

**SUBMISSION IN RESPONSE TO
ENVIRONMENTAL IMPACT STATEMENT SUBMITTED BY EPYC
RELATIVE TO STATE SIGNIFICANT DEVELOPMENT 13.6277
JUPITER WIND FARM TARAGO, N.S.W.**

Objection prepared by Josephine Beverley

3317 Mayfield Road Tarago, 2580

Phone: 0413 997 760

Email: jo@mjblaw.com.au

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1. INTRODUCTION

The purpose of the submission presented below is to make strong objection to the establishment of the Jupiter Wind Farm and any subsequent wind farm proposal on the present site selected.

The points raised in this submission are the reasons for my objection.

My property is identified as "J60" by EPYC in the EIS, and is described as being located less than 2kms. from the nearest proposed wind turbine.

My landholding was initially included in the PA, but is not included at the moment.

The **Southern Boundary** of my property is situated less than 1.4kms from a group of 30 turbines that will occupy the land at the **northern boundary** of the current PA.

Landholding details:

LOT 2 IN D.P. 713813

Goulburn Mulwaree Council zoning: E3.

Notice of Determination of Development Application number DA/0335/1314

Granted 07 August, 2014.

This submission is written with the view of supporting Renewable Clean Energy as in principle it is a cleaner resource choice for our environment, BUT it is not the only choice available.

This document also informs the NSW Government that the proponent EPYC Pty., Ltd. is required under the Director General Requirement's (DGR's) to provide an alternative site for this project, but has failed to do so in their Environmental Impact Statement (EIS).

As a constructive measure, this submission also aims to point out the many inconsistencies in the process of Determination and Approval for a wind farm.

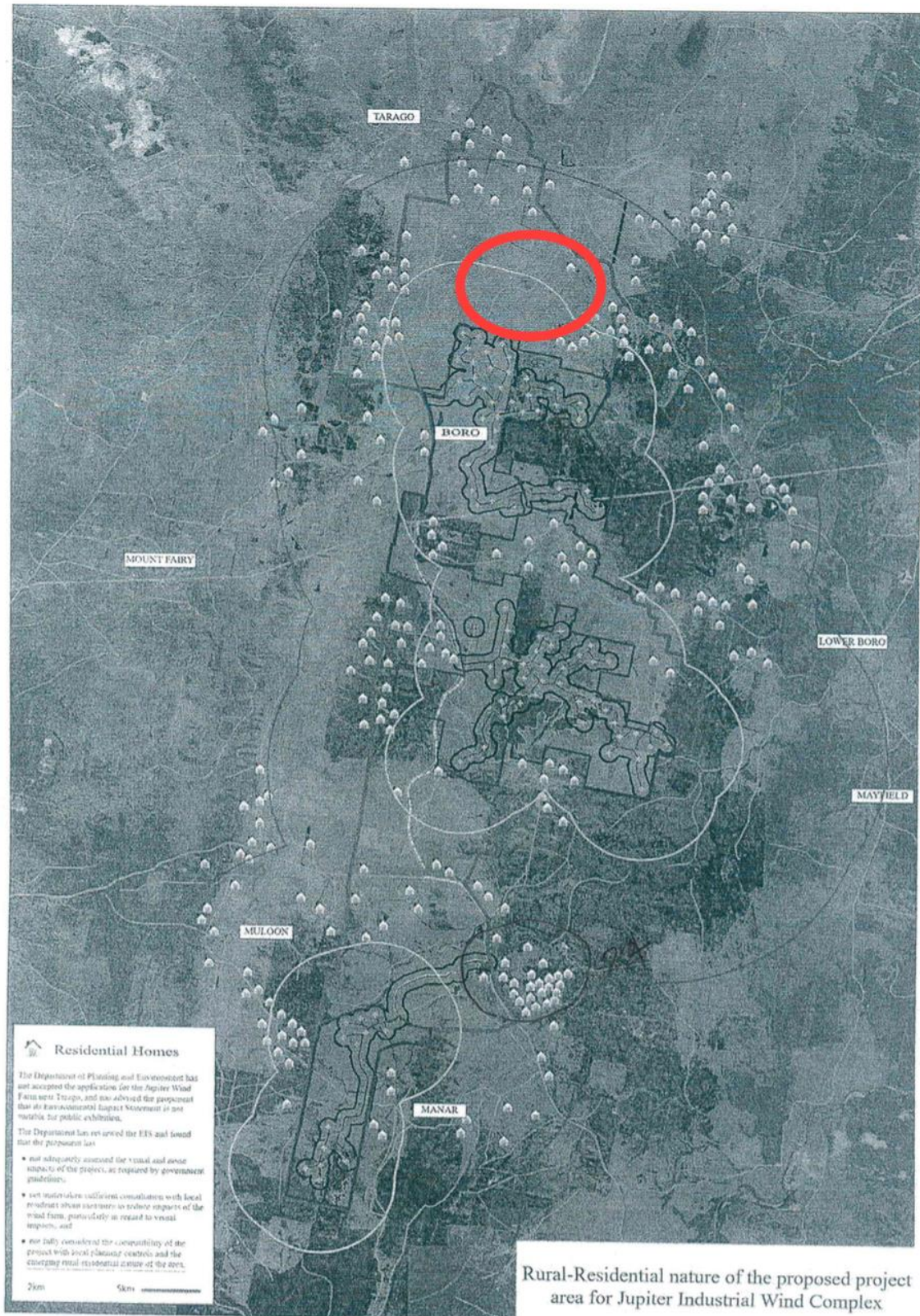
These inconsistencies have directly disadvantaged landholders both inside and outside the Project Area (PA) of the wind farm proposal.

There is no amount of compensatory measure that can replace the existing environment.

Plainly and simply, the site selection for the Jupiter wind farm is **not appropriate** for the many reasons set out in this paper.

RESIDENTS AGAINST JUPITER WIND TURBINES NEWSLETTER

November 2016



2. HISTORY OF THE TARAGO AREA

(A) *"Tarago, A Country Lifestyle"*

The above is the quote on the sign as you come in to town on the Goulburn side of Tarago.

