

Submission Re: 07 0118 MOD1 Gullen Range Wind Farm Modification

Statement No: House Site PW 34

1. Name: John & Ingrid Benjamin
2. Address of Affected Property: 131 Storriers Lane, Bannister.

Of the 73 turbines in the Gullen Range Development a staggering 69 have been built in a location different to that approved by the Land and Environment Court. In percentage terms 95% of the turbines have been incorrectly sited.

The reasons given by Gullen Range Wind Farm Pty Ltd (GRWF) are either irrelevant or wrong. The Land and Environment Court accessed this application on the detailed information it was provided. Shadow Flicker, Projected Noise Disturbances, Environmental Impact on Flora and Fauna and the Visual Impact on Landscape were all assessed on the information provided. The Court **did not approve** the Gullen Range Wind Farm as it now stands.

Project Approval Condition 1.5:

“the project is modified to remove the ability of the proponent to relocate turbines from the locations indicated in the document referred to under condition 1.1b) [i.e. the Environmental Assessment] by up to 250 metres, without further assessment and approval in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.”

Gullen Range Wind Farm Pty Ltd maintains it has done no wrong, as all is made good by having the P & I approved Erwin Budd wave his wand and magically the micrositing of 69 turbines is acceptable with no impact on the surrounding neighbours.

The Land and Environment Court stipulated that the Environmental Representative was to be INDEPENDENT. Erwin Budd is a director of **ngh Environmental**, the very company responsible for the initial environmental

report. Erwin Budd is NOT INDEPENDENT. Erwin Budd should never have been appointed.

The report by Erwin Budd:

Re: Micrositing Consistency Review, December 2013, for Gullen Range Wind Farm

When referring to POM1 he states the reason for change as follows:

Moved to be further away from nearest receivers (PW7 and PW36 – wake loss)

Relocated to increase distances from nearest houses (PW 36 and PW 7) to minimise noise and visual impacts.

This is wrong. POM1 has been moved 115 metres closer to our house, PW 34, which is not even mentioned. It is also wrong to say it has been moved further away from PW 36 it is closer to PW 36.

The Gullen Range Wind Farm Pty Ltd current news letter, “Community Update 3” states:

Turbine locations referred to by the approval documents prepared in 2008 and 2009 were always intended as ‘indicative’ locations only...

This is clearly in contradiction to **Project Approval Condition 1.5.**

After hundreds and hundreds of pages of reports and expert advice are we really supposed to believe that it is okay for the GRWF to make such drastic changes and then have a director of a contractually related company approve such changes?

The Impact on PW 34 - 131 Storriers Lane Bannister.

Visual

Our house is in the unenviable position of being so badly affected by this development that when people want to show others the negative impact of wind turbines on rural properties they bring them to our farm.

A list of the closest turbines is below. The distances were provided by the GRWF. We have requested independent verification and although this has been organised by the NSW Planning Department we have not been notified of the exact distances.

Pom 1 = 847m

Pom 2 = 943

Pom 3 = 1,224m

Pom 4 = 1,024m

Pom 5 = 855m

Pom 6 = 1,610m

Pom 7 = 1,864m

The above turbines are by no means the limit of the visual impact but dominate and overpower our immediate landscape. No amount of landscaping can remedy our situation.

Noise

In early 2012 the Project Manager of the GRWF, Benjamin Bateman, visited our farm and spoke to me about obtaining a Noise Easement over our property. An exact amount was not mentioned but he told me there would be an annual payment of thousands of dollars if I were prepared to sign such an agreement. I told Mr Bateman that I was not interested in such a proposal.

On the 13 March 2012, Mr Bateman wrote to me requesting the possibility of a negotiated noise easement. He expressed his desire to use a 48m blade instead of a 43m blade. Again, I refused. All the turbines near us have 48m blades. It appears that when GRWF do not get what they want they do as they please. The approval for this development allowed the proponent to choose where it placed different size turbines.

Even though the GRWF is not completely operational the noise is repeatedly intolerable. There have been numerous occasions when the noise disturbance is so great my family and I have been unable to sleep. Once all turbines are operational we cannot envisage how we will live with the noise intrusion. The developer will insist that noise is not an issue but if this is the case then why

offer people payments for '**noise agreements**'. Noise is a serious and genuine issue.

