

Shane Mortimer

Ngambri Aboriginal Elder

Submission re :07 0118 MOD1 Gullen Range Wind Farm Modification

There has been NO 'Due Diligence' on Native Title under the Act (Cth) 1992 and or Common Law Native Title, as required by law. Therefore the Gullen Range Wind Farm is non-compliant and the development is required to cease forthwith until 'Due Dilligence' on Native Title under the Act (Cth) and/or Common Law Native Title is complete and all Gandangara People are satisfied.

Additionally:

I ask for the following changes to recent modification of Gullen Range Windfarm submission.

The Gullen Range development is the most offensive of its kind in its disregard for the NSW Govt's draft guidelines and the Upper Lachlan Shire's requirements in regard to setback.

Additionally, Goldwind, the developer, should never have been allowed to relocate the vast majority of turbines in this development without prior Department of Planning approval.

The application for retrospective approval for the unauthorised and inappropriate placement of turbines should only be considered when matched with a retrospective requirement to have those turbines within the Upper Lachlan Shire's 2 kms minimum setback removed.

I oppose the modification on these grounds – **relocating turbines will have the following effects for local residents. And these need to be considered respectfully.**

NOISE IMPACTS

Lack of rigour in noise assessment.

Due to moving turbines closer to homes, many residences will suffer from greater noise impacts not only from the individual turbine which has been moved but due to the cumulative effects of that turbine in relation to other turbines. Cumulative noise impacts have not been addressed in the modification documents. Only noise created by individual turbines has been modelled. Increased Van der Berg effect from increased turbine elevation has not been assessed. To impose this increased, constant noise nuisance is unjust.

VISUAL IMPACTS

To relocate turbines closer to homes and at higher elevation, increases the visual impact of the turbines at many non host residences.

PROPERTY DEVALUATION

Due to increase in proximity to turbines, the greater noise/visual pollution will result in even greater devaluation of the effected properties.

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LOSS OF AMENITY

The increase in noise and visual pollution drastically reduces residents' enjoyment of outdoor activities.

LOSS OF INCOME

1. The increase in noise levels and shadow flicker effects can mean that some farmers will find it too dangerous to work in certain parts of their properties, reducing the amount of land from which income can be made.

2. For some farmers the ability to subdivide their property to gain additional income is lost due to the local Council's restrictions in regard to proximity to wind turbines.

MITIGATION

The application for retrospective approval for the unauthorised and inappropriate placement of turbines should only be considered when matched with a retrospective requirement to have those turbines within the Upper Lachlan Shire's 2 kms minimum setback from non-host residences removed.

PUBLIC INQUIRY

Failing the Department enforcing a retrospective requirement to immediately remove all turbines within 2 kms of non-host residences, due to the developer's many breaches of compliance and the Department of Planning's inability to ensure that the developer complied with conditions of approval, I call for a cessation of construction until such time as a public inquiry is completed into the processes involved in approving/monitoring this development.

Yours Faithfully,



Mingo S Mortimer

Ngambri Aboriginal Elder

"Cherrylea"

2373 Gunning Road

Collector NSW 2581

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