Tarago was officially founded in 1827 and was a thriving agricultural area situated on the main road between Goulburn and Queanbeyan.

The Tarago district has a long and proud heritage as a well-known sheep and wool growing area, as was and still is much of the Southern Tablelands.

It was dominated by large sheep station holdings, but over time smaller blocks were created as soldier settlement blocks and other sale blocks.

Also, with this change, more beef cattle have been introduced.

Today, Tarago has experienced a vast amount of sub-division with many of the larger properties being split up into smaller blocks. As such, large wool sheep properties have been replaced by beef cattle, alpacas, and horses. The agricultural value and capacity of the land can easily support these activities, and they thrive.

This agricultural activity is well supported by an average rainfall of 685.3mm, and soil types have been supporting more than adequate grazing land for many years.

As the land is cleared, it is well suited for grazing and farming of all types, and it is important to remember that agricultural activity such as food production is continued in the Tarago area, as it enjoys a favourable rainfall unlike other areas to the west of the Southern Tablelands.

The proximity of a water table close to the surface such as exists in the Tarago area is a valuable commodity for the future. This is an untapped natural resource and may be a useful agricultural aid and necessary water source in the future. If windfarms are established, this limits the access available for such an aquifer if land is tied up with windfarm contracts.

(B) *Residential Growth*

Apart from the important agricultural activities, there is a growing trend in the area for Rural Residential properties, and the growth of this trend is fuelled by people wanting to move away from Canberra and settle in the rural valley between Tarago and Bungendore.

For example, our local area of Tarago has seen numerous new dwellings built in the last 5 years, and the community is growing.

(C) *Landuse and Activities*

Rural landuse consisting of Farming and Grazing activity and Rural Residential properties all reflecting successful Rural activity which was established some 190 years ago.

(D) Local Facilities

Both Tarago and Bungendore have a range of public facilities for a growing community such as parks, schools, churches, town halls, pubs, and local businesses, and are accessible to their residents by good roads and railway facilities.

The infrastructure already in place allows for a growing local community.

This is not the view presented in the EIS.

(E) The Future

The valley that is home to Tarago and Bungendore and the little communities in between which include Mount Fairy, Roseview Estate, Lakeview Estate, Lake Bathurst and Manar, must be allowed to grow, prosper and work without the interference of an industrial wind farm.

This area is **not remote** and therefore unsuitable as a wind farm location.

It is well suited to population growth as important established infrastructure such as schools and railway and community facilities are already established in addition to traditional landuse activities as set out and with respect to local government planning restrictions.

An industrial landscape such as seen with a wind farm activity will not encourage further community growth and therefore existing infrastructure and services would decline as a result.

3. IMPACT OF PROPOSED WIND FARM ACTIVITY ON MY BUSINESS.

I am a small business Grazier and Farmer, and my property is located on 330 Acres of Rural land at 3317 Mayfield Road, Tarago.

My business and consequently my lifestyle directly involves a relationship between the Landscape, both on and adjacent to my business area.

Is short, this means I am outside on my property for the majority of a typical day, in the course of executing my duties for work.

Visual Amenity, Visual Impact, Noise, increased Bush Fire Risk Hazard are just some of the adverse effects directly impacting on my business.

There are both sheep and cattle yards, equipment and storage sheds and a shearing shed, fencing, dams, trees and many other activities for which I am responsible.

I hope that this account will give you a picture of the Environment in which I work.

The Southern Boundary of my property is located only 1.4 kms from not one, but about 30 proposed 173- metre high turbines with moving blades.

It is totally incomprehensible to imagine how I am expected to carry on an agricultural business in a landscape dominated by an industrial wind farm which will severely **reduce my quality of working environment.**

The land I work on has been an established agricultural activity for more than 190 years.

I am entitled to carry out my business without the severe adverse effects of an activity such as a wind farm presents.

The EIS deals with people and residences but does not make reference or take into account the fact that I have to work in such close proximity to a wind farm, and also outdoors.

I am as directly affected as are the livestock on my property, but the difference is I am human and there is no consideration given here for the fact that I have to work and live in an obviously **reduced quality of environment.**

I also consider my business makes an important contribution to the food production industry of NSW, and am looking to improve and expand my business in the future.

EPYC is also unaware that I am considering an application to relocate my house towards the limit of the Southern Boundary of my property in accordance with local Government provisions.

This would mean the new location would then be well within a 1.4 km distance from the proposed 173 metre turbines.

The impact of this would be totally unacceptable and severe, thus requiring EPYC to rethink their position. I might also point out that I am not in the PA.

I might also point out that I have an environmentally sensitive area situated about 1.5 kms from the proposed turbines but not in the PA. EPYC has not taken this into account.

4. HOUSING DENSITY WITHIN AND ADJACENT TO PA

According to point 4.3.1 'Site Details' of the *Jupiter Wind Farm Environmental Impact Statement*:¹

"There are a total of 15 involved landholder (stakeholder) dwellings within the PA, all of which are located within 2km of a proposed WTG. There are a total of 63 non-involved landholders (non-stakeholder) dwellings (including one dwelling not yet constructed (J60) located within 2km of a proposed WTG; 50 of which (44 owners) are located within 2km of a proposed WTG in the northern precinct, and 13 of which are within 2km of a proposed WTG in the southern precinct."²

Using this information, it is easy to deduce that there are **only** 15 stakeholder properties associated with the proposed development. These are landholders who have signed contracts to host WTGs on their property.

There are at least 60 landholders within a 1-2km distance from WTGs that are opposed to the wind farm development.

In addition to their opposition, these land holders are also the same people who refused the Shared Benefit Scheme offered by EPYC as recently as late 2016.

In summary from the figures provided in the EIS, **only approximately 10% of the community within the crucial 1-2 km zone are committed to the wind farm project.**

EPYC has not considered this to be a major community indicator and has omitted this crucial information from its EIS.

