

Objection Document for Silverton Wind Farm MP 08 – 0022 Mod 1

There has been a great deal of exaggeration and misleading information included in the original concept applications and subsequent preferred reports for the project approval and the current modification report submitted to the department of planning since 2008 until now in 2013. It is clear the concept approval for 598 turbines to be situated on already occupied general purpose leases totalling 450 square kilometres and stage one approval was never feasible. The lack of feasibility has been reflected in the fact that SWDPI has comprehensively failed to progress the development of the wind farm that was originally represented to the leaseholders back in 2008 and 2009. This had led to a great deal of **uncertainty** for the leaseholders who are unable to utilise their leases for the purposes recorded on lease documents since the forced signing of consent documents. Leaseholders have been unable to plan, invest and expand their business activities so retarding any prospects of increasing their income base.

It is also obvious that the reduced number of turbines to only 18% of the original 598 means that remuneration for lost goat production and losses in other activities on station will not meet the losses and will not drought proof any of the leasehold areas as stated. In fact if we were forced to live off the reduced remuneration we would go bankrupt in 5 months or less. There is a major disconnect between the developers, authors, and government employees on how much it does take to run a sustainable business in Far Western NSW.

Why is the modification date even being considered given that it has been identified both in the modification report, and in many discussions time and time again with AGL executives that the wind farm may never happen?

Part A Lack of justification

We would suggest that if SWDPI (AGL) were really committed to green energy production, the 2020 renewable Energy Target and the review to be held in 2014 would not be the only drivers for investment in green energy but simply guides for investment in green energy. AGL executives conveyed to us that they bought the project very cheaply. This low price was an indicator that wind farms were no longer the must haves for power companies' portfolios. Indeed the day the announcement was made to halt the construction of the Silverton Wind Farm the value of the AGL shares increased so that really illustrated the lack of interest in wind farm developments by shareholders and stock traders.

Questions have also been put to AGL in to determine the level of commitment and the ordering of wind turbines as identified in 1.5 has not occurred. The only activities taking place on site have been the ongoing wind monitoring and there have been three 1 ½ to 2 hour ecological surveys carried out for three proposed quarries sites. There clearly has been a failure of Silverton Wind Farm Developments to progress the development of the wind farm as it was originally represented to the leaseholders back in 2008 and 2009.

Additional drivers in the market place

The 2020 Renewable Energy Target and the Ret Review in 2014 are just two of the drivers that determine investment in the renewable energy. Some of the other drivers that have had greater influence on renewable energy projects in Australia at this time have been identified by upper management at AGL. These include the lack of Return on Investment due to the oversupply of certificates and power in the market place due in part to the rising cost of power hence less use and plummeting prices for certificates. All of these factors have been identified and reported in numerous press as originating from financial officers from AGL. Due diligence assessments before purchase by AGL of the SWDPL should have identified all of the factors.

Assurances by NSW Government Executives

We were assured verbally time and time again that the date would never be extended past 2014 by executive staff from the Department of Land and Property Management from 2007 through to 2009. Now there is this modification application for the date to be moved which is the second time there has been an extension but this being the first time the date change has had to go back to the Planning Department.

Part B Implications for the community

Community engagement

Unfortunately for the important announcements the lessees often find out after everyone including the press has been notified. This occurred when the AGL purchased the development from Epuron. In fact many of us were called nearly three hours after the sale announcement had been made public.

Recently the lessees were all called to the hall at Silverton to be told that the wind farm wouldn't be going ahead at the same time as the residents living at Silverton. The lessees again were not given the basic courtesy of being told the news before the general public. AGL has in other instances offered private meetings when major announcements haven't been made.

Visual Amenity

Unfortunately people who do not live in far western NSW often fail to understand the importance of the visual amenity and how residents prefer the wide open spaces and have no desire to be hemmed in by "reasonable landscape treatments to visually screen these dwellings". It is the wide open spaces that tourists, film makers and photographers seek for the backgrounds and this will be lost once the turbines are put in place.

Noise

This is a highly contentious issue and one that AGL ended up being taken to court for in South Australia. We have only viewed one presentation from a "health Professional" and it

was lacking the information needed to balance it. Although the Silverton Village residents have been offered a layout option of 5 to 6.5 kilometres separation the lessees have not been offered the same option.

Implications of delay

Over simplification of Impacts on Lease holders

In section 3 of the modification report in 3.3.4 (on page 17) there has been an over simplification and misrepresentation of the facts pertaining to the impacts and the current status of all the leaseholders involved. Unfortunately the authors of the modification report couldn't be more disconnected with the realities that the lessees have to live with every day while this **uncertainty** continues. To consider the delay of the remuneration as the only issue or impact is irresponsible. This section should have also considered the impact of:

