Carcoar Wind farm.
- More information from Internet?
- Other reports on wind farms and land values
- What is the local benefit?
- More studies, the results of current issue being finalized before a new submission goes ahead.
- A DCP by Blayney Council
- quote for Infgen EA "the visual and acoustic impact of the operating wind farm for some neighbours may be of concern and could only be avoided if the wind farm was not built"
- Additional consultations.
- "THE TRUTH"
- A better appropriate location of the wind farm to a less populated lower agricultural area where the combined impacts will be less.
- An appropriate buffer to protect close by residences/schools etc.
- A reasonable security/bond for the end of life deconstruction.
- Consult with other communities that have been through this process and learn from their experience, e.g. Crookwell, Daylesford, Woodlawn.
- Release of report on Capital Wind farm.
- Will there be local staff?
- Local employment opportunities?
- Having some measure of local ownership?
- Possible cheaper electricity and energy prices?
- Vertical axis turbines as an alternative?
- That a DCP should provide for road maintenance.
- Individual property owners should negotiate directly with Infgen.

- More media coverage of benefits of wind farms and lack of health risk there from.

d. What are the benefits of the proposal?

- Tourist attraction
- Power to local mine-replace reliance on coal fired generation.
- Reduction of carbon emissions- complying with 2020 emission targets.
- Green electricity.
- More attractive than coal or gas power station.
- Rather live close to turbines than highway or motorway.
- Wind energy a reliable source of carbon abatement.
- Jobs during construction.
- Economic sovereignty of wind farm hosts.
- Jobs during construction.
- Money to owners. How much – what if share price crashes.
- There are no benefits in this proposal
- We need to be compensated by neighbors with turbines to neighbours with none.
- Electricity prices double. Infigen (Wind Industry) is subsidised by RECS.
- We are supposed to be a smart country not a dumb country so why are we paying so much for our electricity.
- Jobs in the area- construction and maintenance.
- Clean production of electricity.
- Tourism.
- Income for landowners.
- Less Greenhouse Gas
- Alternative energy source.
- Increased regional resilience.
- More employment.
- Additional income stream.
- Tourism.
- Self-sufficiency for electricity.
- May be economic benefits to the community
- Carbon benefit of project?
- Form of renewable energy- the fuel is free.
- Employment opportunities.
- Money coming into the community
- Daylesford community owns wind farm outright.
- An exciting opportunity.
- Significant employment in the construction phase and maintenance work in running phase.
- Involvement in a major renewable energy source for the shire and its inhabitants
- Decrease in greenhouse gases.
- Opportunity to invest in a wind farm at a reasonably low level of finance.
- Tourist potential- wind farm viewing platform.

Note: In some groups there was commentary on the 'lack of benefit', written up under the heading of 'benefits'. These are

- Overseas companies will benefit from the proposal- ZERO for Blayney Shire.
- Nil
- So far there is no demonstrated reduction in CO2 emissions as a result of the increased wind farm industry in Australia.
- Until they can demonstrate better capacity, i.e. 20-30% cannot see the benefit.
- Have not yet any benefit to the local community other than the hosts.
- On 2.5 MW Turbine
 1. CO2 Abatement 1 Tonne = \$23=1MW
 - 2.5x\$23 = \$58.50 CO2.
 2. REC 2.5xREC (\$45-90) = 112.5 - \$225 00. Therefore each turbine operating at 35% capacity would generate: 127 days @24 hours per day x (REC) + (CO2) @ (112.5 =58.50)

Government tickets on today's prices per turbine per year \$521,208

\$521,28 Government subsidy per turbine per year- free \$ to energy companies before they even sell electricity

e. General Statements- These were made in addition to those under each heading

- Concerns with long term economic viability
- Support from some for environmental benefits
- Inefficient/intermittent
- Sydney supports because not getting wind farms
- Question- In Australia, only limited places to put them. 6 billion of these equates to Wang power station- government web site. 25000 Turbines needed to get 20% renewable. 20% renewable or what else??/ How does the rest (80%) get electricity-where does it come from?
- Why do we get told lies about health effects when we know the effects are fact? How much evidence do they need?
- What about our democratic rights and our duty of care? Infigen has duty of care.
- Why doesn't Infigen put some on buildings they own if they are so safe and cause no problems.
- From Blayney Real estate Agents- In Blayney Shire there have been no problem (health or accident) no fires from the Carcoar Wind farm and property values not appear to be affected. This farm is also a significant tourist attraction. If it is good enough for Councils Logo wind farms are good enough for real investment.

5. Raw Data Recording Whole Group Discussion

The following raw data was recorded by Mr, Alan Lindsay [Blayney Shire Council] relating to the issues raised in the final discussion at the meeting. They are unedited. This records the whole group discussion part of the agenda. All those who wanted to speak were given the opportunity to do so during this part of the agenda, some spoke twice.

- Moved there for setting of rolling green hills not windmills
- Poor consultation
- Visual amenity will be affected by turbines
- Decrease in land values 40%
- Although a farm in the area affected by the wind farm sold for a record price
- Neighbour and families against each other dividing the community
- Loss of tranquility with mine (Cadia) covering some 10,000ha and Wind farm covering 6,000ha
- Closeness of Cadia and Wind Farm two major enterprises i.e. a cumulative impact
- Was a quiet picturesque area
- Affects on health from the noise
- The size of the proposed Turbines a lot larger than Carcoar turbines
- Some people's health will be affected by the Turbines
- Infrasound is what you feel rather than what you hear
- The impact on small farms that should be used for growing food
- Small subdivisions have a greater affect on farming than Wind Farms

6. Data from Individual Feedback Forms

The form that was used to collect this data is included at Appendix 2 below. Some data drawn from it is reported in Section 1 above, indicating some information about who attended etc. the remaining data is provided below. It is unedited or changed in any way, except that like data has been grouped in the 'write one sentence.....' material.

It is noted that this form provides confidential, personal information of people's real views about the issue/. As indicated above it is unfortunate that forty seven participants only chose to complete this form.

Write in one sentence what you want Council to say in its submission?

Individual input was provided by forty five of the forty seven people who completed the form. This data is grouped under three headings, in favour/against and other issues.

Broadly in favour of the proposal – 19 people for..

- Renewable energy is good for the future.
- I would like council to support this submission because of the overwhelming benefits to the area.
- Wind farm should go ahead and help fund ongoing road maintenance.
- In favour of the wind farm to reduce reliance on coal and gas power generation
- Support the proposal.
- Pass this proposal to benefit our shire with clean energy and local jobs.
- To support the development.
- We strongly support renewable energy in the Blayney Shire.
- BSC takes pride in confirming its role in promoting sustainable renewable energy. The smaller Carcoar wind farm has made a valued contribution to tourism and energy generation
- We would like the council not to support this proposal. Demand the truth and ask that appropriate research is done on health and impacts to communities. We want people not turbines
- That the project should go ahead subject o the concerns of residents.
- Give the project full support.
- After taking into account comments from facilitated sessions would hope council looks positively on submission.
- I want council to support the development
- We support the submission in favour of renewable energy.
- Seize this opportunity with both hands as you are looking at a step towards a clean, great sustainable future.
- I am totally in favour of this project being completely implemented.
- I am happy for the project to proceed if the company is able to provide support to the community in upgrading roads and other assets. The company must follow all EAS requirements to the letter.

- Support the proposal but with adequate protection for the present local community in terms of noise, over-industrialization, visual amenity, preserving current nature of the land.

Broadly against the proposal – sixteen people against

- Wind farms are an inefficient model for renewable energy requiring huge public subsidies and destroying the visual aesthetic.
- That will be no turbines.
- Do not support proposal! People are more important than industrialization of landscape.
- I would like Council to reject the proposal due to the impact this industrial turbine will have on health of people, animals, livestock, insects.
- That they are against the turbines. This is a rural area, not a heavy industrial area. Blayney has an industrial area in town.
- Simple- NO
- No wind farm
- No wind farm.
- Reject it out of hand; we cannot tolerate the destruction of our area.
- Turbines are poorly situated close to our homes and school.
- Not to allow this project to go ahead.
- That the application be not approved until the issues of the Quinn Case regarding noise (SA) guidelines and tonality be resolved, and council and the proponent formally resolve all traffic and transport issues(roads) for during construction (18 months) maintenance (20-30 years) as well as for tourists with appropriate section 94 Plan. Contributions or VPA agreed payments to compensate council (audits ratepayers) regarding the use and maintenance of its services and infrastructure (including roads, waste management, water.
- I want council to oppose the development for the sake of all the families and hobby farmers they have encouraged to move in to this area. If we had known that we would be living within 5km of a wind farm we never would have moved to Blayney Shire.
- No to the wind farm
- Not needed and not justified.
- To refuse the proposal on the grounds of peer reviewed evidence that they cause health problems.

Other issues- Ten comments

- Obtain details on road upkeep.
- Please base your decisions on fact and not on the emotion of "I will decide if I can't sleep or decide if I don't like it"
- Notice how much Infigen has complied with requirements set out by Director General, Sec 75f environmental Planning and Assessment t Act 1972.
- Could they get a DCP and get control of some of the development of the project, i.e. roads.

- Is the infrastructure capable to handle the project e.g. roads.
- The proposal only will go ahead because of subsidies from the government and electricity users-substantially so. They also abate very little CO2 e.g. Wind farm abates 1 jumbo jet flying a return route from Sydney to Los Angeles.
- Council needs to get a DCP.
- That they object to being overruled by State Government not doing the job for the public.
- Refine the proposal to make it as acceptable as possible to the community. Ensure that there is some measure of local ownership.
- Council needs to have a DCP. Mayor should obtain research on the problems.

Did you have sufficient opportunity to put your views forward in this evenings meeting?

- Yes- 23 respondents
- Yes but more time would have been good.
- Yes I believe there was a good opportunity for all to put their views forward.
- Yes. Although I thought I would have had more of a chance to question Infigen Energy as they are claiming this meeting as part of their community consultation.
- No "Taken away by opponents- only recorded their opinion every time balanced view was proposed they overpowered the group. Scribe did relent and record some more balanced view
- No- groups were formed so the opportunity for questions to be answered was very limited.
- No- groups- like being treated like children! No opportunity to air concerns to complete audience.
- No we were handed deceit, deceit, deceit.
- No-
- Views presented by some eloquent speakers on my behalf
- Only so so, only just
- Would have liked to ask more questions to J Upton.
- Sort of as my husband wanted to ask a question and was denied the opportunity.

Do you have other comments?

- Would like council to obtain ongoing funding for infrastructure/maintenance.
- Go ahead
- Don't let the vocal minority rule, preset a balanced view.
- Thanks for the meeting.
- Strongly opposed to wind farms, future generations will curse our shortsighted attachment to gesture politics.
- The property sold for a record amount was "old Eurobay" which has significant history in the area.
- Yes, councils should check their own farm management guidelines.
- I would expect that council addresses concerns in the strongest terms when putting in the submission.

- I wish the guy didn't lie when he spoke from Infigen.
- Infigen doesn't tell the truth. They are very one sided and secretive, they have their interest and it is money. They don't care.
- Won't settle family here if turbines go ahead.
- Infigen was its usual evasive self, answering or dismissing as unimportant our concerns. Dishonesty prevails. Like a tobacco company!
- This is such a bad deal, which will destroy this shire.
- Depreciation of land values are possibilities because if a purchaser has a choice of property near a wind farm wouldn't they purchase the property away from the wind farm.
- Electricity twice the cost
- Lower land values
- Should share the income or profit from the windmill among the neighbouring farms.
- Share the income from profit from windmills to the neighboring farms.
- Land values next door should be ascertained before the project starts.
- I hope people don't get sick from the project.
- We need a source of clean energy.
- Aesthetically they will destroy our unique countryside
- Economically they are useless
- Infigen lie- they don't supply local houses, they have not consulted councilors continuously for the last 3-4 years as they claim.
- We will get very little long-term employment once they are built.
- The wind turbines aren't the same as Carcoar, they are 45meters, these are 135m-150m.
- This project is creating stress before it is built. We bought our property for the tranquility and views which will be spoilt with 40 in view. We also are very worried about the noise they will create. How many more wind farms will the Government allow in our area.
- You as our councilors should be helping by not allowing this to go ahead.
- I will submit a paper to council.
- Thanks for the opportunity.
- Green electricity, carbon neutral, reduces climate change, minimize global warming
- Council must assess all parts of the community and not just take into account the NIMBY attitudes of some residents
- Cumulative Question- Comment on the cumulative effect: The Flyers Creek district is currently host to Newcrests Cadia Mine, commissioned in the late 1990's. The Cadia Valley Mine site lease occupies an area of approximately 5,500 hectares. The proposed Flyers Creek Wind Farm project is located to the immediate SE of Cadia Valleys Mine lease, less than 1km between boundaries. It will occupy an area of approximately 6,000 hectares for a total of some 11,000 hectares attributed to industrial land use in close proximity in an otherwise tranquil rural environment. Most individual rural holdings in the area rarely exceed 500 hectares and indeed a great deal are less than 100 hectares. A significant number of families have taken up residence on small rural holdings in the northern third of the Flyers Creek area over the last decade or so. These small rural holdings are on land upon which Blayney Shire Council has allowed to be subdivided in

an effort to encourage people to settle into the area. This has worked very efficiently in my view. The majority of these families have moved into the area for how it is today, in general a quiet picturesque rural setting. A significant number of these residences reside in the more elevated portions of the Flyers Creek area, many of which were purchased due to the outstanding views along and down the valley. Furthermore, a number of these properties are located within 3km of both Cadia Mine site and the proposed wind farm project where any further increase in noise levels is likely to have a significant negative cumulative effect. The cumulative effects section of the EA has failed to properly address the cumulative impact of the Flyers Creek district in terms of over-industrialization of a picturesque rural setting, additional noise impact and visual amenity. My belief that the electricity generated was intended for Cadia Mine. I wonder whether there are alternative locations such as west of Cadia Mine where significant topographic relief occurs, where the area is sparsely settled, where the 132kv transmission line could be significantly reduced, and where the agricultural value of the land is much less, that would prove as effective as the area proposed at Flyers Creek. Have these areas been adequately investigated?

- Mayor endorsement prior to EA. I found this a very odd statement given that they had not to my knowledge been any council promoted forum to gauge the communities concern when it was first released.
- This is an industrial complex, money for Infigen and hosts only.
- So much evidence that they cause problems for health for humans, animals, flora, fauna and the environment.
- No benefits for the community after they are up as they fly in 3 or 4 engineers. There is evidence (peer reviews from experts) that infrasound does affect people
 - Dr M. Swinbanks former NASA scientists
 - Dr A. Bronzaft (child specialist on turbines effecting children)
 - Dr R. McMurtry
 - Dr J. Etherington
 - Quinn vs. AGL says noise is a problem
 - Organisations against EPAW.org
 - Prince Phillip
 - Duke of Northumberland
 - Dick Smith
 - Donald Trump
 - Steve Mortimer
 - Max Delmege (real estate specialist)
 - 4% wind turbines contribute electricity in Denmark.
 - We need a moratorium
 - Infigen USA \$1.3 Billion in debt
 - Infigen Australia over \$62 in debt
 - Infigen exist only because of subsidies and carbon credits.
 - Spain and California have 1000's of rusting turbines as for scrap costs more to pull down than you get for scrap.
 - They are not safe proven by deaths and accidents, also see dead birds under

- Carcoar turbines only 45 m high while these will be up to 150 m
- Kim Masters owns a lot of land and will move away to sit on his money from turbines. He does not care about anything but LSD. It's an industrial complex interfering with aviation and seismic monitoring equipment.

**Appendix 1. INVITATION TO ATTEND A COMMUNITY MEETING FOR THE
PROPOSED FLYERS CREEK WIND FARM PROPOSAL**

Blayney Shire Council invites you to a Community Meeting to discuss the proposed Flyers Creek Wind Farm Proposal Environmental Assessment (EA) currently on exhibition until 19 December 2011 by NSW Planning. The object of the meeting is for community members to assist Council in developing the preparation of Blayney Councils submission to NSW Planning & Infrastructure. An independent facilitator will be used to ensure the meeting realises its objectives. The proponent Infigen Energy will provide a 15 minute overview of the proposal at the start of the meeting. A whiteboard will be used to develop any issues raised at the meeting o the proposal, for Council to consider in its submission and conditions. A copy of Councils submission will be placed on the NSW Planning & Infrastructures website www.planning.nsw.gov.au

Venue	Blayney High School Hall
Time :	6PM to 8PM
Facilitator	Grahame Collier T Issues Consultancy

AGENDA

- Presentation by Infigen on the proposed Flyers Creek Wind Farm (15minutes)
- Questions
- Discussion on proposal to assist Blayney Shire Council for its submission to NSW Planning

Council looks forward to your attendance and constructive input to this proposal.

Glenn Wilcox
General Manager

Appendix 2. Individual Feedback Form



**Flyers Creek Wind Farm
Meeting**

Attendance at the Public Meeting

Please complete the following form and leave it on the table [one form per person please]

Name [optional].....

Contact details [optional].....

Postcode of permanent residence.....

Do you live within 5kms of the proposed wind farm? *Circle correct response*

Yes

No

How engaged have you been in considering the proposal prior to this meeting? *Circle the most accurate response?*

- Very engaged
- Somewhat engaged
- Not really engaged
- Not engaged at all

Write in one sentence what you want Council to say in its submission?