EPYC has had ample opportunity to gauge community reaction and stance but has conveniently ignored the most important aspect of a community development, that is, humans and their

¹ EPYC Pty. Ltd., *Jupiter Wind Farm Environmental Impact Statement Volume 1*, (October 2016),
<[https://majorprojects.affinitylive.com/public/8bd0c146e2aac39ad0bee3e1ab835378/01.Jupiter%20Wind%20EIS %20Main%20Report %20Part%201%20Chapters%201-9.pdf](https://majorprojects.affinitylive.com/public/8bd0c146e2aac39ad0bee3e1ab835378/01.Jupiter%20Wind%20EIS%20Main%20Report%20Part%201%20Chapters%201-9.pdf)>.

² *Ibid* 4.7.

environment, and the NSW State Govt. must also realise and act responsibly in response to what the community is telling them.

This indicates that the PA area selected by the proponent is highly unsuitable because of the number of dwellings located in its precinct.

There are approximately 207 residences within a 5km range of the PA. The PA area occupies 4999 ha. These landholders are all opposed to the Jupiter Wind Farm Development Proposal.

In addition to this information, the EIS only accounts for residences inside the PA, which is a flawed and incorrect presentation of the facts.

This area supports over 200 rural residences and rural properties.

EPYC want to change the existing landscape from predominantly Residential Rural to an Industrial Energy Landscape at my expense.

Rural areas are typically less densely populated, agricultural activity requires more space, but it is somehow assumed that Rural landscapes are suitable for windfarms.

The Rural Landscape of the Tarago Bungendore area is not a suitable site for a wind farm development, as it is already occupied by residents and has established agricultural activity.

In summary, the community is obviously **not** (by a clear majority) in favour of wind turbines being constructed in this area, and EPYC together with the NSW State Government must accept that there are other more suitable less densely populated sites for such a development.

5. COMMUNITY CONSULTATION PROCESS

THE ROLE OF THE NSW GOVT. AND EPYC PTY., LTD.

It is well known, agreed and accepted by all parties (the NSW State Govt., the proponent EPYC, and the community) involved in the Jupiter Wind Farm SSDP that community consultation is of major importance to the process, **yet this has been ignored by two of the parties.**

(A) The State Government Of NSW

It is understood that the proposed Jupiter Wind Farm Project (SSD6277) takes precedence over Local Government laws and zoning as set out in Government Planning Schemes.

It therefore follows that State Significant Development Proposals are at the highest level of importance and therefore should be noted in detail and set out in the same manner as Zoning Laws.

Attention is drawn to the Goulburn Mulwaree Council document: "SECTION 149 (2) CERTIFICATE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979."

Where, as currently as the date of certificate being 18 January 2017, there is **NO** specific detail provided for the current SSDP presently affecting the land.

There is, however, specific detail regarding the Local Environment Plan (LEP), **but** SSD6277 takes precedence over this.

Further research and observation made, for example, 149 Certificates issued by Ku-ring-gai Council, the following questions are asked to which **clear and concise answers are provided** by Council and they include:

- Which Environmental Plan Restricts the Use of this Property?
- What is the Zoning of this Property and the relevant environmental plan?
- What does or does not require Development Consent under the above environmental plan(s)?
- What is Prohibited under the above environmental plan(s)?
- What is the proposed Zoning of this Property and the relevant Proposed environmental plan(s)?
- What does or does not require Development Consent under the above proposed environmental plan(s)?
- What is Prohibited under the above proposed environmental plan(s)?
- What other Planning Instruments affect this Property?
- Which Development Control Plans apply to the Property?
- The certificate includes the standard questions like contribution plans, heritage and conservation areas, critical habitat, road widening, reservations for acquisition by a public authority, coastal protection, mines subsidence, contaminated land and bush fire prone, vegetation plans and tree disputes.

Of **particular interest is a specific question** raised in the 149 Certificate which follows:

“20. Is the Property part of any Application Declared to be ‘State Significant Development’?”

This information is absent from any document available from Goulburn Mulwaree Council.

(B) The Term: State Significant Development

Under s 89C of the *Environmental Planning and Assessment Act*, a ‘state significant development’ is: development that is declared under this section to be State significant development.”³

The Minister therefore must exercise lawful discretionary power to determine whether a project fits the term ‘state significant development’ and whether or not it is in the best interests of the community and the state of NSW.

The question then goes on to quite clearly disclose “Development is judged to be ‘State Significant’ if the Minister for Planning declares it to be so based on substantial cost of development, significant number of employees or other criteria.”

In contrast to other Councils, research indicates a direct failure to disclose clearly or otherwise by Goulburn Mulwaree Council, the information that is of more significant importance than the LEP as set out.

³ *Environmental Planning and Assessment Act 1979* (NSW) s 89C.

Only one conclusion can be derived from this absence of reasonable disclosure of information, and that is, The NSW. Govt. and Goulburn Mulwaree Council have deliberately misled their constituents.

It also must be assumed that the breach of public communication by both parties is **deliberate** and amounts to nothing less than **negligent**.

This is not fair, reasonable or just, and both the NSW Govt. and EPYC must be held accountable.

Further, with regard to consultation with the community and landholders, The NSW. Govt. has been aware of SSD (6277) for at least five (5) years, BUT have chosen to wait until November 2016, to write and tell me that my land was subject to a Wind Farm Proposal, and that it would be on exhibition!

I refer to a letter dated 23rd November 2016 from the NSW Dept. of Planning and Environment and signed by Nicole Brewer.

I am asking why has it taken some 5 years for the State Govt. to realise that they have a duty much less an obligation to inform the community, that being **individual** landholders, of a project of such major significant importance.

This attitude is plainly and grossly **unconstitutional**.

Of course, I have not had my head under a rock for the last 5 years, and hasten to add that the first indication that my land would be affected by a SSDP was at a public meeting held in the Tarago Town Hall in January 2012, barely 11 months after purchasing my property.

In Summary, I am objecting to my land being changed from E3 zoning to State Significant Development status without fair and reasonable communication, and that as a result State Significant Development procedures are not lawful and therefore are invalid.

This is not some small point that has been overlooked, what's at stake here is a resultant landscape change from Rural Residential Country to an environment consisting of Urban Industrial Energy activity. There can be nothing more extreme in scale.