- It is an exaggerated and misleading statement that the wind farm payments (the greater portion is going to the NSW government) will drought proof the stations included in the 450 square kilometre SPL Development envelope given that the wind farm is only going to include 18% - 60 to 80 turbines - and not 598 as identified in the original concept plan and not 282 as identified in the approval plan submitted to the Department of Planning in 2008 and 2009.
- Fewer turbines means less income and/or remuneration so the feasibility needs to be considered for the lessees as they only receive a small portion of the payment made by the wind farmers to the NSW Government.
- Questions of practicality and feasibility also have to be considered for the lessees with such a large area be included in the SPL for such a low number of turbines. Several of leaseholders were questioning the feasibility back in 2007, 2008 and 2009 but this fell on deaf ears. In fact in March of 2009 the leaseholds were sent letters of demand from Warwick Watkins stating that all leaseholders had to sign the relevant consent documents by 5 pm on Friday, April 3, 2009 or a land would be resumed by then NSW Labor Government. This action by Warwick Watkins severely hampered our ability to negotiate a fair Operations Agreement with Epuron and it took another 7 months and thousands in legal fees.
- Stifling our diversification and current operations as there has been the deprivation of lessees rights to use their leasehold areas as per the signed lease purpose subject to the additional layer of the SPL creating a great deal of **uncertainty**;
- Fewer turbines over a greater area also means that film, stills, workshops and tourism activities will be hampered or become impossible due the industrialised landscape as a back drop, the introduction of a new back ground noise that wasn't there before which includes the construction phase and need for extra vehicles not timetabled onsite in the SPL
- Fewer turbines on the SPL area means grazing pressure will be increased for example the Lessees at Eldee Station run less stock on their leases because of the diversification into tourism

- Deprivation of Lessees Rights - In the first instance all we want as the lease holders is Certainty, Certainty, and Certainty. AGL also wants certainty for their project and expects our signatures without any reasonable commitment being made to the lessees. It's all one sided and unreasonable and date extensions could be infinitum. The lack of commitment by AGL to a major green power project should not be the burden of leaseholders in unincorporated area of Far Western NSW. Clearly AGL are focused on the solar energy projects in Cobar and Broken Hill instead of any wind farms in Australia.
- The negative impact on our wellbeing, health and the creation of additional stress all over again.
- The negative impact on our bank balances for legal advice needed due to time lapse;

The impacts for the leaseholders operating out in the real world clearly include much more than material items such as remuneration and sadly these were totally ignored in the modification report.

The negative impact on our wellbeing, health and stress again along with our the negative impacts on our bank accounts having to pay for legal advice due to the massive time lapse involved since 2009.

The health and wellbeing of the leaseholders needs to be taken into consideration along with our bank balances going backwards again because we need to fund legal expenses for the wind industry which is not our core business. AGL will only pay for a very small part of the fees involved; this isn't appropriate as a revision of the documents is needed because of the five year time lapse involved.

Are we going to be threatened with letters of resumption of our leases yet again if we don't sign the necessary documentation this time when we have no commitment at all to the construction of the wind farm on all our leases from AGL? This is where the unnecessary and additional stress is occurring and it is having serious health effects on the lessees.

Impact on the local tourism industry

We have a strong and robust tourism industry where promotions are funded by local tourism operators and we have successfully done so without any outside assistance to date. To single out the Silverton Village Committee and the village of Silverton as the only beneficiaries of possible financial support for tourism promotion is very short sighted. This is because there are several successful operators located outside the village of Silverton with their address being Silverton that should also be considered and included and not be excluded as indicated in the modification report. There are four more committees in operation in the Silverton area that are not referred or acknowledged that need to be included to get a better mix of representatives on the CCC. The statements of commitment need to be revised to reflect their inclusion.

The Survey on the Impacts of modifying the date

There were only seven respondents to a possible 41 plus surveys sent out and therefore cannot be classed as valid or a true representation of the community as it is only 5 ½ %. The questions were styled in a particular that did not favour the respondents and for that reason many people did not participate nor respond.

Part C – Changes to surrounding Environment

We have received more rain in the recent past but it is getting drier again and we could be heading into drought conditions again. Water will again become scarce and any disturbances in the landscape will produce more dust due to low moisture levels.

The development of quarries for the SWFD

Lessees located to the north and the north west are concerned about the placement of the Silverton Mundi Mundi Creek Sand Quarry and the Silverton Aggregate Quarry Lakes knob because both are situated on the head waters for the Mundi Mundi Creek and the Eldee Station House Creek. Both creeks flow northwards and eventually turn to the west in the Barrier Ranges and flow out onto the Mundi Mundi Plains. This is the catchment area for Lake Eyre which has World Heritage protection.

The lessees are deeply concerned about maintaining the environmental flows along the ephemeral creek beds which flood out onto five different stations and always increase the soil moisture which nourishes native paddock species pastures for up to two years. The lessees want assurances from the Department of Planning that they will ensure that the environmental security of our stations will be maintained and none of the environmental flows will be stopped, held back or blocked by any actions associated with the quarries or the construction of the wind farm.

Exaggeration and misinterpretations of the Threatening Processes

- It is a misleading statement that both DECC employees in 2009 and the authors of the submissions to the DoP since 2008 until 2013 have stated that goat management is necessary without reference or deferring to the current lessees or the damage other herbivores that are run on a commercial basis on all the stations involved in the development nor native fauna could cause to native vegetation.
- Another misleading statement was made by DECC employees in 2009, stated that the remuneration would also replace any losses caused by removing goats from our leasehold area under the SPL and stated that the goats be removed rather than managed sustainably as has been the case for 160 years and 5 generations of pastoralists on the Barrier Ranges and the Mundi Mundi Plains.
- The goat management should be given back to the lessees involved without the scrutiny by 5 different government departments and now needs to be deleted from the Project Approval conditions as this error needs to be rectified.