Did you have sufficient opportunity to put your views forward in this evenings meeting?

Do you have other comments?



WIND FARMS AND WIND MONITORING TOWERS

Keith Tonkin, aviation project consultant, and aviation student, Gabby O'Brien, write on the impact of wind farms on aviation

Australia has a significant potential for wind energy generation. We have both an expansive wind resource, and a growing political commitment to the development of renewable energy sources. Increasingly, for pilots navigating the Australian skies, wind farms will become a recognisable feature of the landscape. While this may break the monotony of a long flight at 38,000ft, it has far greater consequences for those who fly professionally below 500ft.

As part of a risk assessment of the effect of wind farms on aviation safety, Aviation Projects recently sponsored research by university aviation student Gabby O'Brien. The study reviewed worldwide aviation accidents associated with wind farms to identify problematic issues and to form conclusions about the likelihood of accidents arising from the hazards posed by wind farms.

It was found that wind farms create four types of hazards to aviators:

- the potential for collision with a wind turbine
- the potential for collision with a wind monitoring tower (WMT)
- the potential for controlled flight into terrain (CFIT) as a result of harsh manoeuvring to avoid collision with a turbine
- the effect on operating crew of additional planning time, additional airborne workload or imposition of operational procedures or restrictions.

WIND TURBINES

Wind turbines are typically located in rural Australia. They can reach heights of over 150m (492ft) at the top of the blade tip: some are currently planned to reach heights of 175m (574ft). These obstacles are highly visible during the day due to their white/off-white or pale grey marking.

Where air traffic is likely to be funnelled through a gap or area of lower terrain due to low cloud, it should be remembered that wind turbines are usually located on the tops of hills and therefore clear of low-level escape routes.

continued on page 44

WIND MONITORING TOWERS

Wind monitoring towers collect wind data by elevating anemometers some 60-90m (197-295ft) into the air. The towers however, are constructed of low-visibility galvanised metal and are anchored to the ground with near-invisible guy wires. They can be in place for a number of years before wind turbines are erected on a wind farm site.

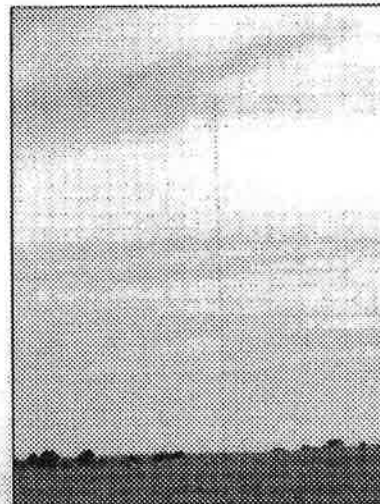
WORLDWIDE ACCIDENTS/INCIDENTS

The study analysed aviation accidents and incidents recorded since 2000. The eight cases all occurred during day operations in Canada, France and the USA, and include:

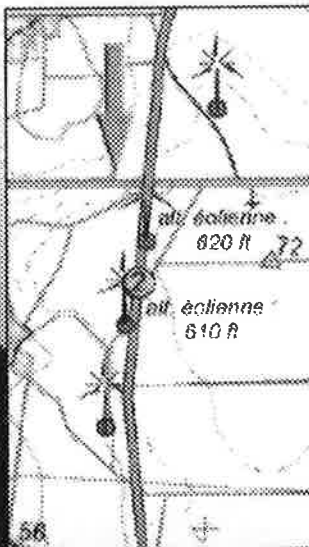
- 1. VFR aircraft struck by wind turbine blades. In this case, the accident occurred during the day in conditions of low cloud (cloud base estimated to be between 50m (164ft) and 100m (328ft)) and significantly reduced visibility (estimated to be between 400m and 800m) in fog. The turbine was 120m (393ft) AGL high. Incredibly, the aircraft was struck twice (once on each wing tip) by separate wind turbines, but landed safely. The photos below show the damage caused to the aircraft and a plot of the aircraft track through the wind farm, which was clearly indicated on the aeronautical chart used by the pilot.
- 2. Fatal loss of control of a VFR aircraft while manoeuvring around wind turbines (CFFI)
- 3. Fatal flipping of an idling helicopter due to excessive tailwind gusts
- 4. Fatal power line strike during animal control culling
- 5. Private flight fatally collided with a WMT
- 6. Aerial agricultural aircraft fatally collided with a WMT
- 7. Aerial agricultural aircraft collided with a WMT (see photo below right)
- 8. Aerial agricultural aircraft fatally collided with a WMT.



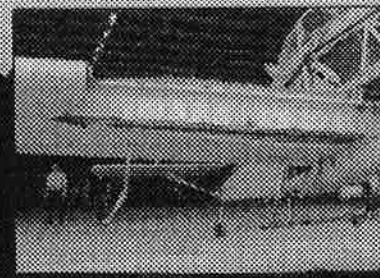
Wind turbine at Oaklands Hill Wind Farm, Victoria



Wind monitoring tower at Oaklands Hill Wind Farm, Victoria



Damaged VFR aircraft from blade strike and flight path (Source: IHA)



Damaged Ag. Turbine after WMT collision (Source: Transport Canada)

continued from page 29

CONCLUSIONS

Two interesting conclusions arose from the study:

- 1. There is a much higher risk of a fatal accident resulting from manoeuvring to avoid wind turbines than by colliding with them (particularly in conditions below VMC) and
- 2. Collision with unmarked obstacles, either WMTs or power lines, during the conduct of aerial agricultural activities is the highest risk to aviation safety arising from wind farms.

Due to this higher risk from manoeuvring to avoid turbines, it makes sense not to locate wind turbines in areas of concentrated low level air traffic such as published VFR routes. The issue of stress of weather leading to flight below 500ft (and potentially into conflict with wind turbines) should also be considered. Where air traffic is likely to be funnelled through a gap or area of lower terrain due to low cloud, it should be remembered that wind turbines are usually located on the tops of hills and therefore clear of low-level escape routes.

Because terrain and aircraft operations vary, it also makes sense that an independent aviation hazard/risk assessment is carried out of all proposed wind farms. This assessment should include feedback from the local flying community regarding the extent of low-level flying operations, and consideration of any limitations to VFR tracking in adverse weather.

The potential for collision with unmarked hazards, which occurred in four of the eight cases, is clearly more problematic, it is likely that such a catastrophic collision will occur again, possibly in Australia.

This study therefore recommends that:

- All WMTs and their supporting guy wires should be marked to enhance visibility;
- An online searchable database of WMTs' location and other applicable details, preferably referenced to their geographic location, should be developed for the use of low-level aircraft operators, and
- Power lines located in close proximity to known areas of low-level aircraft operations should be marked appropriately.

Some countries have already acted on this trend. Following the most recent WMT accident, the USA's Federal Aviation Administration (FAA) formally recommended the painting of WMT as advised in Advisory Circular 74-7460-1 Obstruction Marking and Lighting. It also recommended the use of high-visibility sleeves and spherical markers on the supporting guy wires. Following the FAA's initial response, Transport Canada released Advisory Circular 600-001 Marking of Meteorological Towers. This recommends the painting of towers and installing orange marker balls at the top of the guy wires.

In the United Kingdom, recently-published Aeronautical Information Circular P621/2011 Tall Structures Formulation and Visual Conspicuity recommends the marking and/or lighting of WMTs to safeguard aerodromes, although the marking and/or lighting of WMTs not in the vicinity of aerodromes is not addressed.

Australia has established a working group, of which CASA is a member – the National Air Space Safeguarding Advisory Group (NASAG) – bringing together all interested parties (state and territory planning and transport departments, Airservices Australia, the Department of Defence and the Australian Local Government Association (ALGA), and chaired by the Department of Infrastructure and Transport (DIT).

This is looking at, among other airspace issues, wind turbines and wind monitoring towers. CASA has no regulatory powers regarding wind turbines or wind monitoring towers beyond a 30km radius of an aerodrome. In the absence of such regulations, CASA is trying to provide guidance to inform proponents on how best to act diligently. It is envisaged that NASAG's role will be to provide guidance to state planning authorities, given that building regulations relating to obstructions and hazards are a state planning function.

The Aerial Agricultural Association of Australia, whom NASAG is liaising with, considers wind-monitoring towers to be a significant hazard to aerial agriculture operations. It recommends marking of wind monitoring towers and power lines, and proposes a mandatory national system of communicating the position of all wind monitoring towers and including the details on a national database accessible to low level pilots.

Defence also conducts low-level flying, and since a near-miss incident involving an FA18 and a wind monitoring mast in South Australia a couple of years ago, has a similar concern.

Wind and aviation industry coordination on obstacle data has a way to go, but the RAAF is collecting data, and if a wind farm goes ahead, developers should advise the location, extent and height of the wind farm to:

Aeronautical Data Officer

RAAF AIS (VBM M2)

Victoria Barracks

St Kilda Road Southbank VIC 3006, or

Email ais.charting@defence.gov.au

The reporting of tall structures requirement for RAAF AIS (CASA AC 139-08) is generally for approved structures, namely 'as constructed' information provided once built. However, for wind farms Defence has assessed. Defence also requests that developers provide wind turbine design information, not only 'as constructed', but also before construction to RAAF AIS.

Defence also requests the chance to assess all wind farm proposals, including wind-monitoring masts, at the investigation stage. Email details to the directorate of external land planning at ipsi.directorate@defence.gov.au

Before construction proceeds, developers must also provide CASA with details of the wind farm so that CASA can issue a NOTAM advising airspace users of the construction. When construction is complete, developers must also notify CASA of the location and blade tip height in AMSL (m) of each turbine, so that a permanent NOTAM can be issued.

As a result of the research study, Aviation Projects is sponsoring a Masters project aimed at quantifying the risk in Australia of an aircraft colliding with an unmarked wind monitoring tower, and developing a prototype online database and search tool linked to a geographic reference. 22

SUMMARY

Action has commenced elsewhere to address the risks posed by wind monitoring towers, and Australia is developing a coherent strategy. Australia has a proud aerial agricultural activity and aviation safety record. Positive, coordinated and ongoing action is necessary to avoid compromising aviation safety as the wind industry's dynamic progress accelerates.

USEFUL LINKS

Bureau d'Enquêtes et d'Analyses pour la sécurité de l'aviation civile (BEA) (France)

Civil Aviation Authority (CAA) (UK), Aeronautical Information Circular: P 021/2011, Tall Structures Promulgation and Visual Conspicuity

Federal Aviation Administration (FAA) (USA), Marking Meteorological Evaluation Towers

FAA, Advisory Circular 70-7460-1 Obstruction Marking and Lighting

Transport Canada, Advisory Circular 600-001 Marking of Meteorological Towers

Transport Canada, Debater: MET Towers: A collision can happen and it has happened.

Australian Department of Infrastructure and Transport

www.infrastructure.gov.au/aviation/environmental/safeguarding.aspx

WIND FARMS

Australia has established a working group ... the National Air Space Safeguarding Advisory Group (NASAG), looking at, among other airspace issues, wind turbines and wind monitoring towers.

Wary of wind woes

RECENTLY, we have seen calls from the NSW Nationals for a moratorium on new wind farm developments ("Nats urge caution on turbine push", *The Land*, October 13, p17).

I am compelled to write regarding the irrationality of this position from a public health perspective.

As an organisation of hundreds of medical doctors across the nation, Doctors for the Environment Australia (DEA) has significant expertise in the health effects of both fossil fuel and renewable-based energy production.

Recently, we reviewed the evidence around wind turbines for a Senate inquiry.

It is clear that, as with all industrial developments, good planning of wind farms in relation to audible noise is important.

Beyond this, results were

reassuring and show there is no strong evidence for any direct harmful physical effects from wind turbines.

Instead, symptoms reported by some residents living near wind farms appear to be primarily due to annoyance.

It is important to note those people who report finding wind farms visually appealing are much less likely to report symptoms.

To shy away from renewable energy will mean we carry on with the burning of coal - known to produce potent cocktails of chemicals that damage our brains, lungs and hearts.

Will we all end up like Singleton, ringed as it is by open pit mines?

Or should we accept the fracturing of the earth beneath our farms, risking our pure aquifers in the search for gas?

It is all too clear these fossil fuels will help condemn rural NSW to a parched and inhospitable climate, plagued by droughts, crop failures and bushfires.

If developers of wind farms can work in a respectful way with communities, there can be huge benefits to all parties.

We should be wary of those who choose to whip up health fears over wind farms as there is no sound basis for doing so.

DR BENJAMIN TICEHURST,
NSW representative,
Doctors for the Environment
Australia,
Gladesville.

28 OPINION THE LAND | Thursday, November 24, 2011

From: [REDACTED]
Sent: Friday, 2 December 2011 10:05:59 AM
To: council
Subject: Re: Windfarm Submission

Does this message need to be registered in DataWorks ?

To Whom It May Concern

My name is Duane Chilcott I live at Forest Reefs. My house is 3km from Cadia Valley Operations. There are three underground and one open cut mine, there also is plans for a further expansions; Cadia East is going to be the 4th biggest underground Gold mine in the world. It is a 24 hour a day operation employing between 1500 and 3000 people and most of them are shift workers and live locally I am one of them.

Infigen are proposing to build 44 wind Turbines to the south east of my house and after 4 years (I only found out in October 2010) They still cannot give any indication of exact size make and location but it is within 4Km of my house.

This means that I will be buffeted by the noise from the four mines at Cadia and the 44 Turbines. The mine must operate at lower than 45db at night and 40 of a day and at certain times of the day and night it operates on its limits. I also refer to a case in South Australia where the turbines have failed to operate under 55db. This will mean that I will have 45db on one side and 55db on the other. I am a shift worker as are many of my neighbors. There have been cases, where the turbines are turned off at night so people can sleep but that will not help all the shift workers in our area.

I feel that our community has the noise from the mines to cope with. I knew the mine was there before I bought my house and I except it as part of living close to work; but I feel that the impact of the noise from the turbines on top of Cadia is unacceptable and I believe that the turbines should be relocated away from our houses and our school and we as a community give more than our share back to the Government.

Cadia is expanding and the area would be better used to provide more accommodation for the Cadia workers as there is very big shortage of accommodation. Cadia is a cash cow for the Local, State and Federal Governments. There is already a 50% turnover of mine workers moving interstate and one of the main reasons is because there is nowhere affordable for them to move to with their families, and buy adding a high noise industrial wind farm into the area will only add to the attrition rate. I feel that Blayney Council should stand up and be counted it is a case of a off shore company coming in to our area and do as they like where they like with very little benefit to the local community they will then disappear leaving us with a mess to clean up. The only reason the Wind farm can be paid for is dependent on carbon credits(This may well disappear at the next election) as they return very little energy, my information is that they generate only 15 to 25% of the time Upson says 35% maybe he knows of some way to make them spin with out wind.

Thankfully Yours
Duane Chilcott
0407593358

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

<http://bscdw:8080/dwroot/datawrks/stores/default/default/orig/docid/327216/version/1/...> 6/12/2011

From: julia juffermans [juffa@blayneyshire.com.au] [juffa670@hotmail.com]
Sent: Thursday, 1 December 2011 12:14 PM
To: council
Subject: FOA: Planning Officer re Flyers Creek wind Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Does this message need to be registered in DataWorks ?

To whom it may concern

As we were unable to attend Monday 28th Novembers' town meeting regarding the porposed development of Flyers Creek Wind Farm due to work commitments, we would like our feelings regarding the development be noted, and along with many others be taken into consideration by the council. We strongly oppose the development for several reasons. Firstly we believe it has a negative effect on the health to those living near by. Other concern would be the devaluation of properties, the increase of traffic to already poor quality roads and the deviation within the community. It seems ludicrous that in a country like Australia needs wind turbines when solar enegry, should the govement allow (as it would have a crippling effect on the profit made by power companies) be perfectly sufficent for residential supply of energy. If wind turbines need to be erected why not in an area of no or very low population numbers (there are plenty of those in Australla).

yours sincerely
Julia and Gerald Juffermans

[REDACTED]
[REDACTED]
[REDACTED]

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

dwa63
From: Hilde [redacted]
Sent: Thursday, 1 December 2011 11:19:56 AM
To: council
Subject: Attention Mr Glenn Wilcox - Wind farm

Does this email need to be registered in Dataworks
Dear Glenn,

Following Council's Community Meeting on Monday I have arranged to have delivered to Council and each Councillor today a detailed submission regarding what I believe are the relevant issues for Council's consideration in making its submission in response to the EA. My submission has a number of attachments (photos, etc) however it does refer to bulkier material I left with you at our meeting in Council's offices.

A critical issue pertaining to the proposed project is the legal review currently under way in the South Aust Courts - Quinn Case - of the technical issues surrounding noise and in particular the SA Noise Guidelines which are the basis of assessment by the NSW Government, including for the Flyers Creek project. The Court to date has revealed serious deficiencies in the fundamentals regarding how noise has been assessed for wind farms in the past.

I attach for Council's information a summary of the Quinn matter.

Regards,

John Gerathy

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

The relevant noise guidelines for the Flyers Creek Wind Farm are the South Australian Environmental Protection Authority's ***Wind Farms - Environmental Noise Guidelines (2003)***. The Background Noise Monitoring Survey Report and the Noise Impact Assessment for the project were carried out for Aurecon Australia by the South Australian based **Vipac** Engineers and Scientists. It is acknowledged in the Appendices G1 and G2 that the 2009 Guidelines have been applied where practicable or as appropriate.