The Govt. must inform, consult and communicate. The relevant planning authority has a **duty** (as opposed to a right) to consult the community in accordance with the community consultation requirements for the proposed instrument.⁴

All three requirements have been ignored, and action to correct this must be addressed by Goulburn Mulwaree Council and State Govt. **before** any approval for SSD 13 6277 can be considered.

(C) The Proponent, EPYC Pty., Ltd.

The second party to ignore the requirement to inform and consult with the Community is EPYC.

⁴ *Ibid* s 57.

The EIS makes reference to information access, and community consultation, but as a landholder, I have not had the benefit of this.

EPYC have had access to my address since I purchased my property in March 2011.

The one and only isolated occasion of communication was a letter offering a Benefit Sharing contract agreement, dated October 2016.

There has been **NO** other communication attempted by the Proponent, and my property is located in the 1-2km zone from 173 wind turbines.

This is in stark contrast to the consultation report contained in the EIS.

I can only assume that as described in detail in the EIS, most communication was of course carried out with landholder (stakeholder) owners, as it is in their interest to do so.

This is both a deliberate and totally unacceptable practice by EPYC and contrary to the DGRs on all levels, and therefore also must be addressed by Govt. **before any serious consideration for SSD6277 proposal is made.**

The Proponent has also made no effort to recognise nor give a balanced appraisal of the fact that there is only a small percentage of the community that is in favour of an industrial activity land use wind farm project and that the overwhelming majority of land holders bought their properties to take advantage of the existing Rural Residential landscape and farming and grazing business activities. This is a misrepresentation of the factual statistics.

6. IMPACT ON PROPERTY VALUE

It is both logical and obvious that there is a detrimental financial impact on land affected and land situated adjacent to a wind farm.

The proof of this is evidenced by rulings of The NSW Land & Environment Court, where the Court has granted acquisition rights to a neighbour of a wind farm.

There can be no argument to support otherwise.

So, there can be no doubt that as the result of a State Significant Development Proposal that, as a landholder, I have no rights or control as to the land value, activity, zoning, visual amenity, bush fire risk, noise impact, decommissioning and the list goes on.

Can this be fair, reasonable or just? The answer is, NO, but then we are living in NSW.

7. DUTY TO CONSULT COMMUNITY

The Director General's Requirements state clearly that there must be "significant ongoing effort in consultation with stakeholders **and** the community."⁵

Ongoing consultation **will** include: "Continued presence of the dedicated email, telephone and website to provide direct and normal feedback options to stakeholders **and community**."

Newsletters

Ongoing consultation with **individual landholders** regarding visual impacts and other issues."⁶

Response:

I am not a stakeholder but I am part of the **community**.

The DGR's makes it very clear that engagement with the Community is of major importance to the success of the development application before the NSW State Govt., indeed EPYC has already been required to resubmit their initial application due to serious non-compliance issues identified by both the Govt. and the community.

How many more times does the NSW Govt. and the residents have to put up with EPYC's lack of basic understanding of what is required for a Development Application.

Surely EPYC should be disqualified after the second failure to consultate.

They are wasting everyone's time and money!

It is well known that the proponent has a substantially poor record with engagement and consultation with both stakeholders and the community, and this stance is typical with regard to my personal experience.

EPYC has blatantly ignored the community's concerns and rights.

At no instance has there been any personal contact made by EPYC by either phone, email or website.

⁵ EPYC, *Jupiter Wind Farm Development – Request for Director General's Requirements*, (2 December 2013),
<<https://majorprojects.affinitylive.com/public/f95f05c91618493a4a649829b037cd7b/Jupiter%20Wind%20Farm%20-%20Preliminary%20Environmental%20Assessment.pdf>>

⁶ *Ibid* 53.

The purchase of my property was completed in **March 2011**, and the first indication that a State Significant Development was being considered was at a Community meeting held in the Tarago Town Hall in January 2012.

Most significant development proposals of this size should warrant some official notification to the members of the community that may be potentially affected.

I deliberately targeted and purchased my property on the expectation that it provided a “rural Lifestyle living amenity”.

This was based on the guaranteed Local Government zoning laws. it was reasonable to assume that the only restriction applicable was the Goulburn Mulwaree LEP, 2010.

It was also observed that during the period up to 2014, The NSW Govt. actively encouraged city dwellers to relocate to a rural environment through its **“Regional Relocation Grant”**

“This grant provides for payments to approved applicants who relocate from metropolitan areas of NSW to regional areas of NSW for the purpose of employment and self-employment.” (Department of Industry website)

This was a direct indication that the NSW Govt. was looking for more people to move to regional and rural environments, and a further endorsement of the rural land purchase.

Further to this;

In 2011, the NSW. Govt. then published a 10-year plan titled “*NSW 2021 - A Plan to make NSW Number One*”⁷

Barry O’Farrell and his team encouraged us all to read the Plan and work with his team to achieve each of the listed Goals which included:

“Restore Accountability to Government

Goal 29- Restore Confidence and Integrity in the Planning System;

Goal 30- Restore Trust in State and Local Government as a Service Provider;

Goal 31- Improve Government Transparency by Increasing Access to Government Information;

*Goal 32- Involve the Government in Decision Making on Government Policy, Services and Projects.”*⁸

In relation to these goals of accountability, it seems obvious in 2017 that the Government has well and truly failed to implement with regard to State Significant Development Proposal Guidelines.

⁷ NSW Government, *NSW 2021 – A Plan to Make NSW Number One*,
<http://www.ipc.nsw.gov.au/sites/default/files/file_manager/NSW2021_WEBVERSION.pdf>

⁸ *Ibid* pp 3-4.

COMMENT:

There appears to be a serious level of confusion here at State Govt level, with regard to Rural Regional Development of populations and communities and failed reforms directly related to State Significant Development Proposals and Planning Schemes.

This is an appalling situation.

Does the State Govt. expect these people to relocate to a Wind Farm area, so they can be subjected to an Industrial Power Plant environment?

What does “rural lifestyle living amenity mean”?

It means living in an environment where land holding sizes are larger than the city; building heights are restricted; no urban environment; no industrial activity; but local activity made up of farming, grazing, and open area living; less noise impact than city environment etc.

