

Neville Osborne

From: Frank Ross <frank@collectorbooks.com.au>
Sent: Thursday, 19 November 2015 12:30 AM
To: Neville Osborne
Cc: goulburn@parliament.nsw.gov.au
Subject: Objection to Ratch Modification Application for Proposed Collector Windfarm
Attachments: Collector Statistics.doc; F Ross forum resignation 06082014.doc; FOC Sept Newsletter 2014.doc; Corbell auctn ltr 170315.pdf; Fire Article 1.pdf; Fire Article2.pdf; Fire Article7.pdf

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COLLECTOR NSW 2581

Mr Mike Young
Department of Planning and Environment
22-33 Bridge Street
SYDNEY NSW 2065

Objection to Ratch Modification Proposal for Proposed Collector Windfarm. Your ref: Application 10_0156

Dear Mr Young,

I hereby object to the Ratch Modification Proposal lodged with you on 20 September 2015. The objections, in summary, are as follows

1. Inadequate time for consideration of the Modification Proposal

The modification document is some 500 pages long - with numerous colour maps and diagrams which are not easily downloadable/printable for people in country areas with limited internet access and basic equipment. There are also no tabs to indicate sections, poor indexing and an apparent intent to intimidate prospective readers with irrelevant bulk derived from replication of previous EA material. It was not made available in Collector until last Friday – the scheduled closing date of its public exhibition. Following protests from the Collector community, Mr Neville Osborne of your Department arranged for an extension of the time for comments/objections to be lodged via his email address by this Friday 20th November.

This is the third time the Collector community has been disadvantaged by the Department. The other times were:

- when the original Ratch EA came out in 2012 (some 1100 pages long), a hard copy again was not made available in Collector until there were numerous protests; and
- when the Planning Assessment Commission meeting was scheduled in September 2013, the Department arranged for it to be held in the Breadalbane Hall (some 21km away) rather than Collector. Again, after community protests, it relented and re-located the meeting to Collector.

As Oscar Wilde would say, one oversight is excusable, two is careless, but three is unforgivable. It seems to prove there is a pattern of disadvantaging the Collector community by the Department. Despite this history, we do, however, appreciate the opportunity to put our objections on record in the limited time available; and hope that, we do get fair and equitable opportunity for presentation and consideration to the PAC.

2. Inadequate Community Consultation

Nowhere in its EA or Modification Proposal does Ratch give any demographic context so that this issue may be fairly considered. The facts are that this is a well-populated precinct: in the Collector ABS district (2011 census) there are over 400 persons (see attached abstract), which, since this is less than a quarter of the area affected by the proposed development (ie the accepted 10km zone around it), also containing the village of Breadalbane, the fringes of Gunning township and many small holdings, there are at least some two thousand people directly impacted.

The Collector community has noted that Ratch's so called Community Forum is a closed shop of a few local individuals, selected on the basis of their support for the project, who do not represent any of the nine local organisations (with one exception, see next paragraph) or consult with the wider community. They have noted that Ratch officers do not honestly write up issues raised but rather use it as a public relations body to please Government stakeholders. (for an indicative summary, see Forum resignation letter attached).

A characteristic of Ratch is that, with the exception of the Pumpkin Festival Committee (chaired by its largest turbine host) it does not engage with Collector community organisations (see FoC newsletters attached). This includes the Collector and District Historical Association, the Collector Fire Brigade and the town's largest benevolent and social organisation, the Pot Black Club. All of these organisations have the capacity for real contribution to the environmental assessment but continue to be ignored.

Two surveys in the last two years have confirmed the proposed development is opposed by over 80% of the community. See September 2014 FoC Newsletter attached. The ACT Government has confirmed that Ratch is inadequate in this area (see attached letter). It is thus clear that Ratch has made a mess of community consultation and this is an ongoing problem.

In addition to the above, the Proponent has also been in dispute for some two years with Upper Lachlan Council - the relevant local Government body – regarding the administration of the community funds from this project. The proponent is presently negotiating with the ACT Public Trustee to administer these funds on behalf of its Collector Forum members. Since Local Government authorities have a responsibility to ensure that community projects are consistent with strategic policy, planning requirements and building guidelines, it has a legitimate right to a decisive role in this process.

The current proposed exclusion of Council by Ratch in this matter is clearly bizarre and inappropriate conduct. This is not mentioned by the Proponent in the Modification report but clearly reflects on its incompetence in this area of consultation.

In view of the above evidence, Ratch's consultation claims in its Modification Report and the original EA are not up to standard and should be referred to the PAC for consideration.