The issue of the extent of noise actually generated by wind turbines, together with the role of the South Australian Environmental Protection Authority's *Wind Farms - Environmental Noise Guidelines (2003)* in setting valid standards for noise limits, prediction and compliance, is currently under detailed scrutiny in the South Australian Courts in the "Quinn" litigation. The extent of this scrutiny and the specificity of the attacks on the adequacy and validity of the Guidelines and associated compliance testing is such that no project approval for the Flyers Creek Wind Farm should be contemplated until the matters under examination in South Australia have been determined. The Director-General Requirements for Flyers Creek require a comprehensive noise assessment and determination of noise impacts. In light of the South Australian litigation, these matters have not been adequately addressed by the Vipac data or by the proponent. A comprehensive noise assessment and determination of noise impacts cannot be made for the project until the issues raised by the current South Australian litigation have been resolved.

On 7 November 2011, the Full Court of the Supreme Court of South Australia ([2011] SASCFC 126) allowed the appeal from the Environment, Resources and Development Court (the ERD Court) in the matter of Quinn & Ors v. Regional Council of Goyder & Anor [2010] SAERDC 63. At issue in the proceedings is the approval of the Hallett 3 windfarm in the North Mount Lofty Ranges. The approval given by the Goyder Council was initially confirmed by the ERD Court but the ERD Court decision has now been set aside by the Supreme Court and the matter will be re-heard in early 2012. Although the case covers a variety of issues specific to the Hallett 3 Project and the relevant council Development Plan, the South Australian EPA Wind Farm Noise Guidelines were at the heart of the examination in relation to predicted wind farm noise levels, wind farm noise assessments and compliance testing.

A series of detailed flaws in the operation of the Guidelines has been outlined to the Court by Professor Colin Hansen of Adelaide University. Professor Hansen's qualifications are unimpeachable. He is a Professor at the University's School of Mechanical Engineering with a First Class Honours degree in Mechanical Engineering and a PhD in acoustics. He is a Chartered Professional Engineer and a Fellow of Engineers Australia, the Australian Acoustical Society and the International Institute of Acoustics and Vibration. He has worked internationally and within Australia on acoustic and vibration projects. He has authored or co-authored ten books, edited 2 books and authored 8 chapters in other books, all on acoustics or vibration. He has published over 250 refereed journal papers and conference proceeding papers on acoustics and vibration. He has served as President of the International Institute of Acoustics and vibration. He was awarded the 2009 Rayleigh Medal by the British Institute of Acoustics for outstanding contribution to acoustics. He has taught, researched and consulted in acoustics at the University of Adelaide for the past 25 years.

The matters raised, in some detail, by Professor Hansen, which are directly relevant to the Flyers Creek Wind Farm, to the Noise Assessment and Background Noise Monitoring carried out by Vipac, are as follows:

1. **The EPA Guidelines specify base levels in terms of the LAeq descriptor and then in the compliance checking procedure, the Guidelines use the LA90,10 descriptor.** The 2003 Guidelines set a predicted equivalent noise level which should not exceed 35dB(A). However the compliance checking procedure for this level refers to the loudest A-weighted noise level that occurs in the quietest 10% of the time and it ignores the noisiest 90% of each measurement period. The two descriptors do not measure the same thing. It is well established that LA90 underestimates the actual LAeq generated by a significant margin. As Professor Hansen says: "It is well known that LA90,10 noise levels are always less than LAeq,10 levels by between 2 and 4 dB(A) (as stated on page 56 of "The Assessment and Rating of Noise by Wind Farms" - ETSU-R-97), so this method of compliance checking significantly underestimates the actual LAeq,10 noise levels due to the wind farm.
2. **The effect of amplitude modulation with wind turbine noise is such that the difference between the measured LA90,10 level and the LAeq,10 level will be even more exaggerated.** LA90 may well be 5 dB less than the LAeq.
3. In relation to the background noise level specification, the EPA Guidelines state that the allowed noise level is 5 dB(A) above the LA90 background noise without the wind turbines. The background noise should be as determined by the data collection and regression analysis procedure recommended under the Guidelines. **This procedure is flawed as the use of a regression line through a large number of LA90 levels to define the background noise level ignores the fact that there are many 10 minute intervals when the actual background noise is well below this artificial level and many times, this difference exceeds 20 dB(A).**
4. There are flaws in the wind speed range and its relationship to sound power which formula forms the basis of predicted noise levels. In the 2009 Guidelines, the EPA acknowledges that turbine noise increases with wind speed with the Guidelines stating that noise levels should increase between .5 and 1.5 dbA for each 1 m/s wind speed. The Guidelines however suggest that, despite this, any increase in wind speed will be masked by the increase in background noise levels due to stronger wind. **This assumption is in error as background noise levels at the receiver do not necessarily increase with wind speed at turbine locations.** In some weather conditions, there will be strong wind on top of a hill at turbine location but hardly any wind at receiver location on the valley floor. The assertion that background noise increases as wind speed at the turbine nacelle increases will often not hold true and there will be many occasions when wind turbine noise far exceeds the background levels at the receiver location. Leaving aside the 2009 Guidelines, manufacturer's assumptions that maximum sound power is produced at a speed slightly less than rated power are flawed and calculations limited accordingly are also flawed.

5. For noise measurements, the most relevant wind speed is at the turbine nacelle. The formula provided in IEC 61400-11 is for determining wind speed at a height of 10 metres. This formula was applied by Vipac in the project appendices. The accuracy of these estimates depends on the assumed wind shear value which can vary dramatically with location and weather conditions such that **the accuracy of the measure is flawed.**

6. The relevant predictive noise models for windfarms depend on **sound power calculations** such as those set out in the Vipac data at Appendix G2. The exercise of predicting noise from a wind farm under the Guidelines is based on taking the sound power level produced by each turbine and applying a noise propagation model to predict the noise level. The sound power radiated by a wind turbine is a measure of the total sound energy generated by the turbine and is only a function of the turbine itself. To measure sound properly around a turbine would require at least 20 sound pressure measurements on a spherical surface at a distance of about 200 metres. An approximate method is detailed in the standard IEC 61400-11. This method involves the unjustified assumption that measuring the sound pressure level at a single point on the ground at a distance from the turbine equal to the nacelle height plus one blade length is representative of the average sound pressure. Another unjustified assumption is that sound radiates uniformly. Because the noise radiation from the blades will actually be highly directional, the measurement of the sound power on the ground according to the standard will be an underestimate of the true sound power. Directivity is affected by wind which refracts waves, the amount of diffraction being dependent on wind gradient which is in turn dependent on wind speed at 10 m altitude and ground roughness. Put more simply, **the method specified in the standard and used by manufacturers to measure turbine sound power levels will underestimate actual sound power levels particularly at distances.**

7. It is well documented that substation noise is dominated by transformer noise and that transformer noise is characterized by very pronounced tonality. **Predicted transformer noise levels should be increased by 5 dbA before being combined with the wind turbine noise levels.**

8. There is no proper account taken of the aerodynamic modulation of wind turbine noise. **The noise monitoring recommended in ETSU-R-97 is totally ineffective in protecting residents from aerodynamic modulation noise because the specified noise descriptor (LA_{90,10}) ignores the noisiest 90% of each measurement period and gives a result based on the loudest noise in the quietest 10% period.** Aerodynamic modulation noise can be heard at considerable distances from the turbines and can be difficult to detect closer to them. It is significantly affected by atmospheric conditions.

As a result of emerging noise data from the Hallett wind farms, the issues raised by Professor Hansen will now be re-argued and reviewed by the South Australian Courts. At the time of hearing, there was little data available from the Hallett projects to verify Professor Hansen's assertions. If these assertions are found to be accurate, the noise model predictions for the Flyers Creek Wind Farm will not be accurate and will be conservative. Aurecon has stated that "An accurate predictive noise model was used to assess the resultant noise levels at residences surrounding the wind farm." (12.8.2) The Hallett litigation directly challenges this assumption. 16 of the 34 turbines of Hallett 2 are now turned off at night pending compliance data. They will not be turned on until the above matters are resolved and project approval of Flyers Creek also needs to wait until this occurs.

There are **other noise issues** highlighted by "in progress" South Australian litigation which have particular relevance to the Flyers Creek noise data. They demonstrate problems with the noise data such that the Director-General's Requirements in this area cannot be said to have been met.

Tonality

The Noise Impact Assessment effected by Vipac was based on the GE 2.5x1 generator. At the time of modelling, the actual turbine had not been settled. This is usual for projects of this type as the actual purchase of turbines is not made until after project approval. Nevertheless, Vipac will have relied on advice from the proponents and it is reasonable to assume that the preferred turbine is the specified and nominated turbine. Aurecon state "For the purposes of the noise assessment the noise characteristics of the GE 2.5x1 2.5MW turbine have been used. This turbine was selected for the noise assessment as being the turbine with the noise levels typical of the turbines that are under construction for this project." (12.3 at p.12-2)

In relation to the critical issue of tonality and the GE 2.5 turbine, Vipac (Appendix 2, p.9) state "There was **limited published data from the manufacturers outlining any detectable tones or any other significant characteristics such as impulsiveness, modulation or low frequency components in the sound power spectrum.**" So there is an acknowledged lack of precise data in relation to these characteristics. However, what data there is, suggests **tonality is present**: "We note that a preliminary report for the GE turbines show that tone at 7m/s wind speed ... Additionally, we are aware that GE are actively working on eliminating any measurable tonality in their 2.5MW turbine, and at the time of installation, tonality **may not** be present in the near field of the WTG." (writer's emphasis).

In the circumstances outlined above, **the only appropriate course is to add the required 5dbA penalty for tonality to all noise modelling for the project. It is completely unacceptable and inappropriate to provide noise modelling based on a turbine which has acknowledged tonality and not to include a tonality penalty in the modelling.** It is notable that Professor Hansen states that the 5dbA penalty for tonality in the Guidelines is itself likely to be conservative.

The Vipac "Noise Model" report goes on to state in relation to tonality: **"Additionally, this tone (measured in the near field) is likely to attenuate, and be masked by background noise effects at the nearest residential receiver (and therefore not audible, and penalty should not be set)."** This is wrong. There is no factual or scientific basis for this statement. In many cases, masking noise could well be other noise generated by the turbine being measured. However mid and high frequency turbine noise attenuates more rapidly with distance from turbine such that low frequency tonal noise is likely to be **more** noticeable at greater distances from the source. The masking noise itself is likely to reduce over distances such that the noise effect of the tonality will be especially significant at distance and worse when there is a relatively high speed at turbine height and little wind at receptor.

The established failure of the turbines at Hallett 2 to comply with noise Guidelines has been detected as a result of tonality. The tests carried out by Vipac at Hallett 2 did not detect tonality and residents have endured some 2 years of significant adverse impacts. Professor Hansen commented to the Supreme Court of South Australia: "The VIPAC data also shows peaks in the acoustic frequency spectrum that would indicate the possibility of tonal noise at frequencies of 223 HZ and 1110HZ, in addition to that at 125HZ. However their tonality analysis, carried out according to the standard IEC 61400-11, indicated that the noise did not have an audible tonal characteristic.....the fact that VIPAC was unable to detect an audible tonal characteristic in the noise generated by the Hallett 2 wind farm may be the consequence of a data analysis error as the analysis is complicated and errors are possible."

Substations

There is no 5dbA penalty for the tonality present in substation noise. It is well established that substation noise is dominated by transformer noise and transformer noise is marked by very pronounced tones at 100HZ, 200HZ, 300HZ and 400HZ. The predicted transformer levels should be increased by 5 dbA before being combined with wind turbine noise levels.

The stated assumption that maximum loading and noise generation from the substation will occur during periods of strong winds and associated high background noise levels of over 40dB(A) cannot be sustained.

The stated assumption that "Due to distance between the substation and the receivers the 100Hz frequency component of transformer noise is not expected to be significant at the receiver locations" is wrong.

Background Testing

The proponent states (12.6.1): "In setting noise amenity criteria pertinent to wind farm projects, it is recognized that, whilst background sound level can be relatively low at low wind speeds, the wind turbines do not operate at these speeds." This flies in the face of long established evidence relating the difference in wind speeds at receptor location and turbine location. The proponent continues "Also, as wind speed increases the background sound levels tend to increase." Another unjustified assumption. The flaws in the regression analysis for background noise testing have been highlighted by and are under scrutiny in the Quinn litigation. The necessity of taking background measurements specifically when wind speeds are low has also been highlighted given wind farm noise predictions for ridges and valleys when winds are higher at turbine than in the valleys. This is not addressed in the Vipac data for Flyers Creek. The importance of proper microphone siting is also highlighted by the Hallett litigation and there is insufficient information in the Vipac data to determine the adequacy or otherwise of placement issues.

There are 70 non-host residences affected by the project and a school. Despite such a high level of surrounding population, there have been background tests carried out at only 5 residential locations. The extrapolation to "non-logged residences" has been effected by "a background noise survey" which is not produced in the Annexure G2. Sites have then been allocated to a "similar ambient acoustic environment" which is precisely what the purpose of background testing is supposed to determine. As the Vipac report also admits: "it is not possible to be definitive on all of these items as these factors vary over time."

Limitation of Testing - Exclusion of Higher Wind Speeds

It is argued in the Quinn/Hallett litigation that there are flaws in the wind speed range which forms the basis of predicted noise levels. The assumption underlying the limited range seems to be that the wind turbine manufacturers state that their wind turbines produce a maximum sound power at a wind speed slightly below that corresponding to the rated power and at higher wind speeds, the sound power will be slightly less than this maximum. There is an assumption by the EPA that at higher wind speeds, there will be a masking effect of the increased turbine noise by increased wind noise. A determination of these issues is expected by the South Australian litigation and is critical to Flyers Creek noise modelling as the modelling appears to be based on a maximum wind speed of 12ms.

Compliance Testing and "Good Faith" Issues

The projected noise impacts for Flyers Creek are significant on any analysis - turbines which have an existing tonality problem but no tonality is assumed in projected figures, non-compliance with noise standards even on existing data such that it is projected that a number of turbines will have to work in "noise reduction mode", and a school and 70 residences in the surrounding areas which, on established evidence, will be impacted.

Aurecon has no proposed noise compliance assessment protocol. They have not stated what will occur in the event of non-compliance. In the event of complaints from "more distant relevant receivers," these complaints "will be investigated." Ultimately, "necessary measures to achieve compliance" will be implemented. Aurecon states that it must be mindful that "If a large number of wind turbines were operated in noise reduction mode, the decrease in electricity generation would be significant." (12.7.1) Vipac's position in relation to potential impacts for which compliance and monitoring may be required is clearly out of touch with reality and scientific fact - "The psycho-acoustic response or annoyance level to a new noise source is subjectivebut is unlikely to be significant with wind farm noise ..." Aurecon express a similar attitude -

The current South Australian litigation highlights the fallacy of accepting that wind farm proprietors will be reliably compliant and self monitoring. It was asserted and accepted for all noise predictions that there would be and was, no tonality with the Hallett turbines. But tonality was present and evidence in the hands of AGL established tonality prior to wind farm construction. The residents of Hallett 2 suffered enormous disturbance to their lives and well being for two years while complaints were ignored. Wind data in the hands of AGL was not fully or properly discovered to the complainants in the legal proceedings. The litigation may deal with this in due course but in the meantime, it demonstrates that effective monitoring and compliance regimes must be imposed by the planning authority at the outset. None are proposed or contained in the Flyers Creek Environmental Assessment and it should not be approved on this basis.

This is a Reprint of a Scanned Image

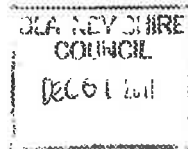
Dr. Alan C Watts OAM

H.D.A. B.Sc. M.B.Ch.B. L.R.C.P. M.R.C.S

~~General Manager, Blayney Shire Council~~

~~Blayney Shire Council~~
~~Blayney Shire Council~~
~~Blayney Shire Council~~

~~Blayney Shire Council~~
~~Blayney Shire Council~~
~~Blayney Shire Council~~



November 29th, 2011

Mr. Glenn Wilcox,
General Manager,
Blayney Shire Council,
BLAYNEY NSW 2799

Dear Glenn,

Firstly may I officially welcome you to Blayney Shire, I hope your time with us is long and productive and that you enjoy your administration. It is also my wish that you and your family enjoy what Blayney Shire has to offer.

I regret my first written communication to you is of a disturbing and unpleasant nature.

It was upon my suggestion that Councillor Malcolm Barlow from Upper Lachian Shire Council was invited to speak at the Blayney Shire Council Community Meeting concerning the proposed Flyers Creek Industrial Wind Turbine Project. Council was in agreement. Your format, as explained to me by your Council officer, Mr. Alan Lindsay was thus: Two speakers, Cr. Barlow and Mr. Upson (Infigen Energy), each would be granted 15 minutes to speak followed by question time, Mr. Upson to speak first.

This format was dramatically and insultingly changed to 5 minutes for Cr. Barlow and the time for Mr. Upson was unaffected. This obviously biased decision resulted in uproar from the audience and was then modified to 10 minutes for each speaker. In the event Mr. Upson still spoke for 15 minutes or more. Cr. Barlow's experience with the wind turbine industry and his presentations to senior politicians and department heads in project planning is extensive and could have been an invaluable opportunity for our councillors if only he had been allowed the agreed allocation of time.