This environment description is in direct contrast to the proposed new environment of a Wind Farm, and therefore not suitable to the community, who by majority want a Rural lifestyle amenity **not** an industrial Wind Farm landscape.

8. BUSH FIRE RISK

The information contained in the EIS relating to Bush Fire Risk deals with the potential risk of a bush fire event and sets out theoretical strategies as a solution to down play the risk of fire.

For example, under point 16.7.3 of the EIS: “For the purposes of the Bushfire Risk and Hazard Assessment, the study area was defined as the extent of the Former Project Area, plus a 1km buffer.”⁹

The bushfire risk assessment and hazard assessment is seriously flawed, for the simple point that fire does not start or stop within a 1km buffer of the project area.

The bushfire of 17th January 2017 is an example of this.

In addition, under 16.7.4, “The low availability of fuels across the landscape combined with the dominance of cleared grazing land and numerous roads (which act as fire breaks) would reduce the likelihood of a severe or widespread fire and the PA is mapped as predominantly low bushfire hazard. It is important to note that there are residential dwellings on rural properties scattered throughout the landscape that may be at risk from fire.”¹⁰

The only accurate information above is the fact that there are residential properties in the area and these are at risk of being destroyed by fire.

To write a statement that cleared grazing land somehow is related to low availability of fuels and therefore a reduced fire risk is blatantly irresponsible and untrue.

Cleared grazing land is dangerous fuel for a bushfire, and the Currandooley Fire on 17 January 2017 was a grass fire on an 18km front which destroyed a house, sheds, sheep and 3,400ha of livestock feed.

Lastly, point “16.7.5 - the risk of fire from a wind farm is low.”

How can this statement have any validity?

“16.7.5 Assuming a fire ‘escapes’ the wind farm, there is a low to medium risk of (adversely) affecting surrounding life, property and environment.”¹¹

This statement is also incorrect and shows little to no regard for life, property and livestock, not to mention the environment.

⁹ EPYC above n 1, 16.7.3.

¹⁰ *Ibid* 16.7.4.

¹¹ *Ibid* 16.7.5.

The plain and simple fact is that the recent Currandooley fire overrides the Bush Fire Assessment, because it actually happened, and it is also fact that the fire was started on a wind farm.

The Insurance implications are numerous and time consuming as are the legal actions required for such negligence.

In summary, the activities and supporting infrastructure of a wind farm would increase bush fire risk, even if no WTGs or supporting infrastructure are located within areas mapped as high or extreme bushfire hazard.

The Currandooley fire is substantial evidence of this.

The information provided in the Bush Fire Risk section of the EIS is inaccurate and misleading, and therefore cannot be relied upon.

This is consistent with other misleading information provided by the Proponent.

It is yet another reason why the proposed site is not suitable for a wind farm.

(A) Fire Fighting Access in A Wind Turbine Area

The use of aerial fire fighting equipment is paramount in gaining control of a bush fire.

Indeed, aerial fire fighting helicopters and 'bombing planes' were successfully engaged in the Currandooley fire. The fire burnt out an area of 3,400ha, and aerial equipment proved the major effective tool in fighting a fire of this scale.

However, aerial access to the areas on the windfarm where 80 metre high turbines are located was severely hampered, simply because it is dangerous for pilots to fly at an effective low height to drop their loads.

EPYC is proposing to build turbines more than twice the height of the 80 metre turbines found on the Capital wind farm.

A turbine height of 173 metres would significantly reduce and hamper the ability of aerial fire fighting options both over and directly adjacent to the turbines.

This means that a fire cannot be successfully controlled and places property and livestock and environment at severe risk, including the WTGs.

This is not acceptable under any circumstances in terms of life and property protection, but also in terms of appropriate insurance policy access.

Therefore, it follows that the overall risk both on a wind farm and adjacent is severe, making it inappropriate to locate a wind farm on the proposed site.

Also, it must be realised that the increased risk of Bush Fire Hazard represents a severe adverse effect on my Cattle Grazing business and any damage resulting from a fire will instigate immediate legal action if the fire is started on a wind farm.

9. WIND TURBINE SIZE

The success of the EPYC Jupiter Wind Farm project is incumbent on the number and size of wind turbines and the EIS proposes 88 WTGs; with a height of 173 metres; hub height of 110metres; and maximum rotor diameter of 126 metres.

This height is more than double the height of the existing Capital Wind Farm which operates turbines with an 80 metre height.

It would be utterly laughable and totally irresponsible to apply the logic that 80 metres is somehow the same height as 173 metres, and that a minimum distance for dwellings of 2km could apply to such a huge difference in turbine size, yet EPYC is presenting information that supports this notion.

Therefore, it follows that some serious research should be undertaken to ascertain an appropriate and acceptable distance of the new turbine height to affected properties both inside and outside the PA.

I can safely say that I don't think it is 3kms, nor 4kms, but closer to 5 or 6 kms, which places the town of Tarago at 5 kms away from the nearest turbine as an unsuitable distance, not to mention the more densely populated surrounding housing area also totally unsuitable.

The visual impact of larger turbines is also greatly increased, as there is virtually no amount of screening, or landscape that can hide such a huge man made industrial structure. A turbine size of 173 metres is larger than the telecommunications tower in Canberra, and EPYC are applying to install 88 of them in a rural landscape.

No matter how the EIS is worded, "siting discussion", "collaboration", "consultation" and "engaging with the identification of landscapes", diagrams showing how windbreaks soften the landscape and carefully organised screening is effective; there is nothing more obvious from all aspects applied to the landscape than the impact of looking at a WTG (similar size to Canberra telecommunications tower).

Multiply that by 88 and you now have an industrial landscape replacing a rural landscape. Please do not accept that there is little to no impact on the Tarago region as suggested in the EIS before you.

173 metre turbines would be suitable for a remote site, **but** the proposed area is **not remote** and so is totally unsuitable and inappropriate.

The proposed turbines will be double the height and more than the present landscape of the nearby Capital Windfarm. It can clearly be seen from 20 kms away.

Before you think this is a good idea for the local environment, please consider that there are other clean energy options. You wouldn't approve wind turbines in Sydney Harbour, and Tarago residents shouldn't have to live with them either.