We have contracted Steven Cooper of The Acoustic Group to do noise testing. The cost to us is between \$8000.00 and \$9000.00. We have chosen to have our farm independently assessed because we do not trust GRWF to comply with its obligations. Our dealings with GRWF confirm our belief that the company will manipulate the truth whenever necessary to service its own needs regardless of what its obligations might be. The failure of GRWF to adhere to approved planning agreements or moral principles is costing us dearly. It is an enormous drain on our economic resources.

Compulsory Acquisition

The relocating of turbines by the developer has greatly added to the unacceptable situation in which many people now find themselves. The Department of Planning can resolve the situation for some by forcing the developer to compulsorily acquire properties. Many people such as myself have put years of hard work into their properties and now because of this development are unwilling or unable to stay.

Conclusion

From the very beginning government authorities have ignored every submission made regarding the unsuitability of this development.

Courts and government departments have relied on:

- Computer generated noise levels of turbines that are not even used (Chinese turbines were not even on the list of proposed turbines)
- Photos of a proposed substation which completely underscores the size of what has been built.
- The inclusion of a property report based on the impact of the Crookwell 1 Wind Farm, a toy by comparison to what has been built
- The use of poorly conducted public surveys to tailor results to a prescribed outcome
- The use of photo montages which are breathtakingly lacking in their ability to convey the true impact that massive turbines have on the natural landscape
- The acceptance of solutions that are so ludicrous they defy common sense, such as the protection of raptors by having someone roaming around the site picking up carrion.

And what of the many things that come as a complete surprise...

- the placement of turbines in different locations
- the erection of 2.5MW 48M blade turbines in places where one is lead to believe smaller 1.5MW 43M blade turbines are to be erected
- the massive transmission tower, connecting the substation
- the communications tower next to POM 1
- the maze of roads scarring the hill sides
- the removal of trees along Storriers Lane and the Kialla Road
- The damage to local roads particularly Range Road
- the removal of gardens from the centre of roundabouts and the concreting of roundabouts in Goulburn
- the inability of the compliance officers to stamp their authority on this project
- the NSW planning Department's lack of site awareness and knowledge
- the over reliance on members of the community to inform the department of breaches of compliance
- the unwillingness of the department to act once notified of breaches – POM1 has been allowed to keep operating even though the department is aware it has been moved 115 metres closer to my house

Public Inquiry

The role of the NSW Planning Department in overseeing this process, and its inability to ensure basic compliance with conditions of approval call for a public inquiry.

The NSW Planning Department has failed in its obligation to protect the natural environment and the communities who reside in it.

The Gullen Range Wind Farm is a monumental disaster for all involved.

John & Ingrid Benjamin

NB. Please find attached photographs and letter from GRWF requesting a noise easement

GULLEN RANGE WIND FARM

GULLEN RANGE WIND FARM PTY LTD
Level 23, Suite 2
201 Elizabeth Street
Sydney NSW 2000

13 March 2012

John Franklin Benjamin and Ingrid Marie Plach
Storriers Lane
Bannister NSW 2580

Dear Mr Benjamin and Ms Plach,

Gullen Range Wind Farm (GRWF) – Enquiry


We wish to establish contact with you regarding the Gullen Range Wind Farm. We recognise that your property at Storriers Lane is within 2km of one of the proposed turbine locations and we look forward to contributing to the immediate community in different ways.

As you may be aware the Gullen Range Wind Farm was approved by the NSW State Government in 2010 and in 2011 it was acquired by Goldwind Capital Pty Ltd with the intention to construct the wind farm with Goldwind turbines. The wind turbines that will be installed at Gullen Range are modern technology, state-of-the-art permanent magnet direct drive wind turbines. We aim to begin construction in July 2012. More information can be found at www.gullenrangewindfarm.com or please feel free to contact me.

Due to the strict noise restrictions enforced by the NSW State Government on wind farms (notably the world's strictest), we are conscious of containing the impact on your property at Storriers Lane. Using our 43m blade wind turbines the noise from the wind farm will not exceed 35dB (the sound of a whisper or a library) or 5dB above Background noise levels at your property. However, we would be willing to negotiate a noise agreement (or noise easement) with you if you are interested that would allow us to increase the upper noise threshold to those stipulated in the World Health Organisation's *Guidelines for Community Noise*, that is 45dB (the sound of an average lounge room without TV/Radio etc playing). This would allow us to install a larger blade size, typically 48m. In return you would be paid an annual consideration for the noise agreement for the life of the wind farm.

Please contact me to discuss this further if you wish. If you have any other queries associated with the Gullen Range Wind Farm please don't hesitate to contact me.

Yours faithfully



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Gullen Range Wind Farm Pty Ltd