This disgraceful exhibition caused a large section of the audience embarrassment at the way our (and Council's) guest was treated. Cr. Barlow and his wife had broken a prior engagement to give graciously of their time and had travelled a considerable distance, and to be insulted in this manner brings no honour to Blayney.

I believe a formal apology from Council to Cr. and Mrs. Barlow for the despicable way they were treated is essential and appropriate to restore some decency to the situation.

The Mayor did not even extend the courtesy of a welcome to Cr. Barlow as a fellow Councillor and guest from another Shire as I believe protocol dictates. It was also a perfect opportunity for the Mayor to assume some stature of authority and restore decency and political protocol to the situation. Rather he allowed the facilitator to compound our embarrassment with his infantile headmaster antics.

~~Blayney Shire Council~~
~~Blayney Shire Council~~
~~Blayney Shire Council~~

DataWorks Document Number: 327083

Yours faithfully,

~~SECRET~~

Dr. Alan C. Watts OAM

Notes from Community Meeting

- Moved there for setting of rolling green hills not windmills
- Poor consultation
- Visual amenity will be affected by turbines
- Decrease in land values 40%
- Although a farm in the area affected by the wind farm sold for a record price
- Neighbour and families against each other dividing the community
- Loss of tranquillity with mine (Cadia) covering some 10,000ha and Wind farm covering 6,000ha
- Closeness of Cadia and Wind Farm two major enterprises ie a cumulative impact
- Was a quiet picturesque area
- Affects on health from the noise
- The size of the proposed Turbines a lot larger than Carcoar turbines
- Some people's health will be affected by the Turbines
- Infrasound is what you feel rather than what you hear
- The impact on small farms that should be used for growing food
- Small subdivisions have a greater affect on farming than Wind Farms

Notes from Public Meeting - 28 November 2011
Alan Lindsay - Acting Director Environmental Services

Public Meeting: Wind Farm Proposal

80+ people in attendance.

Malcolm Barlow - Upper Lachlan Shire

- Essential Council has a DCP for wind farms - it will be given weight to process (need community backed DCP).
- Developer guarantees - need to comply with DCP.
- Use DCP with negotiations with the State Government. DCP include in approval process.
- Do own research as to wind farms. Don't rely on applicants or state government.
- Are wind farms safe - Document Great Britain on accidents & incidents.
- Property values decline (study from South Texas).
- Government Policy in Denmark require neighbours to be compensated not just landowners.
- Loss of social cohesion and neighbour against neighbour.
- Increase in tree changes.
- Loss of farm income and loss of rate base.
- End of life process.

Jonathon Upton - Infragen

- Wind generation doubles every three years
- Australia 15th in world. South Australia wind energy 20%
- Australia is not proving ground for wind energy.
- Project commenced 2008 at request of local landowners.
- NSW government acoustic experts believe wind turbines do not exceed limit.
- No peer review on health effects (CSIRO).

Questions

- Decommissioning turbines and providing a bond - scrap value of turbine is valuable and sell and may increase. Bonds - mines put up bonds, wind farm impacts not as great.
- If so valuable, why is share price so low. Do you have problems with 588 turbines - 588 turbines at Capital wind farm; no tonality with turbines or Woodlawn. Have not picked turbines. Can provide report on turbines - Yes (capital 588s).
- Capacity of turbine - capacity modelled for each year, based on % of year it may generate. Capacity Flyers Creek in high 30's (35%) capacity.
- Does AGL have more capacity

amg/2011/glennwilcox/public meeting notes_28112011

- Health effects of wind farm - not everyone gets sick but some people do.
- Size towers bigger than Carcoar.
- Health impacts - negative impact - concern Council is allowing wind farm.
- Health impacts (infrasound) felt not heard - impacts on humans. Project complies and will receive approval based on compliance.
- Against Wind farm, would like to see small groups farm land and grow food as wind farm and food production more valuable.
- Wind farm will not have as big impact as small hobby farms.
- No traffic and transport strategy in EA - 80km of poor Council roads - Council to conduct its own study as to roads - traffic - transport.

[smg/2011/gemwllcx/public_meeting_notes_26112011](#)

②

AUDIBLE AND SUB-AUDIBLE SOUNDS FROM INDUSTRIAL WIND TURBINES AND HUMAN HEALTH

Wind energy developers and their supporters continue to claim that there is no evidence that sounds emitted by wind turbines have any detrimental effect upon human health.

For example, the American and Canadian Wind Energy Associations issued an "expert" report in Dec. 2009 titled "*Wind Turbine Sound and Health Effects: An Expert Panel Review*" which concluded

"There is no evidence that the audible or sub-audible sounds emitted by wind turbines have any direct adverse physiological effects." (p.ES-1)

Again, and unfortunately, the N.S.W. government's "*Wind Farm Fact Sheet*", still current in 2011, states on p.9

"There is no published scientific evidence to positively link wind turbines with adverse health effects"

Even our National Health and Medical Research Council published a paper titled "*Wind Turbines and Health: A Rapid Review of the Evidence*" in July, 2010 which stated in part

"There are no direct pathological effects from wind farms and that any potential impact on humans can be minimized by following existing planning guidelines"

Fortunately, each of these reports have been convincingly rebutted by many others. Thus, the N.H.& M.R.C.'s "Rapid Review" has been demolished as nothing more than a quick scan through a lop-sided collection of reports and articles – mainly ones supplied by the wind industry – with no field work or research by the Council itself. One such critic was Dr Carl Phillips in his submission (No. 897) to the Australian Senate Inquiry into Rural Wind Farms, whilst another equally scathing critique was a peer-reviewed article titled "*Haste Makes Waste*", 2010, put out by the international body Society for Wind Vigilance.

It is an indictment of the wind energy industry that it continues with stance of denying any health impacts when there is a rapidly growing body of more recent, independent, empirical material published by respected academic researchers and medicos which points strongly to the opposite point of view.

This growing body of empirical research shows that:

- (1) Sound along its full spectrum, including low frequency and infrasound, definitely effects many people, especially through sleep disturbance.
- (11) These impacts, as wind turbines become taller and more powerful and with large rotor diameters, extend out from the turbines to distances of 3,000, 5,000, and even 10,000 meters under certain meteorological and topographic conditions.

Following is a sample of such independent and authoritative work.

1. Professor Alec Salt, Ph.D., of the Cochlear Fluids Research Laboratory, Washington Uni., St. Louis, USA. See any of:
 - # "Wind Turbines Are Hazardous to Human Health", 2010.
 - # "Responses of the Ear to Low Frequency Sounds, Infrasound and Wind Turbines." NB: A 38-page classic.
 - # "Wind Turbines, Infrasound, and Health Effects." A symposium paper, Wisconsin, 2010.
2. Dr Michael Nissenbaum, M.D. of the Northern Maine Medical Centre, has conducted two case-controlled studies into the health impacts of turbine noise – the Maine study and the Vinalhaven study. See for example:
 - # "Wind Turbines, Health, Ridgelines, and Valleys", May 2010.
3. Dr Robert Thorne, Ph.D., M.S., F.R.S.H., acoustician and one-time Noise Consultant to the New Zealand Ministry of Health. He has conducted years of actual field work on N.Z. and Australian wind farms. See his peer-reviewed
 - # "Noise Impact Assessment Report Waubra Wind Farm", 2010, and
 - # "The Problems With 'Noise Numbers' for Wind Farm Noise Assessment." Oct, 2010.
4. Dr Robyn Phipps, Ph.D., B.B.Sc., B.Arch. (Hons), of Massey Uni in New Zealand. Based upon her research findings, she opposed a new wind farm at Moturimu before a Commission of Inquiry in 2007, See:
 - # "Evidence in the Matter of Moturimu Wind Farm Application."

More briefly, other highly qualified medical practitioners and academic researchers who support the view that that noise and vibration from wind turbines can adversely effect the health of some people include:

5. Dr Chris Hanning, B.Sc., B.S., M.R.C.S., L.R.C.P., F.R.C.A., M.D., a U.K. physician and founder of the Leicester Sleep Disorders Service. See; # "Sleep Disturbance and Wind Turbine Noise.", 2009, and # "Wind Turbine Noise, Sleep, and Health", 2010
6. Professor Peter Styles of Keele Uni in the U.K.. See his 2010 report on the effects of vibration and noise from the Dunlaw wind farm.
7. Dr Amanda Harry, M.B., Ch.B., P-G Dip. E.N.T., a U.K. medical practitioner who wrote up her case studies in 2007 in an article titled # "Wind Turbines, Noise and Health."
8. Dr Nina Pierpont, M.D., Ph.D., a U.S. physician and one-time Professor of Pediatrics at New York Uni. wrote up her studies of impacted families from across the world in her peer-reviewed book: # "Wind Turbine Syndrome"
9. Dr Daniel Shepherd, Ph.D., an acoustician from the Uni. of Auckland, see his paper: # "Wind Turbine Noise and Health in a New Zealand Context.", 2010.
10. Dr. Robert McMurtry, M.D., F.R.C.S.(C), F.A.C.S, a former Dean of Medicine at the Uni. of Western Ontario and advisor to the Minister of Health for Canada, is now leading a Canadian campaign for a moratorium on wind farms pending definitive and independent research into turbine health effects.
11. Dr Carl Phillips, Ph.D., MMP., one-time Professor of Public Health, and an internationally recognized expert in epidemiology and public health. # "An Analysis of the Epidemiology and Related Evidence on the Effects of Wind Turbines on Local Residents" July, 2010
12. Professor Philip J. Dickinson, Ph.D., Professor of Acoustics at Massey Uni, and formerly Principal Scientist to the New Zealand Dept of Health. # "Sounds from Wind Turbines: Theory, Practice, Assumptions, and Reality.", 2010.

13. Dr H. Bakker & Mr B. Rapley, both of Massey Uni. See
"Sound Characteristics of Multiple Wind Turbines." An article in
their edited book titled "Sound, Noise, Flicker and the Human Perception of
Wind Farm Activity", 2010..

One could also mention the work of Australia's Dr David Iser, Portugal's
Professor M. Alves-Perieria, the American acousticians G.Kamperman and
R. James, Netherland's Dr Fritz van den Berg, E. Pedersen et al., and others,
but surely this list is enough to give the lie to the N.H.& M.R.C.'s ill-judged
statement in its "Rapid Review" that

"There are no pathological effects from wind farms and that
any potential impact on humans can be minimized by following
existing planning guidelines."

CONCLUSION

Perhaps it might be appropriate to conclude with one or two statements
from some of the experts mentioned above.

1. Dr David Shepherd: "There exists compelling evidence attesting to the
impact that community noise can have on health. ... Turbine noise is a type
of community noise and likewise has the potential to impact health and
wellbeing. Evidence to this effect now exists in the peer-reviewed
literature." (in "Wind Turbine Noise and Health in the New Zealand
Context" in Bakker & Rpley above).

2. Dr Bob Thorne. "There is now a significant body of evidence presented to
different hearings in the United States to show that residents, qualified
acousticians and medical practitioners have concerns about wind farm noise"
(in "Health, Wellbeing, Annoyance and Amenity" in Bakker & Rapley
above)

3. Prof. Alec Salt: "Because the inner ear does respond to infrasound at
levels that are not heard, people living near turbines are being put at risk by
infrasound effects on the body that no one presently understands. Until a
scientific understanding of this issue is established we should not be
dismissing these effects, but need to be erring on the side of caution."
(in "Wind Turbines, Infrasound, and Health Effects" cited above)

Malcolm Barlow B.A.(Hons), M.A., Dip.Ed., F.N.G.S.,



COUNCIL SUBMISSION REGARDING THE EA

1. Has Council considered engaging an Independent Expert to assist and advise Council re its submission?
2. EA in Chapter 6.3 Infigen claims consultation with Council between 2008-2010
What was the outcome of these meetings – with Council, Councillors and Officers?
3. Has Council passed any resolutions regarding the Flyers Creek Wind Farm?
What are these resolutions?
4. EA Chp 2.2.1 P2-8
 - a. Infigen states" Blayney Council was generally supportive"
 - b. What didn't Council support?
 - c. What correspondence or memos exist of Council's consultations with Infigen/Consultants?
5. There is no correspondence from Council outlining any Requirements from Council to the proponent to be addressed in the EA. (Council's services and infrastructure are definitely at risk). Why not?

ROADS

- 6
 - a. There is no Traffic and Transport Strategy in the EA, as distinct from Infigen's Wellington – Bodangora Wind Farm (copy of cover attached, full copy given to GM on 14 November 2011)–
 - b. Why not?
6. Will Council commission its own study?
7. Infigen – EA Chpt 13 – seeks to rely on post approval consultation by contractors (not Infigen) with Blayney Council and RTA rather than negotiate with the stakeholders a comprehensive Traffic and Transport Strategy, as part of the approval process. Refer RTA letter 1 February 2011.
8. Does Council accept this? The GM has suggested Council will seek to have conditions imposed on any Approval.
9. Doesn't this leave Council exposed to a fait accompli?

10. How does Council propose to impose monetary conditions on Infigen to cover its extensive ongoing services and infrastructure costs and protect ratepayers from the burden?
11. The site is over 110 square km² and broken into four distinct areas Calvert, Fern Hill, Hopkins and Halls Gap - with access to each of these areas from various directions by about 80km of minor Council roads. It should be noted that Infigen specifically refers to upgrading or creating 37km of access tracks but does not mention any upgrading of the existing Council road network – but refers to temporary works on Council and RTA roads.

Jonathan Upson at Infigen's Dundry League Co-cop Forum on 13th October 2011 stated: - *"we will leave the roads as we found them"*.

12. Has Council negotiated any make good conditions and supporting bonds or bank guarantees with Infigen?
13. Moyne Shire in Victoria has because of the road issues refused to extend permits for the proposed **Hawkesdale and Ryan Corner Wind Farm** Projects and is seeking to have roads around the **Macarthur Wind Farm** resealed after construction finishes. Vic Roads is proposing to convert some of these roads back to gravel because of the severe damage sustained by construction vehicles and the prohibitive cost of resealing the roads (see attached articles).

Does Blarney Council want to be placed in this predicament?

14. Has council conducted any surveys, studies or road compaction studies on these roads to determine their suitability for the construction program (18 months) maintenance program (20-30years) and tourist traffic?
15. The attached photos show the current parlous state of councils roads referred to in the EA.
16. Is Council merely relying on the statements of the proponent such as at:
- i. EA Chp. 13 P 13-13 Infigen claims the Mandurama Burnt Yards Errowanbang Road is in general good condition and feasible for RAVs with minimum or no modifications to bridges or roads required for heavy vehicle use. Refer to photographs .The EA Chp 13.3.1 indicates most RAVs will come via Cowra therefore this is the first and most likely route to be used by haulage contractors.

ii. Similarly @ P 13.4 eg

Orange to Site

Infigen suggest RAVs and concrete trucks (up to 12m³) at least 1,040 of them, travelling from ORANGE (table 13.4) will go via Millthorpe or even Carcoar - locals know the direct route is via Orchard Rd and Forest Reefs Rd to Forest Reefs and then down the Errowanbang / Mandurama Road to all of the sites. Who will stop the concrete trucks or other RAV's using the direct route, in either direction?

- iii. Similarly with RAVS or concrete trucks from Blayney using the **Errowanbang/Gap Roads** proposed route, what will stop contractors driving straight up Errowanbang Rd to Sites 21-37
- iv. Does Council agree with EA Table 13.2?
- v. Halls Rd is a gated idyllic single track country lane which is as emblematic of the Shire as any other attribute. It is totally unsuitable for RAV's or other heavy industrial transport. This use will destroy the beauty and exceptional amenity of Halls Road. Council should prevent this.

There is no mention of the ongoing suitability of the local road net work for tourists viewing the wind farm – the roads are positively dangerous enough without wind farm stargazers.

7. Has Council given consideration to:-

- i. Updating its Sec 94 Plan to accommodate industrial development such as Wind farms
- ii. Changing the applicable rating to industrial of the host properties
- iii. What Sec 94 Contribution or payment under a VPA should be levied for this project given its likely impact on Council's services, general infrastructure and particularly roads during and after construction?
- iv. What discussions/ agreements has Council had or reached with Infigen regarding Sec 94 Contribution or payments under a VPA. (Muswellbrook Council charges a levy of 6.5c/MT of coal extracted (approx 0.06%) of coal value).
- v. Has Council considered the impact on its waste disposal facilities on removal of the wind farm with all of its constituent (including non recyclable and hazardous) parts.

“The long term ‘stickability’ of Infigen is questionable given it has sold all of its European wind farms and trying to sell its US wind sites. Hence it would be prudent for Council to

impose a Bond or Bank Guarantee to ensure that post closure the wind farm will be properly decommissioned and removed, including the scrap material and wastes – including hazardous and non-recyclable materials. Infigen opposes such guarantees and is relying on the scrap value to fund the decommissioning without any supporting evidence.

An Elementary deficiency of the EA is Infigen use of a GE 2.5MW turbine for all of its EA modelling (save for vision where mills are depicted at 150 m high indicating at least a 3.3 MW Turbine (30% bigger)). Infigen always alludes to bigger turbines/mills as does the EA. At Infigens Duntry League Co-op Forum on 13th October 2011 Jonathan Upson stated the mills would be “up to 3.3 mega watts”.