Wind farms (an Industrial energy activity) should be located in remote areas not rural residential sites.

10. VISUAL AMENITY

Visual Amenity is perhaps the most important non- technical impact of the Jupiter Wind Farm Proposal.

Travelling through the PA and surrounding country, the initial and prime impact will undoubtedly be that of visual impact.

The natural and rural landscape is established and exists as far as the eye can see.

It is a simple fact that 88 turbines each being 173 metres high with moving blades and possibly painted white will present a stark and dominating interruption to the established landscape.

I think all parties are in agreeance with this, with the exception of EPYC, who has continued to downplay the importance of Visual Amenity.

For example, the use of mitigating strategies as seen in the EIS can hold no weight, as the contrast between 88 wind turbines and the existing rural landscape and Visual Amenity is at opposite ends of any scale that can be applied.

To most residents of the local area, and particularly to me, the main criteria and attraction to the location is the Visual Amenity.

Therefore, I perceive the scenic quality of the Landscape with regard to Visual Amenity to be irreplaceable.

The simple change to the existing landscape character will create a severe impact.

What is this Amenity?

It is wide open landscape, with Rural Scenery, allowing uninterrupted views of the sky.

This is an extremely important tool for farming and grazing, as it is crucial for seeing the weather patterns form which affect the landscape.

That is a typical description of a rural landscape, and it is the paramount reason for choosing to live here. It is Rural and is directly in contrast to Industrial and Urban landscapes.

Some people like to live with coastal landscapes overlooking the water and others like Sydney Harbour views with a city backdrop.

The Visual Amenity of these landscapes are amongst some of the most valuable property in the Australia. Take away the view and the property obviously loses its attraction and importantly also, its amenity value.

None of these landscapes mentioned are threatened by the construction of wind farms.

By contrast, My Rural Landscape and Visual Amenity and that of my neighbours **is** directly and adversely threatened by the construction of wind turbines.

It must surely follow, that a suitable site for a wind farm would be a landscape with reduced Visual Amenity, that being a landscape with Low Visual Value, such as a **remote** area where there are no residents.

11. VISUAL IMPACT

The EIS restricts its reference area of Visual Impact to residences, but Visual Impact must surely be applied to the whole property, not just a residence.

This information is misleading, as my work as a grazier requires me to cover 330 acres of outdoor activity, so the Visual Impact, and other Impacts such as noise and blade movement are constant.

The Visual Impact is plainly severe with this level of exposure, bearing in mind that the southern Boundary of my land is situated less than 1.4 kms from a proposed turbine!

This is totally outrageous and unacceptable to expect me to carry on a business under these circumstances.

The EIS attempts to minimise the Visual Impact by suggesting the use of additional planting.

This is not a valid means of dealing with such a problem, because:

1. Additional planting to be effective will need to be placed close to residences, and this obviously will increase the Bush Fire risk to a property.
2. Planting is not a permanent structure, like a wind turbine, it is temporary, and at the mercy of risk from Fire and other natural events.

The Visual Impact is totally unacceptable to both the private and public domain.

12. NOISE IMPACT

There will obviously be a maximum detrimental and adverse Noise Impact on my property, because I am located 1.4kms from the nearest turbine.

This noise impact will be magnified at least by 30 times as there are 30 turbines within the range described.

I do not pretend to understand the science of measuring noise, but the plain and simple fact is that obviously being situated 1.4kms from 30 turbines is a **severe Impact**.

13. CLEAN ENERGY ALTERNATIVE AND ALTERNATIVE SITE FOR WIND FARM

This submission also explores the clean energy alternatives to Wind Power Generation, as over a period of 25 years (which is the initial lifespan of the lease for the Jupiter Windfarm), new and more efficient energy technologies may rapidly outgrow wind farms as a sustainable power source, particularly with regard to infrastructure construction and transportation of electricity by poles and wires.

The recent Clean Energy Council Report states that:

“wind energy can be harnessed at a fraction of the environmental costs of using coal or gas”

Discussion/response.

Whilst the above statement contained in the report issued by Rob Stokes M.P., N.S.W. Parliamentary Secretary for Renewable Energy is accurate and related to the promotion of Wind Farm Development in N.S.W., it is one dimensional and does not deal with other forms of Clean Renewable Energy such as **dual purpose Hydro Electric schemes, solar energy and geo thermal technologies**, all of which are more than legitimate alternatives to Wind Power and all of which can be directly compared as being at a fraction of the environmental costs of using coal or gas, not to mention the economic development costs.

Chapter 5 of the EIS:

“discusses the alternatives to undertaking the Project including alternatives considered in relation to siting, design and operation.”¹²

The EIS lodged by EPYC identifies and discusses the “Do nothing approach”¹³ and “alternative energy sources”¹⁴ and even talks about “site selection process.”¹⁵

BUT makes no attempt to discuss or make reference to an alternative siting, design or operation.

This attitude displays a gross complacency and disregard for the DGRs and the community.

For instance, a site more appropriate exists nearby, which has not been considered by EPYC.

¹² EPYC above n 1, Chapter 5 – Project Alternatives.

¹³ *Ibid* 5.2.1.

¹⁴ *Ibid* 5.2.2.

¹⁵ *Ibid* 5.3.

ALTERNATIVE LOCATIONS OF WIND FARM SITES.

LAKE GEORGE AND

CURRAWANG RANGE LOCATED TO THE NORTHEAST OF LAKE GEORGE.

1. LAKE GEORGE.

Statutory Framework.

The Crown lands Act 1989 provides for circumstances where Crown land may be leased or sold and where licenses over Crown land may be granted.

Lake George holds a Crown land status, and is therefore suitable as a site consideration.

Location and Geography.

Lake George is an endorheic lake, as it has no outflow of water to rivers and oceans.

It is situated in N.S.W., located adjacent to the Federal Highway, south west of Goulburn, between Goulburn and Canberra.

At 25km (16mi) long and 10km (6.2 mi) wide, Lake George is long, largely flat and extremely shallow, with a very small catchment.