3. Dubious Noise Measurement Proposals

The Modification Report claims (p. iv and p 48) there is a problem with background noise around Collector interfering with monitoring turbine noise: *The effect is believed to be caused by seasonal influences such as insect noise or frogs.* It asserts that keeping the methodology approved by the PAC would require (p.iv) *extending noise measurement and analysis, and has the potential to reduce community confidence in the compliance testing process.* The Report thus argues for a *background –noise dependent limit.(that allows for the limit to increase commensurate with an increase in background noise levels).*

A search of wind farm noise literature indicates that Collector's frogs and insects are a world first as prime components in background noise. On the contrary the literature indicates that there are many other factors which are more relevant: eg, the height of the wind monitoring mast, vegetation, topography and the audio instruments used. Where required these instruments filter types of noise according to frequency and at set distances as prescribed.

Furthermore if Ratch was confident about its claims regarding wind noise at Collector it would welcome testing which proves its case – rather than finding it *has the potential to reduce community confidence.* In

addition it should be noted that frogs and insects are only noisy at certain times of the year and even then, not so in drought times. The Ratch argument is thus of dubious integrity and more about reducing costs and accountability and potential liability.

Given that Ratch is contending with PAC findings, there is evidence from various experts in this field which appear to cast doubt on the validity of its arguments, this is another matter which would seem appropriate for the PAC to adjudicate.

4. Damage to the Cullerin Escarpment

The Modification Report argues for an abandonment of the vegetation offset of hectare –based clearance limits approved by the PAC to be replaced by a “*Biobanking Assessment methodology*”. This is due to the increased clearing of vegetation that will be required for the increases in roads, electrical cabling and project facilities as proposed in the Modification Report making the PAC model less suitable from a “management” perspective.

In plain terms it appears Ratch wants a model which will allow them more flexibility to do what they please to the site while having offsets elsewhere. This would appear to be driven by cost cutting motives rather than looking after the site’s environment. This argument would appear to require independent examination by the PAC.

5. Visual Amenity Presentation Issues

Ten photomontages are provided of the proposed windfarm. The first one gives a relatively clear indication of the perspective to the north west of the Bushranger Hotel. All of the other montages, however, have a wisp of white cloud on the horizon, thereby reducing the images of the turbines there to ethereal wisps through the white-out effect. It is also noticeable that Ratch did not have montages from any higher points in the town

The above approach is similar to what Ratch did with the EA: the whitening out of the visual impact of turbines through use of cloud background; and selection of sites which also minimised impact. In addition no montage has been included which shows the impact of the increases in overhead cabling required in the Modification Report.

This misleading and deceptive conduct by Ratch in this matter is another reason why the community has become cynical about its claims. This is another item which should go to the PAC for assessment.

6. Fire Risk Management Overlooked

Fire risk management measures have not been addressed in the Modification Report or the EA. Yet by Ratch’s own figures there will now be an average of 110 workers vehicles per day for some 14 months, plus 11, 000 truck deliveries in that time (Appendix E, p.7), together with the equipment that will be operated. There is clearly capacity for fires to be inadvertently started through cigarettes, barbeques, welding activities and suchlike.

Since Collector village and district is downwind of this development when the West or North-West wind blows in summer, there is significant fire risk consequences for the area. This was shown by the 1932 bushfire which started on this area of the escarpment, which proceeded to burn to and past Collector and over into the Currawang Valley toward Bungendore, destroying many farm buildings, hundreds of sheep, a dairy herd and lasting several days. It was extensively reported in the media of the time. Please see examples attached. Ratch was advised of this history but chose to ignore it.

This is another reason for this Modification proposal to go to the PAC.

7. Highway Traffic Issues

As per item 7 above, if the proposed development proceeds on the current basis, there will be major traffic flows to and from the Hume Highway. Tgis will involve 110 worker's vehicles per day for some 14 months plus 11,000 other vehicles over this period. On page 28 of the Report it is stated that the RMS requires: *No right turns out of Lerida Road South onto Hume Highway(underpass at the Collector-Gunning Road to be used).*

Since the Modification Report did not qualify this RMS advice with any exclusions, on 16 November 2015 I checked with Ratch Project Manager Anthony Yeates, whether this advice applied to all vehicles. His advice was that: *RMS's traffic control requirements apply to oversized and overlength vehicles.*

Even if this advice is correct, the entrance on and off the Hume Highway for large volumes of vehicles will be hazardous – particularly in winter when there are fogs. It would seem appropriate that this be addressed in more detail and measures introduced which limit the risk of highway accidents from this traffic.

Conclusion

The above evidence demonstrates that the Ratch Modification Report has a number of serious deficiencies and unresolved issues. If more time were available many more could have been identified and critiqued. In any respect it is already clear that:

1. there are many unresolved issues of some complexity which would best be adjudicated by the PAC;
2. the associated methodologies, research, policy and best practice consultation environment has changed since the original recommendations two years ago; and
3. the proponent appears to have at times also engaged in misleading and inappropriate presentation of material and conduct which the would also appear to be best assessed by the PAC.

The Report therefore needs to be referred to the PAC with a view to either:

- resolving issues with what is currently proposed by the proponent; or else
- seeking a fresh application for the proposed development so that best practice can be based on current policy, research and more appropriate consultation.

Yours sincerely,

Frank Ross
18 November 2015