This misinformation has a serious bearing on the problems of noise and tonality which are causing nearby landowners (including host farms) of existing wind farms severe nuisance and in some instances health problems. **The SA Wind farm noise/ tonality guidelines (upon which this EA is being assessed) are under judicial review in the SA Quinn Case. I have sent by email an overview of the matters arising in the Quinn case to Council’s General Manager.**

What is of particular relevance to Council is that it has to administer noise complaints/ abatement orders under the POEO Act and the cost of litigation thereunder. Accordingly Quinn’s Case is of special interest to Council.

But this misinformation also renders the proponents estimation of required concrete and therefore concrete truck movements totally erroneous. A 30% increase in the size of a mill/ turbine can be expected to at least increase the concrete pad size by 30% hence concrete truck movements from 1040 to 1350.

Similarly with all other components of the wind farm – 30% bigger – 30% more.

I repeat my submission handed in at the Council Community Meeting that Councils submission to the EA should be:-

That the application not be approved until the Quinn Case resolves appropriate noise guidelines, the proponent provides verified modelling for the mill it will use, the proponent submits a detailed Traffic and Transport Strategy agreed to by Council and Council resolves how it will protect its ratepayers from the increased costs of services and infrastructure particularly roads.

Yours sincerely

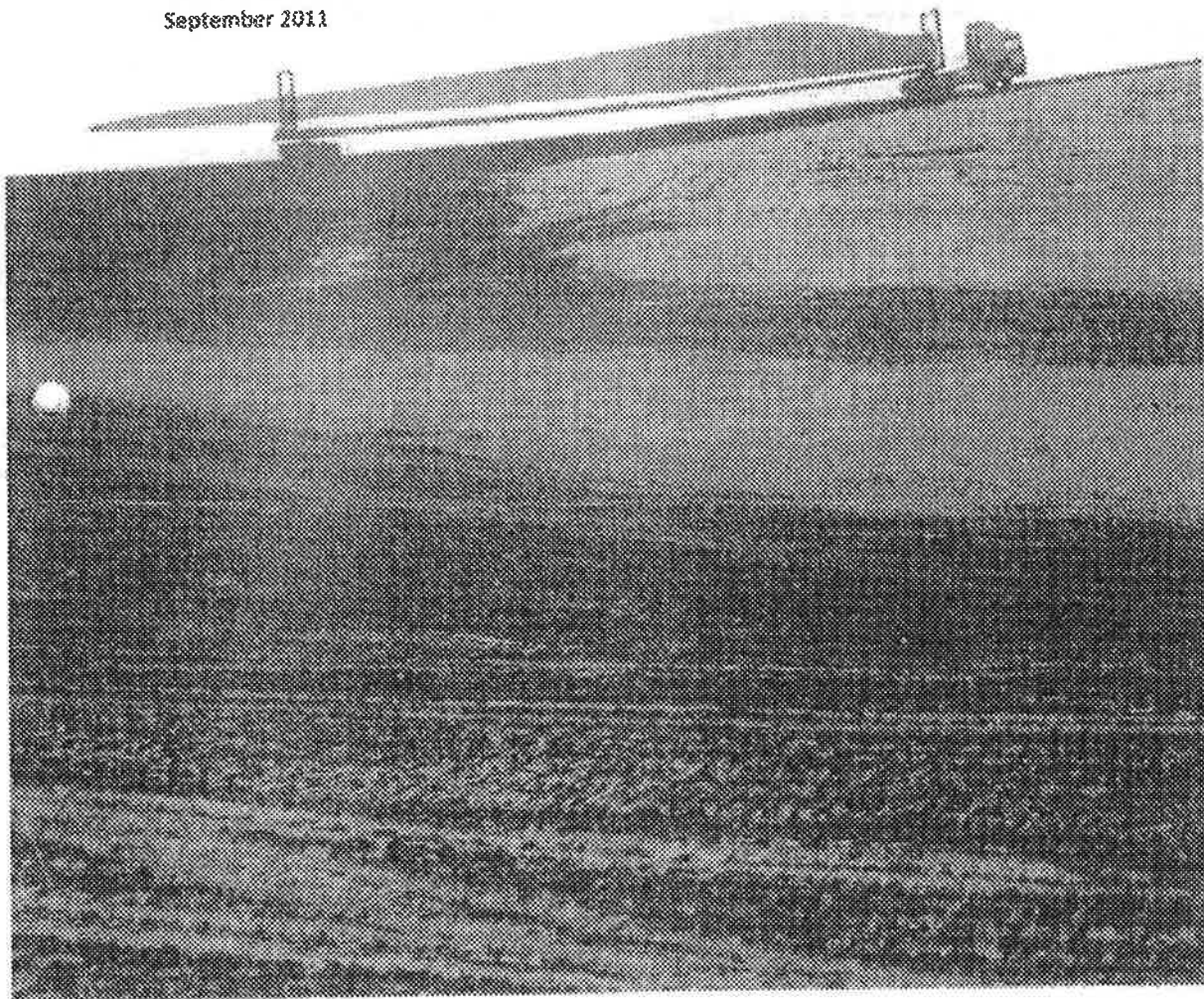
John Gerathy

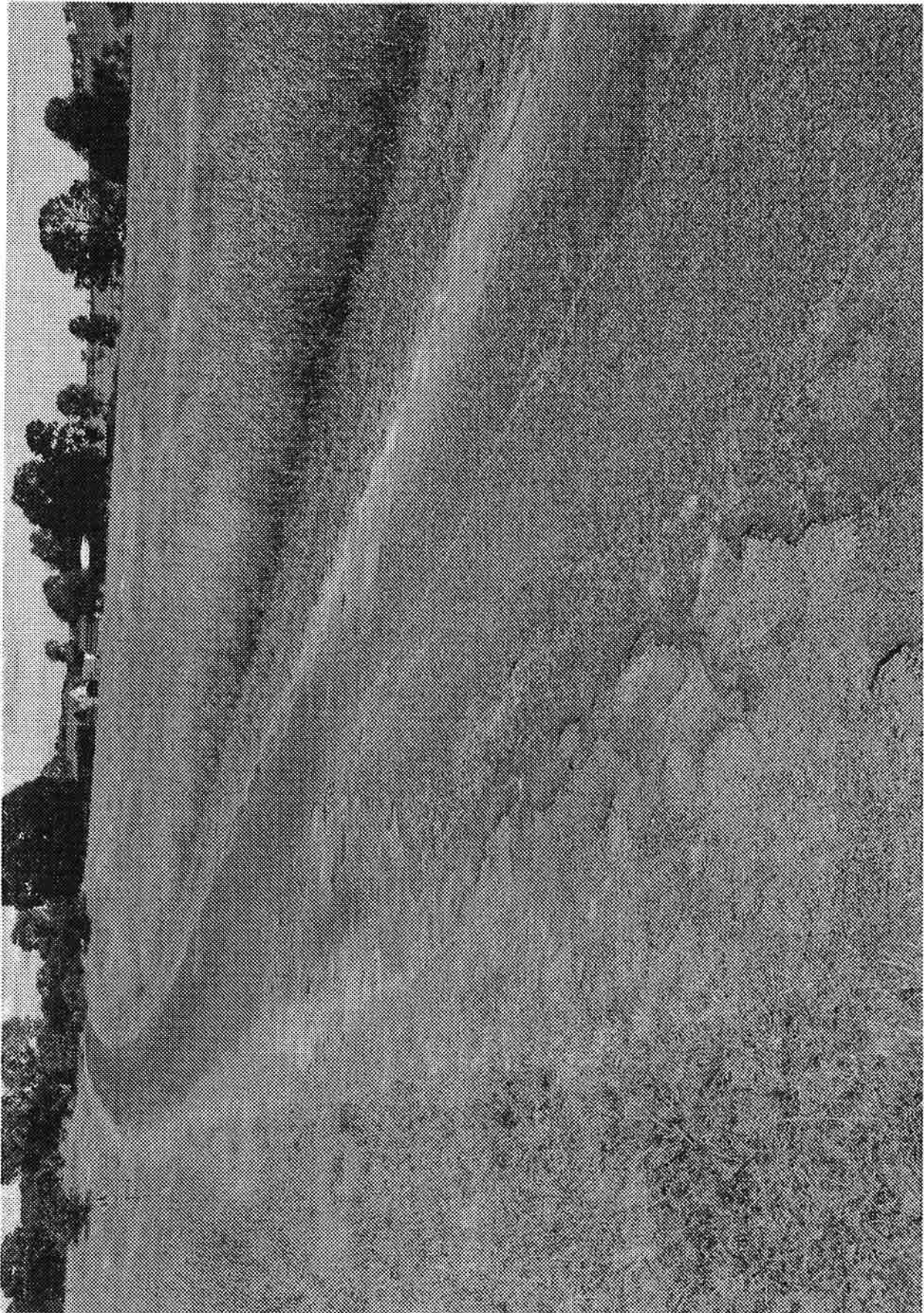
Errowanbang 30 Nov 2011

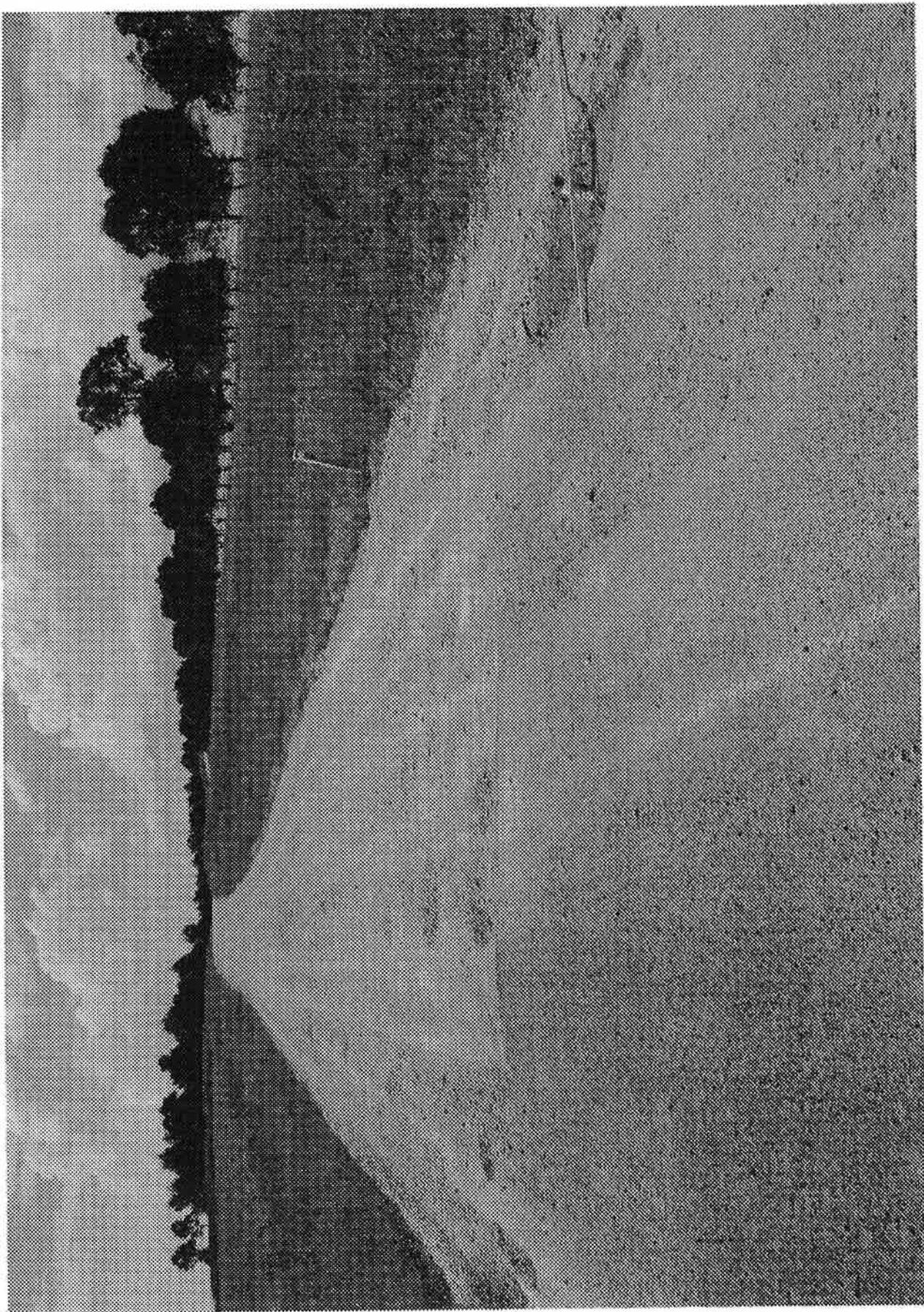


Bodangora Wind Farm Traffic and Transport Issues

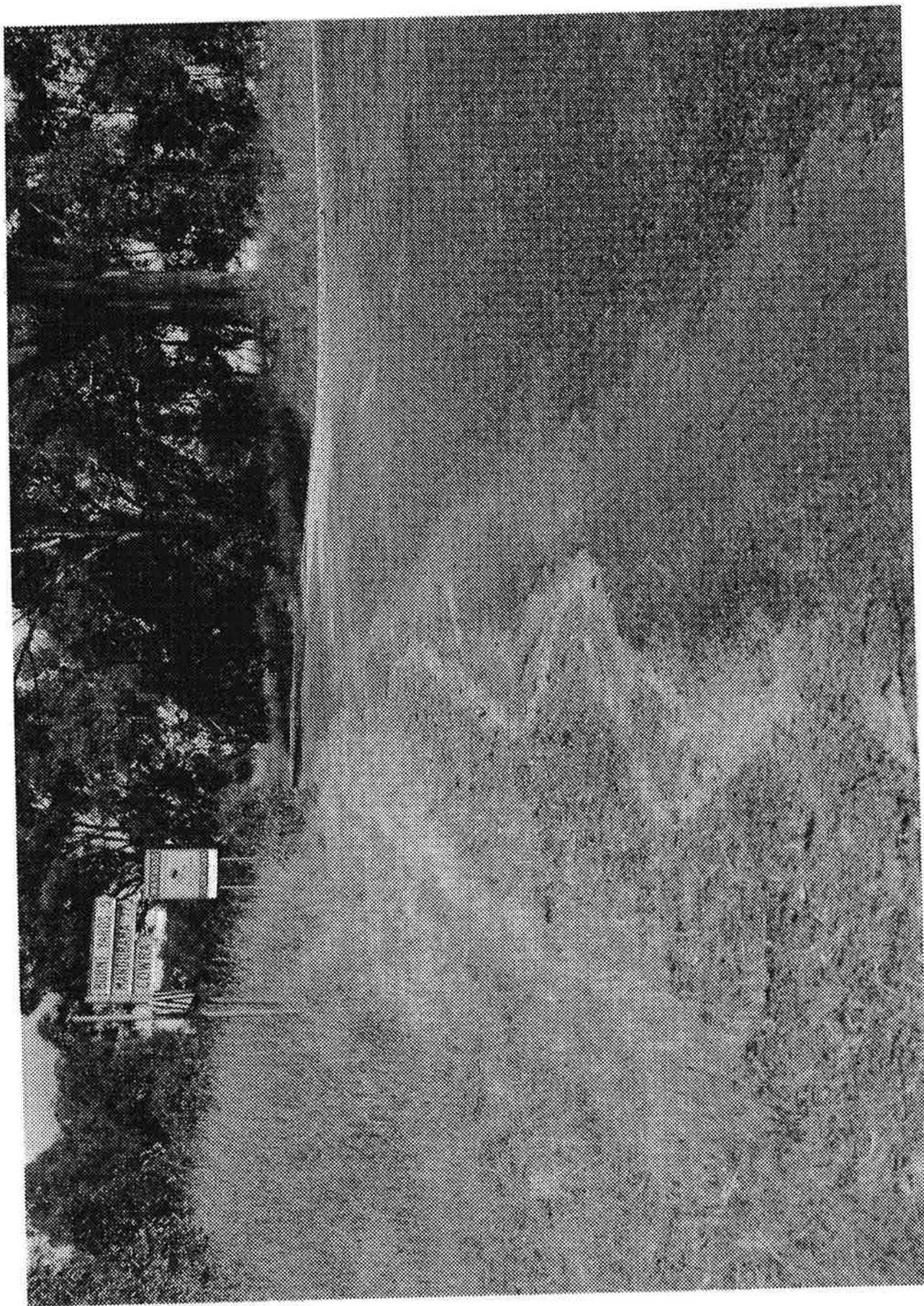
Revision 0.1: DRAFT FOR WELLINGTON SHIRE COUNCIL AND RTA COMMENT
September 2011

