SUBMISSION IN RESPONSE TO MODIFICATION APPLICATION
07_0118 MOD1 GULLEN RANGE WIND FARM

I offer the following as my submission regarding this modification application.

Firstly, the proponent should never have relocated over 94.5% of the turbines in this development without first having sought the Department of Planning and Infrastructure's approval to do so - this was a breach of its approval consent conditions.
The Department of Planning and Infrastructure (henceforth referred to as DoPI) was informed as early as June 2013 by local residents that turbines and associated infrastructure were being constructed in non approved locations.

Despite earlier complaints about numerous and various breaches of conditions of consent perpetrated by this developer during construction of the Gullen Range wind farm, it was not until November 2013 that the DoPI took any action in regard to this.
By this time the vast majority of the turbines had been erected in unapproved sites.

Unless local residents had informed the DoPI of this gross lack of compliance, it would never have been aware of it - it has therefore proved to be incapable of ensuring compliance.

Members of the public, especially those who neighbour the Gullen Range wind farm, are asked to write submissions about the extensive relocation of 69 turbines, when the only information available about the exact, final distance from turbines to homes is provided by the developer - a proven unreliable source of information in the past.

Secondly, in regard to the modification specifics, I make the following points.

1. OCCUPATIONAL DANGER / INCOME LOSS

Our property, B12, is significantly negatively impacted by this modification. Turbines BAN 5, BAN 6, BAN 7, BAN 8, BAN 11, BAN 14 are located **exceptionally close** to our property western and southern boundaries and pose a significant occupational health and safety hazard. In the paddocks which run along these boundaries it will become too dangerous to carry out normal farming procedures. This is due to the incredible noise emitted from the turbines and the shadow flicker created by the turbines - making it impossible to hear farm machinery noises which indicate imminent dangerous situations. The shadow flicker not only creates a distraction from the concentration needed when using farm machinery but would mask the clear, unrestricted vision needed for the use of chain saws etc.

This situation leads to a loss of productivity as these paddocks cannot be utilised when such danger is posed.

2. FURTHER INCOME LOSS

Not only is my family financially disadvantaged by the turbines which are erected so close to our boundary fence but my husband's income from artworks is also hampered. My husband is an internationally renowned wildlife painter. Years ago we had a wetlands area excavated in order to encourage waterbirds so that my husband

could study them and sketch/paint them at close hand. This takes many hours of painstaking work. Not only are birds less likely to frequent this area now, but it is very often impossible to spend time outdoors (let alone concentrate) due to the noise of the turbines.

3. RESTRICTION OF OUTDOOR ACTIVITIES

I am retired and intended to spend my leisure time in our garden which we have worked tirelessly to develop.
We spent much time with our family outdoors eating and enjoying the play of our grandson. This is no longer an option.
We did most of our entertaining outdoors - this is no longer possible.
Most days, it is extremely uncomfortable to spend time outdoors due to the invasive noise - and not all of the turbines are operational as yet. Turbine BAN 15 is the most visually extremely intrusive in our immediate southern garden area. It dominates the view and destroys any ambience of tranquillity. BAN 15 along with turbines BAN 13, 14, 16, 17, 19 and 20 create an overwhelming visual distraction and dominate the landscape- destroying the atmosphere we have taken years to create in our garden area.

4. PROPERTY DEVALUATION

The relocation of turbines has resulted in greater visual pollution and noise nuisance despite assurances from the developer and this has led to a significant devaluation of our property as well as totally destroying the tranquil lifestyle we wished to enjoy.

5. LACK OF SUBDIVISION ABILITY

Our potential income has been further significantly reduced by the relocation of turbines as this has led to further restriction in our ability to subdivide our property.

6. NOISE

It appears that the developer has recognised that excessive noise was to be created by the redesign of the turbine layout and "curtailment" was to occur at 9m/sec hub height wind speed - there is no information available to us as to what "curtailment" involves NOR how this "curtailment" is monitored.
The modification document in relation to noise (Marshall Day March 2014) provides no information concerning cumulative noise from a number of turbines. We have a large number of turbines within 3kms of our house and so cumulative noise is definitely an issue for us. When turbulence from one turbine is fed into another turbine down wind, the noise is amplified. We are given no information about this effect in the modification application.
The developer has provided conflicting information in its Compliance Review Final (Dec 2013) to the Modification Application (March 2014). Just one example is that the number of turbines within 2kms of our house differed dramatically from one document to the other.
Further , the developer uses "residence clusters" to predict noise - this is obviously unacceptable to gauge accurate readings.
The increase in proximity to our house of BAN 8 will undeniably increase the noise heard by it at our residence. The increase of elevation of this turbine will increase the noise emitted due to the Van der Berg effect – this is not taken into account in the Modification document.

We do not feel satisfied that the developer will undertake genuine noise monitoring when it has given false information in the past and cannot even be trusted with following the prescribed conditions of consent of this development. The DoPI is aware of the MANY breaches of conditions of consent perpetrated by the developer in

regard to the Gullen Range wind farm. How are local residents to trust that noise monitoring will be accurate if the developer is choosing and paying the monitoring consultant?

We demand that truly independent noise monitoring is undertaken – consultant chosen by the DoPI, the cost borne by the developer.

We commissioned our own noise monitoring expert to analyse pre operation background noise and the potential noise we will endure when all the turbines are operating in their relocated positions. We do not agree that the noise at our house and in our paddocks complies with regulations. Further monitoring indicated that infrasound from the few , southern section turbines which were operating in Dec 2013 was recorded inside our house.
Details to follow in further submission.

7. ACQUISITION POSSIBILITY **ESSENTIAL INCLUSION**

If the DoPI determines that property acquisition is one of the means of overcoming the increased negative impacts of this modified development, then it MUST offer the affected property owners control over their future.

It was the developer of the Gullen Range wind farm who decided to relocate 69 of the 73 turbines without seeking approval by the DoPI and therefore it is the responsibility of this developer to abide by the wishes of those it has negatively effected. It is the role of the DoPI to offer a duty of care to these property owners.

Property owners whose land is designated for acquisition by the developer MUST be given the choice of having their property purchased (along with relocation / legal costs) **OR** having the most detrimental turbines decommissioned.

It is beyond reckoning that this developer who has refused to abide by regulations and built 94.5% of the turbines in non approved locations, could be given the right to make the decision to acquire or decommission turbines!

Many of the people effected by this development and especially its modified form, have spent generations on their farm or the vast majority of their life on their farm - they may want to see out their days there.

If the owners of properties designated for acquisition are not given the right to stay and have the relevant turbines decommissioned then, AT THE VERY LEAST, if they do not want to accept acquisition the developer should be forced to offer other significant compensation such as financial compensation or significant periods of non activity of the turbines close to their property. Such agreements MUST NOT include any gag clause.

THE CHOICE SHOULD BE GIVEN TO THE EFFECTED PROPERTY OWNER **NOT THE DEVELOPER WHO HAS CAUSED THIS SITUATION.**

I reserve the right to submit further information in regard to this modification application.

In conclusion, I believe that a public inquiry should be held into the situation which allows a developer to so drastically modify a project and RETROSPECTIVELY submit a Modification Application in order that the project can proceed.

It is undeniable that this situation sends a very dangerous message to every developer and potential developer who wishes to undertake a project in NSW - once given your approval conditions, change the project as drastically as you like, and IF you are caught, simply lodge a Modification Application because the DoPI is incapable of ensuring compliance and will approve your project in any case.

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