Resultant evaporation rates as well as a tendency for strong winds to blow the water back on itself explain the mysterious filling and drying episodes on both short term and long term time scales.

Lake George is a large, flat, clear area with no housing.

The nature of this “lake” is largely typical of an intermittent water area, meaning that there are large areas where water would almost never be present such as the northern part of the Lake.

In any case, intermittent water would be no problem for construction and running of a wind farm, as many wind farms are successfully situated in the sea.

Activities.

The land is presently leased to farmers for sheep grazing activities, but agricultural value of this site must be considered as very low, because of the high levels of salt present in the area.

Proximity to Power Grid.

Immediately adjacent to this area is a solar farm and other established wind farms.

This location is also close to a major 33Kv transmission line.

Wind Activity.

Lake George would be a more suitable area than the proposed Jupiter site because the geography of a large flat uninterrupted area aids the production of more consistent wind, and Lake George is a windy site.

Advantages of this Alternative Site.

By far, the most valuable advantage is the fact that Lake George has no houses or people living there. The site can be described as **Remote** but has the advantage of being close to an already established power grid.

It therefore must have merit as an alternative site as its location satisfies the requirements for a wind farm.

Wildlife Impacts.

There are **no trees** on or in Lake George, so it does not attract birds that require a tree habitat. It does, however attract water bird activity, but logically, this kind of bird activity is intermittent depending on the presence of water.

Lake Bathurst to the east of lake George is a similar environment for bird life and only about 20 kms away, so it would provide an alternative natural environment for any bird or wildlife.

It therefore must have merit as an alternative site as its location satisfies the requirements for a wind farm.

Currawang Range.

Another alternative area to consider would be the Currawang Range, located to the north east of Lake George.

Once again, the housing density of this area is extremely low, thus making it a more **remote area** than the present proposal.

In summary:

A suitable alternative location could also be location where:

1. the average rainfall cannot support a productive agricultural activity.
2. There are no residences, so that there is no bush fire risk.
3. If these principles were applied, then the total impact of such a development would be minimised.
4. There are countless alternative sites in NSW.

14. ACHIEVEMENTS OF EPYC PTY., LTD. TO DATE.

The agenda and objective of the Proponent, EPYC is to find a suitable site to establish a Wind Farm for its own profit, at the expense of the community.

The proponent has already successfully managed to disrupt our community for which the majority places **paramount importance** on **preservation of Visual Amenity, Rural Landscape and Rural Residential Lifestyle**.

There has been little to **NO** communication and or consultation with the community both inside OR outside the PA.

EPYC has successfully divided and alienated a former cohesive community. This is a destructive act.

15. STRATEGIC AIMS OF THE JUPITER WIND FARM PROPOSAL

(A) Who and What Is the Wind Power Being Generated For?

This also must be questioned.

The power generated from the wind turbines will be fed into a transmission line that serves the energy needs of the Australian Capital Territory.

This is obvious as the existing transmission line travels westward, straight to the Canberra region. Its origin being The Bendeela Power Station, part of the Shoalhaven Scheme which is a dual-purpose water supply and hydro electric power generation plant.

Who is involved and what part do they play in the supply of electricity?

Private land holders in NSW are being asked to lease their land to an International Spanish based company.

The turbine poles and the Generators themselves are manufactured in a foreign country, from raw materials sourced offshore. Then transported by ship to Australia.

The only Australian workforce involvement is the construction and maintenance which is minor compared to the other stages required.

The power then generated is transported in transmission lines that the State Government no longer owns to consumers in The Australian Capital Territory.

(A) Major Income and Profit Distribution

What is the benefit to the NSW Government and public interest in a State Significant Project of this nature?

It is assumed that some financial benefit would flow to The NSW State Government, but as it does not own or operate the project, and the electricity generated is for the benefit of the A.C.T., it is indeed hard to identify and define just what the Public Interest for the people of NSW is.

Only one conclusion can be drawn from this proposal: The Public Interest of this State would be better served by providing clean energy to N.S.W. not the A.C.T.

In Summary:

The N.S.W. Govt. is not serving the public interest of N.S.W. constituents and therefore the ethics of the Govt. must be questioned.

It also must be considered that EPYC Pty., Ltd. is a Spanish owned Company, controlled overseas, and thus due consideration as to the security of the project with regard to the protection and control of essential services from Terrorist activity must be assessed carefully.

(B) Identifying Major Income and Profit

2. Who is EPYC Pty., Ltd?

The Financial Statements and Reports for EPYC for YE 30/06/16 should draw the Govt. to some home truths in relation to this foreign owned company.

The proponent is recorded with ASIC as a company registered in Australia, **but with a Spanish based shareholding well over 90%.**

EPYC Agenda:

“The principle activities of the company during the course of the year were establishment of wind farms.”

Comment:

EPYC Pty., Ltd. Is specifically and exclusively interested **only** in the establishment of a wind farm.

This means they are **not interested in operation the maintenance, ongoing and decommissioning** stages of the development.

Future Developments.

Quote from recent EPYC Financial report reads as follows:

“Likely developments in the operations of the company and the expected results of those operations in future financial years have not been included in this report, as the inclusions of such information is likely to result in unreasonable prejudice to the company.”

Comment:

The statement above should serve as a warning.

It is clear that the proponent EPYC is not interested in the running, maintenance or decommissioning stages of the development, and therefore does not have any serious strategy both financially or otherwise to address the issues.

It will rely on the process of onselling the wind farm and leaving the responsibility of these stages to an unknown owner.

This is a hidden agenda, and flags a serious problem for the NSW. State Govt, meaning that there are ongoing policing and administration issues which may be costly.

The Govt. must also accept that it may be dealing with a wind farm owner from a foreign country, with no control over its finances and responsibilities.

This situation would then see the NSW. Govt. placed under severe pressure as this project provides for an essential power service.

(C) Environmental Issues

“The company’s operations are not regulated by any significant environment regulation under a law of the Commonwealth or of a State or Territory”

A quote also from the same Financial report.

Comment:

EPYC Pty., Ltd. has just prepared and lodged an Environmental Impact Statement.

If the company’s operations to date are not regulated then the Environmental Impact Statement cannot be valid, and therefore must be interpreted as meaningless.