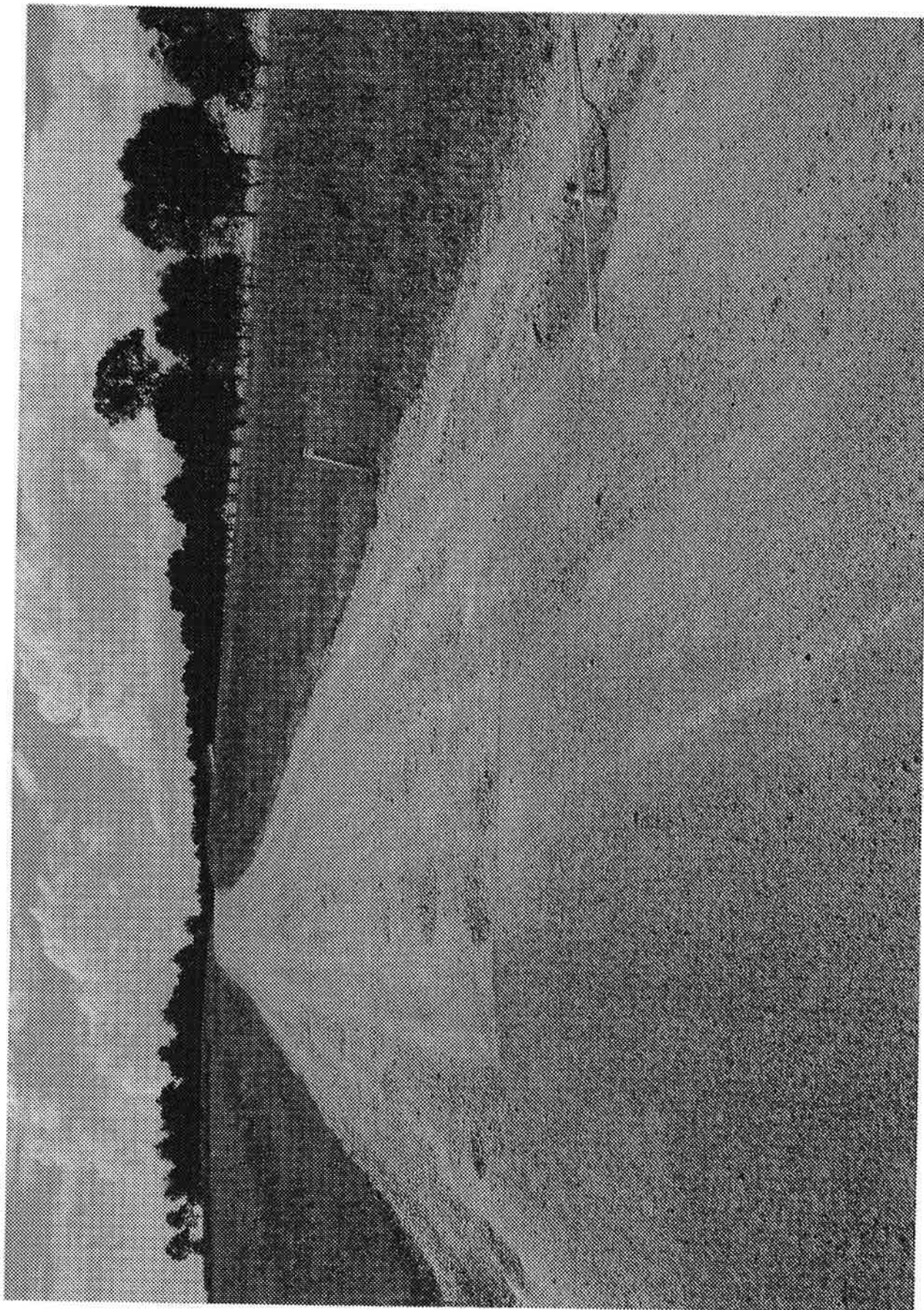


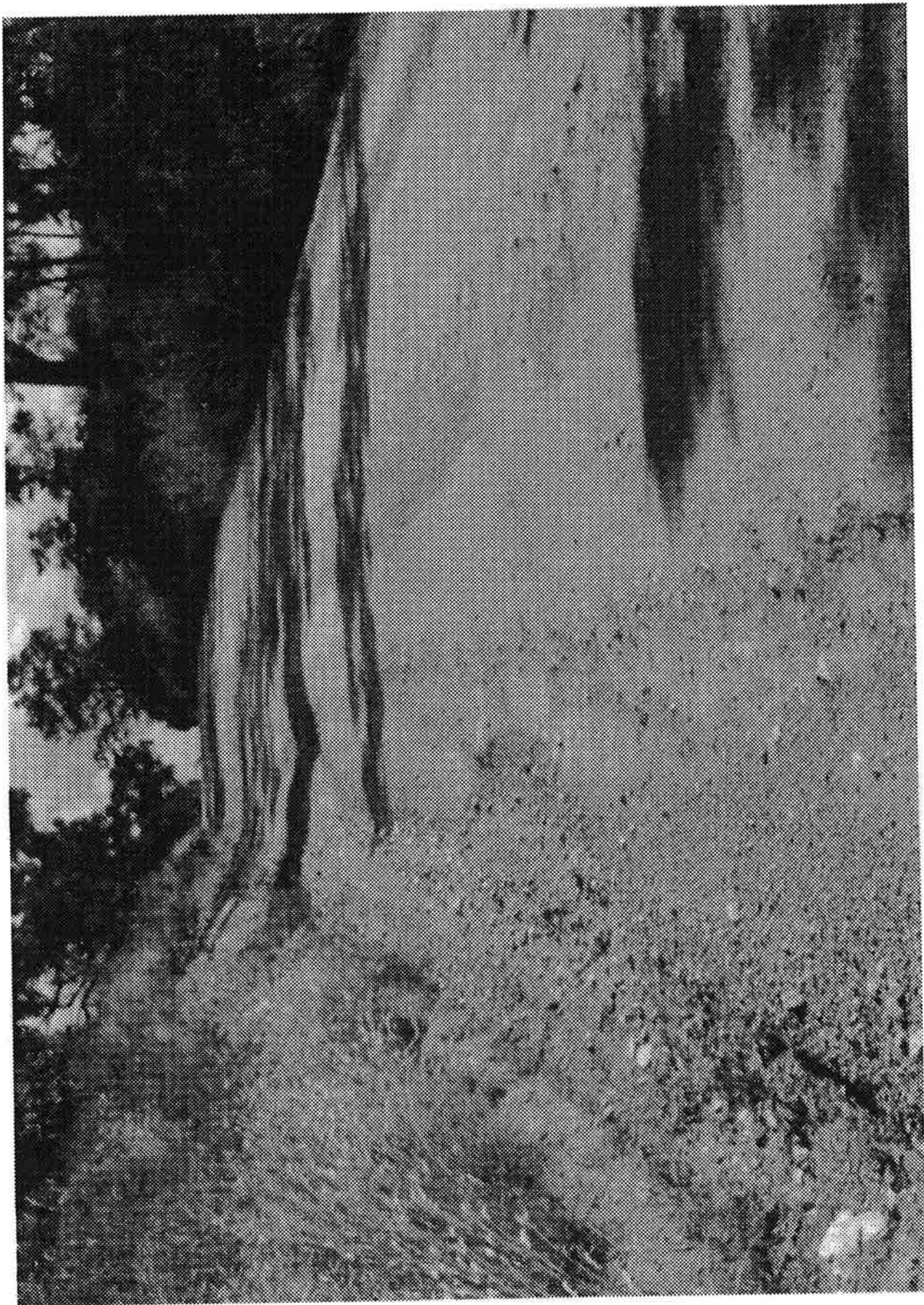


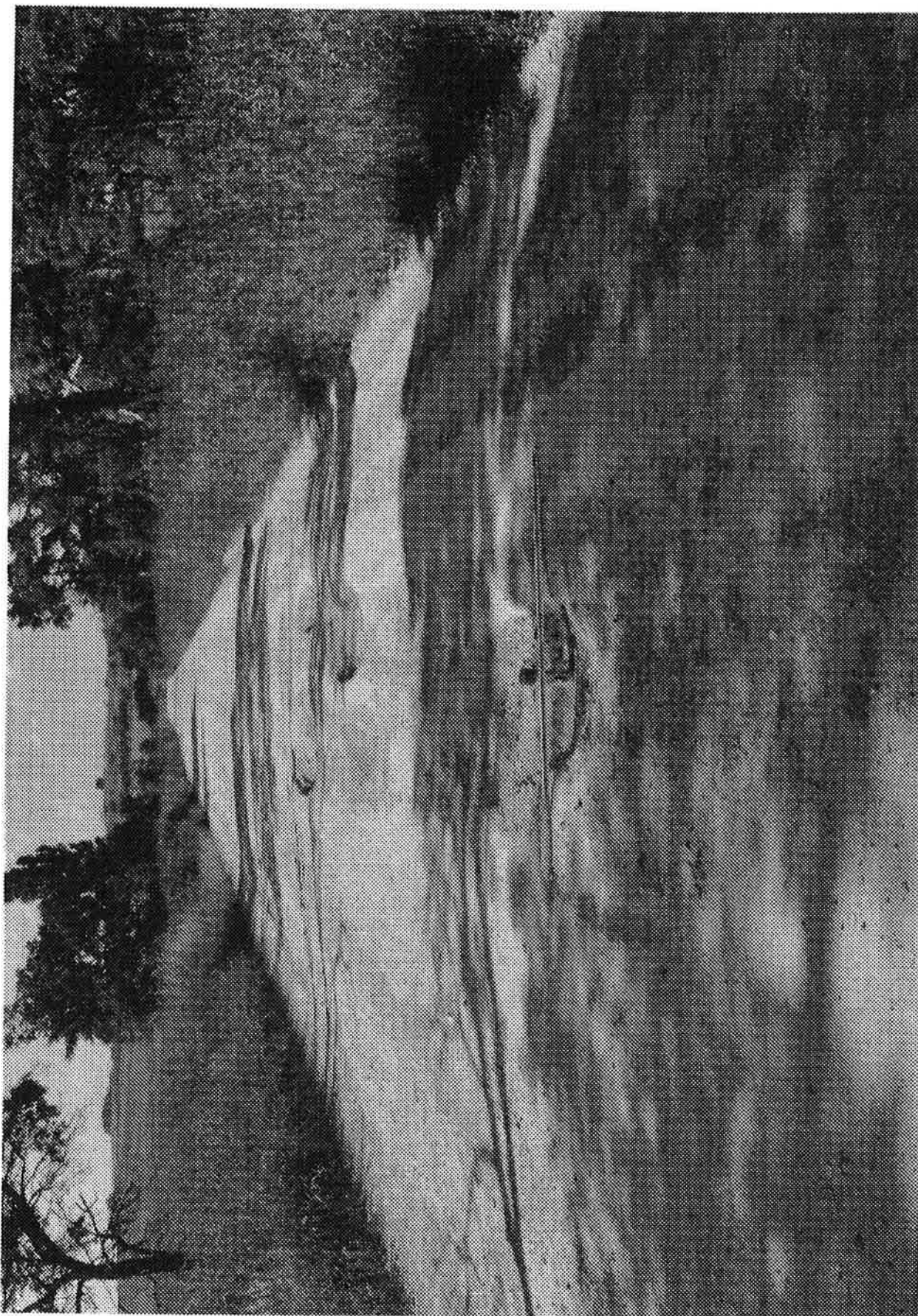














From: Hilde [REDACTED]
Sent: Friday, 25 November 2011 5:20:47 PM
To: sam.haddad@planning.nsw.gov.au
CC: toby.philip@planning.nsw.gov.au; council
Subject: Flyers Creek Wind Farm

Does this message need to be registered in DataWorks ?

Dear Director General,

Attached is a letter regarding local community and landowners consultation by Infigen for Flyers Creek Wind Farm.

Kind regards

John Gerathy

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This e-mail has been scanned for viruses by MCI's Internet Managed Scanning Services - powered by MessageLabs. For further information visit <http://www.mci.com>

John Gerathy

Ph: [REDACTED]
email: [REDACTED]

25 November 2011

Mr Sam Haddad
Director General
Department of Planning
Bridge Street
Sydney NSW

Dear Director,

Re: Windfarm Development – Flyers Creek

I refer to prior correspondence and your letter to Infigen Energy Ltd dated 16/08/11 concerning compliance with Director Generals Requirements dated 19 January 2009 regarding local community and landowner consultation.

Infigen's Local Community/ Landowner Consultation

Infigen has never held a Public Forum to discuss the wind farm despite repeated requests to Infigen to do so, by myself and others.

Infigen has conducted very discreet and limited information days and private one on one meetings to expose its windfarm proposal to the local community and landowners.

The information days as referred to in Chapter 6 of the EA were held over 14.5 hours on the 19th and 20th November 2010 – during which period less than 50 people attended (approx 3 persons per hour). Plates 6.1 and 6.2 Chapter 6 show the nature of these information days.

I received a letter from a landowner (Di Colman) who stated: "All in all, it could have been confused with a time share promotion as people were mainly approached one on one by the salespeople. It was not conducted as a public forum whereby everybody was addressed through a formal presentation, followed by question time".

The brochure issued by Infigen in connection with the information days (EA appendix 6.3) was quite vague regarding the specifics of the wind farm and in particular the size and capacity of the

- iii. The SA Wind Farms - Environmental Noise Guidelines 2003 specified in the Director Generals Requirements as the appropriate guidelines are subject to judicial review following the recent South Australian Quinn Case.
- iv. NSW Department of Planning and Infrastructure is preparing NSW Wind Farm Guidelines and
- v. The Minister/ Director General allowed on 23rd November 2011 , 98 days for submission in relation to the Kings Plain Wind Farm -Glen Innes EA. Eight (8) days clearly related to Christmas/ New Year – but 90 days in lieu of Flyers Creek 60 days. Where is the consistency?

In all of these circumstances and the probability of matters arising out of Monday's Council Community Meeting requiring further research and submission the Minister/ Director General should:-

1. Defer consideration of the application until issues i – iv above are resolved or
2. At the very least extend the period of EA submission until February 2012.

Can you kindly confirm when this EA is to be assessed it will be referred to the Planning Assessment Commission as previously indicated.

Yours faithfully

John Gerathy

Blayney Shire Council



INVITATION TO ATTEND A COMMUNITY MEETING FOR THE PROPOSED FLYERS CREEK WIND FARM PROPOSAL

Blayney Shire Council invites you to a Community Meeting to discuss the proposed Flyers Creek Wind Farm Proposal Environmental Assessment (EA) currently on exhibition until 19 December 2011 by NSW Planning.

The object of the meeting is for community members to provide advice that assists Council in developing the preparation of Blayney Councils submission to NSW Planning and Infrastructure. An independent facilitator will be used to ensure the meeting realises its objectives. The proponent Infigen Energy will provide a 15 minute overview of the proposal at the start of the meeting. A whiteboard will be used to develop any issues raised at the meeting on the proposal, for Council to consider in its submission and conditions. A copy of Councils submission will be placed on the NSW Planning and Infrastructures website www.planning.nsw.gov.au.

Venue: Blayney High School Hall
Date: Monday 28 November 2011
Time: 7.00pm to 9.00pm
Facilitator: Grahame Collier T Issues Consultancy

AGENDA

- Presentation by Infigen on the proposed Flyers Creek Wind Farm (15minutes)
- Discussion on proposal to assist Blayney Shire Council for its submission to NSW Planning

Council looks forward to your attendance and constructive input to this proposal.

Yours faithfully


G A Willcox
General Manager

COUNCIL CHAMBERS
91 ADELAIDE STREET
BLAYNEY, N.S.W. 2799
email: council@blayney.nsw.gov.au

TELEPHONE (02) 508 2104
FAX (02) 508 2200

www.blayney.local.nsw.gov.au

ALL COMMUNICATIONS TO:
BE ACKNOWLEDGED

GENERAL MANAGER
BLAYNEY SHIRE COUNCIL
P.O. BOX 62,
BLAYNEY, N.S.W. 2799

Dr. Alan C Watts OAM
H.D.A. B.Sc. M.B.Ch.B. L.R.C.P. M.R.C.S

[REDACTED]

[REDACTED]

[REDACTED]

29 November 2011

General Manager
Mr. Glenn Wilcox
Blayney Shire Council
Adelaide Street,
Blayney NSW 2799

Dear Glenn,

Further our Meeting on the 16/11/2011 and our telephone conversation of 21/11/2011.
May I again request that you reconsider some balance and fairness being injected into this meeting
with equal time being apportioned to a second speaker?

This speaker should have direct and current community experience of Industrial Wind
Turbines. I would suggest Councillor Malcolm Barlow from Upper Lachlan Shire Council would be
appropriate to all concerned. Also I feel this would be of particular interest to Councillors who, with
significant time constraints, must have the best possible knowledge of all aspects of Wind turbines
and their possible social implications for our district.

Even a third speaker at this stage, one who is rural based land owner experiencing wind
turbine development would not be unreasonable and bring true balance to this meeting.

I would welcome your urgent review of the meeting format. This development is too
important to get wrong.

Yours sincerely,

Alan C. Watts OAM

[REDACTED]

This Is A Reprint Of A Scanned Image

John Gerathy

25 November 2011

Mr GA Wilcox
General Manager
Blayney Shire Council

Dear Mr Wilcox

Re: Community Meeting for the Proposed Flyers Creek Wind Farm Proposal

I note that the object for this meeting is for community members to provide advice that assist Council in developing the preparation of Blayney Councils submission to NSW Planning and Infrastructure. The meeting is called on extremely short notice.

You propose calling on Infigen to give a 15 minute presentation of Infigen's side of the argument, which should be fully addressed in their EA, BUT you have not made provision for anyone to give a presentation of the opposing view.

There cannot be a balanced discussion when you deny wind farm opponents in the community or land owners (ratepayers) the opportunity of having their view presented.

This is an abject denial of natural justice which I believe you should immediately redress.

The fact that Council has had to convene this Public Forum demonstrates the failure on the part of the proponent to provide public consultation, as required in the DGR's, with the Blayney Shire Council, the local community and landowners.

Given this lack of consultation and the lack of any Traffic and Transport Issues paper accompanying the EA (as Infigen has for Bodangara Wind Farm and as raised with you in our meeting on 14th November) I ask you to have available at the meeting Council's files relevant to this application so that the level of the proponent's consultation with Council regarding their proposal in relation to the use of Shire roads , road safety both relating to the construction phase and the subsequent maintenance and tourist traffic ,Sec 94 contributions, the calling of this public meeting including the reason for it and generally can be determined.

I look forward to your early reply so we can organise an appropriate speaker for the meeting.

Yours faithfully

John Gerathy

DataWorks Document Number: 326373

From: FCWTAG Flyer (FCWTAG Flyer)
Sent: Monday, 21 November 2011 11:17:48 AM
To: council
Subject: FW: Proposed Flyers Creek Wind Farm

Does this message need to be registered in DataWorks ?

The General Manager
Blayney Shire Council
Mr Glen Wilcox

Dear Mr Wilcox

An interesting article on roads that I thought might be useful. <http://www.abc.net.au/news/2011-11-17/call-for-wind-farm-roads-to-be-resealed/3677132/?site=tallarat>

Regards
Patina Schneider

Flyers Creek Wind Turbine Awareness Group Inc
PO Box 135 Millthorpe NSW 2798
Phone 0405 127 189

some useful websites, links and senate inquiry numbers of just of some affected residents, Doctors and Acousticians

www.windvigilance.com (Canadian Society for Wind Vigilance, set up to promote independent medical and acoustic research into the adverse health effects being noted by residents of Canadian Wind Developments)

www.waubrafoundation.com (the Australian equivalent, set up for the same reasons)

www.windturbinesyndrome.com (many informative links and articles)

www.wind-watch.org (news website, with an excellent search function)

some relevant recent media articles and links include:

file:///C:/DataWrks/temp/325636/dwa50.htm

6/12/2011

<http://hungrybeast.abc.net.au/stories/wind-turbine-syndrome>

<http://www.adelaidenow.com.au/load/an-ill-wind-blows/story-fn3o6wog-1226054674376>

<http://www.abc.net.au/news/video/2011/04/01/3180337.htm>

<http://www.abc.net.au/news/video/2011/03/25/3174218.htm>

<http://www.wind-watch.org/news/2011/05/17/opposition-to-wind-reaches-gale-force/>

The Senate website with all the submissions

is http://www.aph.gov.au/senate/committee/clac_ctte/impact_rural_wind_farms/submissions.htm

Some submissions of interest which include information about adverse health effects include:

Medical Practitioners

13 Dr Nina Pierpont (US Paediatrician)

390 Dr Sarah Laurie, Medical Director, Waubra Foundation

888 Dr Alan C Watts OAM

955 Dr Chris Hanning (UK retired sleep physician)

Additional Materials No 16 Professor Robert McMurtry (former Dean Medical School Western Ontario)

Acousticians

112 Dr Bob Thorne

540 Dr Daniel Shepherd

785 Mr Les Huson

Some of the Affected Residents

480 Andrew Reid, Waubra

677 Berni Janssen, Waubra

129 Carl Stepnall, Waubra

130 Samantha Stepnall, Waubra

667 Donald Thomas, Waubra

442 Dooley family, Crookwell

97 Elizabeth Banks, Wonthaggi

665 Enid Thomas, Waubra

170 Gail Dawes, Waubra

171 Rosa Dawes, Waubra

355 Glen Brew, Waubra

463 Helga Hung, Germany

666 Maggie Reid, Waubra

478 Marion Parsonage, Waubra

479 Martin Wynne, Waubra

491 David Edmonston, Waubra

492 Gordon Mitchell

664 Noel Thomas, Waubra

72 Pam Di Lorenzo

3 Paul Cross, Port Fairy

588 Peter Dawes, Waubra

673 Peter Nash, Waubra

367 Robyn Brew, Waubra

622 Rod & Ruth Corrigan, Capital

520 Sarah Benson, traveller in Greece

714 Sonia Trist, Cape Bridgewater

321 Stephen Coleman, Waubra
370 Steven Gallina, Waubra
99 Yvonne McCrae
951 Wanda Allott, Waterloo

This e-mail has been scanned for viruses by MCI's Internet Managed
Scanning Services - powered by MessageLabs. For further information
visit <http://www.mci.com>

Call for wind farm roads to be resealed - ABC Ballarat - Australian Broadcasting Cor... Page 1 of 2

visit another location

Home Programs News Weather Emergencies Sport Events Recipes Photos & Videos Explore by Topic

Call for wind farm roads to be resealed

Updated November 17, 2011 12:10:57

The Moyne Shire says the Victorian Government must ensure roads near the Macarthur wind farm are resealed after construction there finishes. Map: Port Fairy

Vicroads has told the council it will convert some of the roads to gravel because they have been severely damaged by trucks carrying building materials to the site of the \$1 billion wind farm.

It says annual funding and road maintenance priorities will determine when the roads are resealed.

Moyne Mayor Jim Donikas fears the roads may be left with a gravel surface indefinitely.

"We asked well, for enough, if you haven't got the time because of the traffic to fix them, but what happens when all of the trucks are left and no longer require the road and they said there's a very, very good chance that they won't be resealed again," he said.

"Well, we just can't accept that, that's not on."

A local farmer, Jeff Weldon, says some of the roads around the wind farm have become too dangerous to drive on.

He says residents are taking long alternative routes because they do not believe the roads are safe.

"Some of them you don't really want to drive on," he said.

"We've got to go the long way round to get to Warrnambool and they're only narrow roads."

Tags: urban-development-and-planning, local-government, infrastructure-transport, north-east-vic, victoria-2011

First posted November 17, 2011 12:10:57

Print page Print story See comments Share

Search ABC Local

Search

ABC Ballarat All ABC Local

14.2°
in Ballarat

5°/23°
Tuesday

6°/24°
Wednesday

13°/26°
Thursday

Today's details and 7 day forecast

Topics

- Arts and Entertainment
- Business, Economics and Finance
- Community and Society
- Culture and National Security
- Disasters and Accidents
- Education
- Environment
- Government and Politics
- Health
- Human Interest
- Information and Communication
- Law, Crime and Justice
- Lifestyle and Leisure
- Rural
- Science and Technology
- Sport
- Terror, Conflict and War
- Weather

Latest

Video	Audio	Photo
Mayor Martin to plead guilty		
Train returns		
Eureka Flag returns to Ballarat		
Grow Gellier Hunt Cook - Spanish rabbit legs		
Grow Gellier Hunt Cook - rocket potato pasta		
Phil Knight		
YMCA on Eureka pool: why they won the contract		
Eureka public pools management replaced after 35 years		
Twisted 23 November		
Fire Communications Craig Lapaloy defends new smoke bustle use		

Wendburn to Maryborough

<http://www.abc.net.au/news/2011-11-17/call-for-wind-farm-roads-to-be-resealed/3677...> 6/12/2011

From: FCWTAG Flyer [fcwtag@hotmail.com.au]
Sent: Thursday, 17 November 2011 1:18:50 PM
To: council
Subject: Proposed Flyers Creek Wind Farm

Does this message need to be registered in DataWorks ?

The General Manager
Blayney Shire Council
Mr Glen Wilcox

Dear Mr Wilcox

Thank you once again for meeting with us yesterday.

I thought I would send the links below to useful and accurate information relating to wind turbine developments that may be informative and of some assistance to you and your staff. As you can appreciate there is an insurmountable amount of research and information available and we will endeavour to keep you updated with any relevant information we believe may be of use to you.

Regards
Patina Schneider

Flyers Creek Wind Turbine Awareness Group Inc
PO Box 135 Millthorpe NSW 2798
Phone 0405 127 189

some useful websites, links and senate inquiry numbers of just of some affected residents, Doctors and Acousticians

www.windvigilance.com (Canadian Society for Wind Vigilance, set up to promote independent medical and acoustic research into the adverse health effects being noted by residents of Canadian Wind Developments)

www.waubrafoundation.com (the Australian equivalent, set up for the same reasons)

www.windturbinesyndrome.com (many informative links and articles)

www.wind-watch.org (news website, with an excellent search function)

some relevant recent media articles and links include:

<http://hungrybeast.abc.net.au/stories/wind-turbine-syndrome>

<http://www.adelaidenow.com.au/ipad/an-ill-wind-blows/story-fn3o6wop-1226054674376>

file://C:\DataWrks\temp\325243\dwa7E.htm

6/12/2011

<http://www.abc.net.au/news/video/2011/04/01/3180337.htm>

<http://www.abc.net.au/news/video/2011/03/25/3174218.htm>

<http://www.wind-watch.org/news/2011/05/17/opposition-to-wind-reaches-gale-force/>

The Senate website with all the submissions
is http://www.agh.gov.au/senate/committee/clac_cite/impact_rural_wind_farms/submissions.htm

Some submissions of interest which include information about adverse health effects include:

Medical Practitioners

13 Dr Nina Pierpont (US Paediatrician)
390 Dr Sarah Laurie, Medical Director, Waubra Foundation
888 Dr Alan C Watts OAM
955 Dr Chris Hanning (UK retired sleep physician)
Additional Materials No 16 Professor Robert McMurtry (former Dean Medical School Western Ontario)

Acousticians

112 Dr Bob Thorne
540 Dr Daniel Shepherd
785 Mr Les Huson

Some of the Affected Residents

480 Andrew Reid, Waubra
677 Berni Janssen, Waubra
129 Carl Stepnall, Waubra
130 Samantha Stepnall, Waubra
667 Donald Thomas, Waubra
442 Dooley family, Crookwell
97 Elizabeth Banks, Wonthaggi
665 Enid Thomas, Waubra
170 Gail Dawes, Waubra
171 Rosa Dawes, Waubra
355 Glen Brew, Waubra
463 Helga Hung, Germany
666 Maggie Reid, Waubra
478 Marion Parsonage, Waubra
479 Martin Wynne, Waubra
491 David Edmonston, Waubra
492 Gordon Mitchell
664 Noel Thomas, Waubra
72 Pam Di Lorenzo
3 Paul Cross, Port Fairy
588 Peter Dawes, Waubra
673 Peter Nash, Waubra
367 Robyn Brew, Waubra
622 Rod & Ruth Corrigan, Capital
520 Sarah Benson, traveller in Greece
714 Sonia Trist, Cape Bridgewater
321 Stephen Coleman, Waubra
370 Steven Gallina, Waubra
99 Yvonne McCrae
951 Wanda Allott, Waterloo

This e-mail has been scanned for viruses by MCI's Internet Managed
Scanning Services - powered by MessageLabs. For further information
visit <http://www.mci.com>

<file:///C:/DataWrks/temp/325243/dwa7E.htm>

6/12/2011

Issues identified by Council

The following issues have been identified as having an impact on the Blayney Shire Community

- The Environmental Assessment (EA) provides three transport route options (5.4.2).
 - Route 1 – Errowanbang Road (Local) providing access from the Mid Western Highway (State) South of Carcoar to Gap Road (Local).
 - Routes 2, 2A, 2B – Gap Road from Errowanbang Road to Beneree Road (Local), Halls Road (Local and Crown) from Gap Road to Errowanbang Road, providing access from Route 1.
 - Routes 3, 3A, 3B – Burnt Yards Road (Local), Errowanbang Road from Burnt Yards Road to Halls Road and to the proposed site access for the substation location, providing access from the Mid Western Highway at Mandurama.
 - Route 4 – Carcoar Road (Local) from Gap Road, Forest Reefs Road (Local) Tallwood Road (Local) from Forest Reefs to Beneree Road, Beneree Road from Tallwood Road, and Errowanbang Road from Tallwood Road. These routes provide access from the North including Millthorpe.
 - Route 5 – Providing access from Orange via Cadia to Forest Reefs.
 - Route 6 – Providing access along Browns Creek Road from Blayney to Beneree Road.

The following schedule identifies road types, construction levels and present traffic loads. These details indicate the local road network shall be severely impacted by traffic loads proposed by this development, and the Blayney Shire community severely disadvantaged by the increased road deterioration should the project proceed as proposed in the EA.

Route Number Road Name	Classification Surface Type	Width (m)	Condition
Route 1. Errowanbang Road	Local Sealed	5.5 - 7.5	2.6 km length including 1.9 km – 5.5m wide. Under strength pavement beyond Ashburtons Bridge School bus route
Route 2. Gap Road	Local – Unsealed	5.5 – 7	7.2 km – less than 6m wide, Under strength pavement Meandering alignment unsuited to some RAV access. Heavy loss of gravel due to frequent use. Remnant native vegetation remains along corridor length.
Route 2A. Halls Road	Local – Unsealed Crown - Unconstructed	3 - 4	Council section predominantly 3m wide. Current alignment unsuited to some RAV access and increased

			heavy vehicle usage. Lack of gravel Scattered remnant vegetation remains along corridor length.
Route 2B. Beneree Road	Local – Unsealed	5 - 6	7.3 km length Generally straight alignment with some sweeping curves and blind intersections Under strength pavement
Route 3. Burnt Yards Road	Local – Sealed	5 - 8	Access via local street (15m wide) within Village of Mandurama. 14.7km – 5m wide Meandering alignment with some sharp bends including a T-intersection at Ewins Lane, and Tight (hairpin) bend at Burnt Yards Deteriorated seal and under strength pavement. Existing B-Double Route
Route 3A Errowanbang Road North from Burnt Yards Road	Local – Sealed	5	Poor V/H alignment with some sight lines obscured by topography Under strength bridge and culverts Errowanbang School (40km/h zone) located on route School bus route
Route 3B. Errowanbang Road South from Burnt Yards Road	Local – Unsealed	5	Poor V/H alignment with sharp bends and with some sight lines obscured by topography Lack of gravel School bus route
Route 4. Forest Reefs Road	Local – Sealed	5 – 7	Rural residential development along this route. Under strength pavement. Some segments with poor V/H alignment Severely damaged from high usage associated with Cadia Mine traffic School bus route
Carcoar Road		5 - 6	Some segments with poor V/H alignment Under strength pavement not suited to increased heavy vehicle use. School bus route
Tallwood Road			Some segments with poor V/H alignment. Under strength pavement not suited to increased heavy vehicle use. School bus route
Route 5.	Local – Sealed within	7	Under strength bridge on Cabonne

From Orange Long Swamp Road	Blayney Shire		LGA boundary Under strength pavement from boundary to Forest Reefs Steep V alignment School bus route
Route 6. Browns Creek Road	Local - Sealed	5 - 8	Rural residential development along this route. Severely damaged pavement associated with heavy vehicle traffic to Australian Native Landscapes (ANL). Poor V/H alignment with sharp approaches to bridge at entrance to ANL site. School bus route

Council notes that the EA recommends that Route 1 – Errowanbang Road and Route 2 Gap Road be the sole Restricted Access Vehicle (RAV) route for the proposed development.

Council has concerns with each route based upon various factors. These factors include:-

- All routes – The establishment and development of the wind farm project will generate an increase in volume of heavy vehicles on Council local roads. In particular the necessary movement of significant volumes of gravel and other construction materials, from undefined sources, will have a devastating impact, unless provision is made for adequate strengthening and ongoing maintenance of affected roads and bridges.
- Errowanbang Road – from the Mid Western Highway to the northern side of Ashburtons Bridge over the Belubula River is generally of suitable width however does contain a poor alignment/width for RAVs that may require widening of the road pavement and surface to provide access to longer vehicles. Council considers the road to be under strength beyond the immediate approaches to the bridge. The proponent would also need to provide certification that Ashburtons Bridge was suitable for heavy vehicle loading. Local traffic along this road continues to increase with the road utilised by both workers attending Cadia Mine and local stock trucks moving stock to and from the Central Tablelands livestock Exchange (CTLX) at Carcoar. Any upgrade works would require substantial gravelling to provide for a pavement overlay and resealing to develop it into a suitable RAV route that has the capacity to cater for the proposed RAV movements.
- Gap Road – is predominantly less than 6m wide, providing poor width for heavy vehicles and RAVs. The alignment also contains significant remnant vegetation that impacts upon the alignment of the road, forcing its meandering nature. The road is considered generally unsuitable for heavy vehicles and any increase in other road traffic. Local traffic along this road continues to increase with the road utilised by local stock trucks moving stock to and from the Central Tablelands livestock Exchange (CTLX) at Carcoar. Upgrade works would require substantial gravelling to develop it into an all weather road that is suitable for RAVs, and would have an

impact upon the remnant native flora and fauna that continues to exist within this road reserve.