It must also be seen as a misleading statement.

1. Issues with Regard to Greenhouse Emissions and The Role of Wind Farms

Wind energy production in theory is a noble concept when taken on face value as a one source energy supply, but we are not dealing with that fairytale here.

Firstly, the cost to the environment of building 88 steel turbines, generators, blades and the concreting pads to support them is huge.

Then the cost of shipping them from overseas and transporting them by road to the construction site is enormous.

This is just a small example of the cost of greenhouse gas emissions required before any wind energy can be produced.

Secondly, wind power electricity production requires baseload power generation as a supplementary power source, so it cannot operate on its own merits.

These supplementary sources are generally provided by coal fired power and or gas turbines.

Both coal fired and gas power sources produce high levels of greenhouse gas emissions.

It must be understood that whilst the theory of wind power energy production is initially attractive, there are numerous impacts which affect the end result of power production with respect to **negative greenhouse emissions** as explained above and the increased eventual unit price to the consumer of wind generated power.

Wind power is also not able to be generated in both zero wind conditions and extreme wind conditions, thus making it an unreliable energy source which must be supplemented.

Tarago experiences both ends of the spectrum of natural wind events.

There are a large number of days of the year where wind speeds are too high to operate turbines safely. From my property, I can see the Capital wind farm turbines (some 20kms away) and have observed this point.

In addition, Tarago also experiences a number of days where there is insufficient wind to generate power.

For wind generated power to be economically effective, wind speeds and patterns need to be more consistently in a range that turbines can operate safely.

This means that wind power is not as efficient as projected, and combined with the fact that wind farm energy needs to be supplemented makes for a poor energy source, compared to say Hydro power or solar power.

For instance, the development of solar power is fast overtaking wind power technologies.

Tesla produced its first "Powerwall" battery storage system in 2015 and has doubled its capacity in providing storage in 2016 with the release of the "Powerwall 2" battery power storage system.

I am sure that before the end of the 25- year lease period for the present proposed wind farm, solar technology will have made wind power obsolete.

There are at least 2 resources cheaper and more efficient already than wind power and these are Hydro power (which is also dual purpose) and solar power.

Indeed, individual solar power does not require expensive transmission lines and infrastructure either.

Nor does it require decommissioning.

It is clear that these developing technologies will make wind power both an expensive and potentially obsolete power source within a very short period, and NSW Govt. must look at the bigger picture.

Production of Wind Power at the Expense of Agricultural Output.

Consideration must also be made to the cost of loss of Agricultural production by the construction of the wind farm.

The PA is at present 4999ha of existing, cleared productive agricultural land, which will be unusable if a wind farm is constructed.

This area does not take into account the surrounding agricultural area that will be rendered unusable as a result of proximity to a wind farm.

During the next 25 years (the lease period for the proposed wind farm), with increasing population, it is projected that food production will become more important to Australia, particularly the agricultural areas on the East Coast of Australia, the Tarago area is an example of a productive agricultural area.

To use this land for wind power generation that will shortly be obsolete is unthinkable, and indicates a severe lack of forward planning and EPYC is taking advantage of this.

16. DECOMMISSIONING

As mentioned earlier, the Proponent EPYC has admitted to only being interested in the establishment of a wind farm.

The running, maintenance and decommissioning stages of the proposed development will ultimately be left to a company who buys the wind farm after its initial construction.

It is therefore not in the interest of EPYC to be concerned with end lease responsibilities of the project.

Firstly, this must be of concern to Stakeholders and NSW Govt. alike.

Secondly, by the end point of the lease, neither EPYC or the present State Govt. will be involved with the decommissioning process.

This leaves the Stakeholder vulnerable to what has been put in place.

For example, if the developer defaults on his obligation by allowing the wind farm company to go bankrupt, the stakeholder will be responsible for the decommissioning process.

The cost to the stakeholder could be then up to 4 or 5 times the income that was received for hosting turbines.

Then there is also the cost to the environment of disposing of toxic waste such as concrete to the environment. This cost must be 'factored in' as an environmental cost as well as financial cost.

There will be a minimum of 88 turbines each with concrete bases, and the steel turbines each 173 metres high with generators and blades to dispose of.

This is not an acceptable set of circumstances for the end point of a project, another reason why a wind farm is not appropriate.

17. LEASING AGREEMENT BETWEEN EPYC. AND STAKEHOLDER

All agreements signed are confidential.

This requirement is deceptive conduct, as clearly no objections can be made by a potentially affected neighbour. Both parties involved are seeking to keep their arrangement confidential, not allowing for neighbour or community consultation. This is inconsistent with Govt. guidelines and is a major project breach at the very first point of contact with the community.

The Guidelines clearly state that the major criteria for a project of this nature must be community consultation, yet at the first instance this has been violated.

If the proper attention to this basic right had been respected, then the present situation of secrecy and dispute amongst neighbours would not exist.

EPYC has successfully divided the community by its deceptive actions.

An example of structured basic rights between landowners is present at local government level:

If a property owner is seeking to develop their property, the neighbour must be informed of this.

Certainly, if a property owner is seeking to construct, under a leasing agreement, one or more 173 metre turbines, the neighbouring property owners would have to be made aware.

This level of community consultation has not been respected with contracts that are confidential.

As a result, neighbours are not aware of potential activity on adjacent property that might impact on them adversely.

This is a grossly unfair and totally unacceptable practice, which is only present under State Significant Development Wind Farm procedures, and I hope that the Govt. is unaware of this practice. If not, then They are complicit with this deceptive conduct.

This inconsistency urgently needs to be assessed and acted upon, simply because it does not comply with the principle of community consultation requirements.

The proponent and stakeholder are guilty of deceiving the community, by failing to disclose a contract that plans to lease land to EPYC for the construction and operation of WTGs.

Granting an approval of this SSDP will only draw further attention to the fact that The State Govt. is overseeing a bullying tactic by EPYC that cannot be in any way regarded as lawful.

EPYC MUST NOT BE GRANTED ANY APPROVAL FOR A WIND FARM BECAUSE OF THE ABOVE OBJECTIONS.