- Halls Road – is predominantly a Crown Road Reserve that has been used by adjoining land owners for local access, Council does not maintain the Crown Road section. The Crown Road would require negotiations between the project proponent and the Crown, prior to access or upgrade works being provided by the Crown. The remaining section of Halls Road is an unsealed, low volume, Council local Road providing local property access. The road is considered unsuitable for heavy vehicles and any increase in other road traffic. Any upgrade works would require substantial gravelling to develop it into an all weather road, and would have an impact upon the remnant native flora and fauna that continues to exist within this road reserve.
- Beneree Road – Serves as a link from the southern part of the Shire to Orange. It is predominantly of good alignment however does have some blind corners located at intersections that would be unsuitable to increased levels of traffic. Upgrade works would require substantial gravelling to provide for increased pavement strength to cater for increased heavy vehicle usage and widening.
- Burnt Yards Road – is a low class sealed road that is predominantly only 5m wide. The current alignment includes two sharp bends that are unsuitable for RAV's other than B-Doubles that are currently approved to operate over this route. The approval was issued for a currently non-operational feedlot that has been acquired by the Newcrest Mining group of companies. The route includes two upgraded bridges that the proponent would also need to be certified for heavy vehicle loading. The road surface and pavement is under strength, and currently presents significant deterioration due to age and the inability to cater for the historical increase in heavy vehicle loadings. . Any upgrade works would require substantial gravelling to provide for a pavement overlay and resealing to develop it into a suitable heavy vehicle route that has the capacity to cater for any proposed movements, including those that may be RAVs.
- Errowanbang Road from Gap Road to the proposed substation site – This road is of both unsealed and sealed formation and only 5m wide. The section from Gap Road to Errowanbang is unsealed, and sealed beyond Errowanbang. The current alignment includes bends that are currently considered unsuitable for RAV's. The route includes various bridges and culverts that the proponent would also need to be certified for heavy vehicle loading. The road surface and pavement is under strength, and currently presents significant deterioration due to age, inundation damage and the inability to cater for the historical and Cadia Mine related increase in light vehicle usage and heavy vehicle loadings. The route also passes directly the Errowanbang School that includes a 40 km/h zone. The school population has recently increased significantly with the improvement in family numbers located in the district. Any upgrade works would require substantial gravelling to provide for a pavement overlay and resealing to develop it into a suitable heavy vehicle route that has the capacity to cater for any proposed movements, including those that may be RAVs.
- Forest Reefs Road – currently serves as a link between Bathurst (Millthorpe) and Cadia Mine, providing access to high levels of traffic from the Bathurst district and

- the Village of Millthorpe, and also the expanding rural residential development within the area. The existing road alignment is generally suitable with some modifications required to improve alignment at curves and sight distances. The road is experiencing extensive distress and deterioration with the increased loadings, and is not suitable for further loadings until such time as upgrade works are undertaken to provide improved drainage, increase the overall pavement depth and width, and provide for a new wider seal. Council has previously refused a B-Double application on this route due to the high levels of traffic and general unsuitability for B-Doubles.
- Carcoar and Tallwood Roads – provide links between the north of the Shire and the Village of Carcoar and other southern locations. The identified sections currently include some segments of poor V/H alignment that would not suit increased heavy vehicle usage due to potential for vehicular conflict and most notably the use as school bus routes. The road is experiencing deterioration from increased loadings, and is not considered suitable for increases in traffic until such time as upgrade works are undertaken to provide improved pavement strength, increase the overall pavement depth and width, and provide for a new wider seal.
 - Long Swamp Road – is an extension of Forest Reefs Road from Forest Reefs to the Cabonne LGA boundary at Flyers Creek, and provides the extension of the access from Forest Reefs to the Cadia Mine. It currently includes a poor alignment onto a sub standard, under strength timber bridge, with a steep climb to Forest Reefs. The overall width is considered adequate for general access vehicles, however requires upgrades to provide for improved drainage, increase the overall pavement depth, and provide for a new seal. Construction of a new bridge with improved alignment at the approaches would also be required to provide suitable access for heavy vehicles.
 - Browns Creek Road – provides a link between Blayney and the Browns Creek/Beneree district, and also the expanding rural residential development along a proportion of the route. The existing road alignment is generally suitable with some modifications required to improve alignment at curves, and sight distances. There is a under strength timber bridge located in the vicinity of the ANL site, that also has poorly aligned approaches that do not support heavy vehicle access. The road is experiencing extensive distress and deterioration with the increased loadings, and is not suitable for further loadings until such time as upgrade works are undertaken to provide improved drainage, increase the overall pavement depth and width, and provide for a new wider seal.

After consideration of the proposed routes, Council would consider that the proposed RAV route from the Mid Western Highway, along Errownbang, Gap and Beneree Roads is the most suitable route following upgrades, to access the development site and minimises the impact by route length on Council Local roads.

Council requests that access to the development site be restricted to the use of Routes 1, 2, 2A and 2B following the upgrading of these routes, with all other proposed routes being refused. It is important for the company to consult directly with Council to ensure Routes 1, 2, 2A and 2B are upgraded to ensure they are safe for the increased traffic movements

demanding by the project proposal, including the extensive range of RAVs proposed to be used to develop the project.

Council remains concerned that the movement of volumes of construction and development materials and assets through the area will present an increased risk to the community.

The EA proposed transport route options all present individual intersection issues. Traffic generated by the project will be required to negotiate various intersections that may not be suitable to cater for the increased traffic. It is imperative that intersections be assessed against the predicted traffic growth and RTA guidelines to identify any intersection upgrades (to RTA standards) that may be required to be undertaken by the proponent.

Council requests this advice as it remains concerned that the traffic generated by the project through various intersections will present an increased risk to the motoring community.

Council requests that an appropriate funding stream be established from the applicant to ensure safety and serviceability of roads, during construction, and restoration to at least pre-development condition at completion of the project.

Council requests that the proponent undertake consultation with Transport for NSW and local bus operators to identify existing and proposed (school) bus routes surrounding the development site to ensure that the traffic associated with the development does not conflict with existing users.

- Site Entry and access tracks – the EA identifies a number of site access points from the local public road network onto private land, and the existing and proposed access track network.

Council notes that preliminary discussions have been held with the proponent on the location of these access points, and council staff have identified some issues related to sight distances and turning room for heavy vehicles, including RAVs.

Council requests that further advice on the final locations, proposed upgrade works and other traffic safety infrastructure for these access points is provided to Council for final approval and to allow a review of probable impacts upon Council roads and motorist safety.

The EA describes on site access tracks as requiring *“formations generally five to six metres wide but in the order of eight to ten metres wide during the construction phase”*.

Council notes that if the proponent requires such large on site access tracks, such a standard would be considered even more of an imperative for local roads, due to potential conflict between development construction traffic and local traffic. It is Council's opinion that such evidence further reinforces the need for the proponent to upgrade local council roads to a standard that allows for the safe movement of plant and materials associated with the development of the project.

Council requests that an appropriate funding stream be established from the applicant to ensure safety and serviceability of roads at site entry points, during construction, and restoration to at least pre-development condition at completion of the project.

- Site establishment – the EA provides recommended locations for the development site office, those being:-
 - An area of cleared land at the north east of the project area beside the access to the Calvert group of turbines.
 - A site adjacent to the proposed substation site
 - A location toward the central eastern part of the development
 - An area at the southern part of the wind farm.

Council requests that the site office be established at the southern end of the development in order to minimise the distance travelled across the local council road network, and reduce the potential conflict with Cadia mine traffic.

The EA provides comment on the idea of utilising a mobile concrete batching plant on site, as an alternative to delivery of concrete from other locations such as Bathurst or Orange. Table 13.4 with the predicted traffic associated with the two options identifies a reduced number of total vehicle movements associated with a batching plant, due primarily to the larger vehicle types being used for material supply. The net tonnage is also marginally less for a mobile batching plant; however this could also be improved by the use of locally sourced, on site water.

Council considers that the net reduction in traffic movements associated with a mobile batching plant is a positive outcome toward reducing potential conflict between development traffic and other motorists.

The EA does not indicate the location and volumes of gravel materials that would be required to supply construction pads, road and track access development/upgrades or maintenance. As the location(s) of source material will dictate road damage from transportation it is important for the company to consult directly with Council to ensure that adequate provision is made to address road maintenance, upgrade and new construction requirements.

Council requests this advice as it remains concerned that the movement of volumes of construction materials in the Blayney Shire, shall destroy the rural road network.

As no details are available of gravel quarry location(s), a separate development application should be made for the use of all gravel sources, including existing small rural quarries due to large volumes that would be expected to be extracted. Council and the community can then make a detailed assessment as to the local road and community impacts at that time.

Due to the volumes of materials that would be expected to be moved by road transport, the Blayney Shire community should not be disadvantaged by the destruction of its assets, as a result of this project.

- Earthworks for footings – the EA identifies the potential need to utilise controlled blasting techniques to undertake excavation for footing construction, should mechanical equipment be unable to complete the task due to local geology. It is noted that surrounding the development site are numerous residential dwellings and the Cadia Mine.

Council requests that in the event that controlled blasting is required to be used, the proponent is required to provide advanced notification to Cadia Mine, neighbouring residents, and Council, of the need to undertake blasting; and the work is controlled in accordance with appropriate statutory requirements.

The EA provides no advice on possible damage associated with blasting, and Council remains concerned that such methods may result in damage to neighbouring residences.

Council requests that in the event that blasting is to be undertaken, the proponent is required to prepare a dilapidation report of those affected properties prior to blasting.

- The proposed substation is identified to be located on private property on Errowanbang Road approximately 2-3km from the Panuara Road intersection at Flyers Creek. The construction of the facility will necessitate an increase in vehicular movements, including heavy vehicles.

Council remains concerned that the movement of volumes of construction and development materials and assets to the site cannot be provided for via the identified site access track network and approved routes, and will present an increased risk to the community.

- Council notes that in proximity of the northern end of Route 2A – Halls Road, the route to turbine numbers 17, 18, 19, and 20 is identified as a track upgrade and new access track. This is factually incorrect and the segment currently identified as a track upgrade is in fact a council Local Road, known as Dunstaffanage Lane.

Council requests that the proponent be required to amend this information and upgrade the road in accordance with the requirements for other council Local roads.

- Construction Noise – is referred to in Chapter 12, and specifically in Table 12.11. Council considers the identified construction phase working hours as suitable, and acknowledges that should work outside of these hours be required due to extenuating construction circumstances, separate approval will be sought prior to work occurring.
- Contributions – the EA provides limited advice on economic benefit derived from the project by the Blayney community. Chapter 7.9.4 notes economic benefit in the form of increased income to local suppliers and services, and increased employment.

Council acknowledges this will occur however it is expected this will be as a *“result of increased commercial activity”* associated with the development phase of the project.

- The EA also notes that *“a small number of on-site staff will be required during the operations phase”*. Experience from the operations phase of the Carcoar Wind Farm is that the operations will be managed remotely from an out of region location, dependent upon

ownership and operational management of the development in the future. With the mining and wind farm heritage of the Blayney Shire and the immediate region, Council would expect that many of the construction phase positions could be sourced from the local area if available.

Chapter 7.9.4 of the EA also refers to *"Payments to Blayney Shire Council associated with contribution to local infrastructure"*.

The EA does not indicate, and Council would consider that the project will not generate a large amount of additional community infrastructure requirements, and the development may benefit the Blayney Shire community by the construction of additional housing, increased school numbers and other social membership areas.

Council considers that there will be a general need to assist in community development projects, and these should be based over the life of the project as opposed to a large up front contribution.

Council has not made any application for contributions for roads at this point in time, until a preferred heavy vehicle transport route has been determined, a detailed roads assessment undertaken and consultation occurred with Council.

There are areas that would be of a community benefit that this project could support for the benefit of the overall and in the development of the project. These include:

○ Sponsorship of Community Environmental Program	\$20,000
○ Economic Development employee	\$90,000
○ Community Grants and Facilities funding	\$80,000
○ Community Education Grant Fund	\$20,000
TOTAL CONTRIBUTION (per annum) + CPI	\$220,000

This contribution would be paid annually adjusted for CPI (Sydney) and will be payable for the life of the proposed project, including the rehabilitation phase.

The funding of the Community Environmental Program would allow Council to attract Federal and State Government environmental program funding to undertake waterway rehabilitation works, in school environmental education projects, tree planting and other on ground environmental projects.

The funding of the Economic Development employee shall have benefits to Infigen Energy in the establishment of, and assistance in attracting new support businesses to the Shire, to seek and attract staff, establish training for staff and flow on benefits to the community generally.

The Community Grants and Facilities funding would be administered by a Council committee to assess community projects put forward by local sporting associations, environmental

groups, Council or other agencies. Examples of projects that may be funded could include tennis court upgrades, community amenities, and school environmental projects.

The Community Education Grant Fund will make contributions towards education, as assessed by a community committee for local people who undertake apprenticeships, cadetships, TAFE or University study and other personal or community development. Such a program can support the project, as Council recognises that many young people acquire skills and undertake training in electrical related fields, before finding themselves full time employment within the energy industry.

Community Consultation

Council on the 28th November co-ordinated a Community Meeting at the Blayney High School Hall, following a resolution at its meeting held on 14 November 2011 to allow the community to have input into Councils submission on the EA for the proposed Flyers Creek Wind Farm proposal. The meeting was facilitated by Mr Grahame Collier of T Issues and a copy of his report is attached, issues raised at the Community meeting are as follows:

- **Poor consultation**
- **Visual amenity**
- **Decrease inland values**
- **Effects on Council roads**
- **Cumulative effect of the Cadia Mine and the proposed Wind Farm in the same locality.**
- **Lack of appropriate traffic study**
- **Loss of tranquil rural setting**
- **Affects on health from noise from wind towers**
- **Affects on wildlife from wind towers**
- **The size of the wind towers compared to the size of the Carcoar wind towers**

- The affect the proposal has had on the local community by dividing not only the community but also families.

The issue have been taken into account in Council preparing its submission and drafting of conditions of consent for the Department of Planning and Infrastructure as detailed below..

Conditions Proposed

1. That the proponent prepare a Traffic and Transport Issues paper for consideration and comment by Council and Road and Maritime Services (RTA).
(Reason: To ensure the approval process allows for public participation, and that the community impact issues are identified and addressed).
2. That the proponent prepare Traffic Management Plans (TMP) and Pavement Management Plans (PMP) for approval by Council detailing probable impacts on Blayney Shire Council roads and bridges, and provide full funding for the works issuing from the approved plans.
(Reason: The roads in the Council area have not been designed to carry continuous heavy loads and Council should not suffer additional costs due to this development).
3. That the applicant supply details of all gravel sources and that a separate development application is made for all gravel quarries to allow the community to assess the impacts of traffic generation on community infrastructure (roads and bridges) and the environment (air, water, noise and visual amenity).
(Reason: To ensure that the approval process allows for public participation and that the community impact issues are identified and addressed).
4. That a site specific impact assessment be undertaken prior to any road upgrades along the approved routes, that include native remnant vegetation, to determine the method of protection to native flora and fauna during the construction phase.
(Reason: To protect the biodiversity of the remnant vegetation along the approved route corridors).
5. That the proponent supply details of the proposed works required to upgrade site entry locations to provide access to the development site, to allow the community to assess the impacts on traffic movement and safety.
(Reason: The site entry locations have been identified as a safety issue, and upgrade works are required to address accessibility and the risk to the community at these locations).
6. That the proponent utilise a mobile concrete batching plant, for all concrete deliveries, and provide details on the proposed location of the batching plant, to allow the community to assess the impacts on traffic movement and safety.
(Reason: The roads in the Council area have not been designed to carry continuous heavy loads and development traffic should be minimised wherever possible. Council should not suffer additional costs due to this development).

7. That the proponent be required to provide advanced notification of any blasting required in the construction process, to Cadia Mine, neighbouring residents, and Council.
(Reason: Any blasting works present a risk to the operations of Cadia Mine, the structural integrity of neighbouring residences and local amenity).
8. That the proponent be required to prepare dilapidation reports of neighbouring properties, to a pre-determined distance as defined by the Department of Planning, prior to and in the event that blasting techniques must be used.
(Reason: Any blasting works present a risk to the operations of Cadia Mine, the structural integrity of neighbouring residences and local amenity).
9. That the proponent be required to identify existing and future (school) bus routes surrounding the development site, and program heavy vehicle and RAV movements outside of these times.
(Reason: Potential conflict between heavy vehicles and local traffic is a risk to the community).
10. That the proponent be restricted to undertaking construction activities as follows:
- | | |
|-----------------|--|
| Monday – Friday | 7:00am – 6:00pm |
| Saturday | 7:00am – 1:00pm if inaudible
8:00am – 1:00pm if audible |
| Sunday | NIL |
- Work outside of these hours shall be upon prior approval from the consent authority.
11. That an annual contribution be paid to Blayney Shire Council to support and develop community infrastructure, business development, environmental projects, and community training. Council shall collaborate with the proponent to establish criteria for, and develop a plan of expenditure to include the following items:
- | | |
|--|------------------|
| ○ Sponsorship of Community Environmental Program | \$20,000 |
| ○ Economic Development employee | \$90,000 |
| ○ Community Grants and Facilities funding | \$80,000 |
| ○ Community Education Grant Fund | \$20,000 |
| TOTAL CONTRIBUTION (per annum) + CPI | \$220,000 |
- This contribution is to be paid annually adjusted for CPI (Sydney) and will be payable for the life of the proposed project, including the rehabilitation phase.
(Reason: to provide for environmental improvements, the development of community infrastructure, employment and education/training in the Blayney Shire area).
12. That the Department of Planning and Infrastructure take note of the Community concerns raised at both the Public Community Meeting held in Blayney on 28 November and the attached submissions from members of the public received by Council.

