



Our Ref: DA-75/2011 AA:rmh  
Contact: Anthony Alliston  
Your Ref: 10/11837

28 June 2011

Department of Planning and Infrastructure  
Attention: Mr James Archdale  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Archdale

**RE: INVERELL SHIRE COUNCIL SUBMISSION - WHITE ROCK WIND FARM  
(APPLICATION REFERENCE MP 10\_0160)**

## INTRODUCTION

Reference is made to the above Major Project (MP10\_0160) and the Departments letter dated 20<sup>th</sup> May 2011. Council is grateful for the opportunity to provide a written submission in respect to the project. This submission has been prepared by Council's Manager Development Services and has been endorsed by Council at its Ordinary Meeting of Council held on the 28<sup>th</sup> June 2011. An extension of time to the submission deadline has been granted by the Department of Planning.

Council acknowledges the benefits of the project at a local, regional and national scale. It is understood that the project will improve security of electricity supply, create employment opportunities and will contribute to the State and federal Governments' targets for renewable energy and reduction in green house gas emissions. The project has the potential to inject approximately \$300 million into the Australian economy over its life time. Council anticipates that this economic injection may flow through to the local economy through the use of local contractors and local services, particularly during the construction phase.

Noting the positive implications of the project, Inverell Shire Council also seeks to ensure that the project is constructed, operated and decommissioned in a way that any potential negative impacts on the local and wider communities are minimised.

The submission has been prepared in the context of:

- The proponents Environmental Assessment (EA) April 2011;
- Council's previous submission to the Department of Planning;
- The provisions of Council's Development Control Plan – Wind Power Generation 2009;
- Representations made to Council by non-project related landholders; and
- Council's inspection of the site, locality, roads and infrastructure.

## LOCAL SERVICE INFRASTRUCTURE

One of the primary areas of focus for Council is to ensure adequate measures are in place during the construction phase of the project so that impacts on Council's local service infrastructure, including roads, bridges and causeways will be minimised.

Having reviewed the proponents Traffic and Transport Impact Assessment Nov 2010 in conjunction with a site inspection by Council's Manager Works, the following general comments are made regarding the proposal:

- The proponent's assessment indicates that the preferred entrance to the site will be directly from the Gwydir Highway, which will have no impact on Inverell Shire Council's assets.
- Having inspected the proposed alternate route through Maybole and Kelly's Road it is agreed that these roads would only be used as a second option. This is due mainly to the vertical and horizontal alignment of certain sections on these roads that would make transport of oversize and over-mass loads difficult. Should the proponent wish to utilise this route for such loads they would of course be required to obtain the necessary permits from the relevant road authority as they have identified in their assessment.
- For construction traffic, the impacts on Maybole and Kelly's Road could only be calculated based on predicted traffic movements. The assessment indicates that the access off the Gwydir Highway would be the intended route, however it would be inevitable for some traffic to utilise the proposed alternate routes. As indicated in the EA Report, all proposed routes are to be assessed to current condition prior to commencement of any works. This will be achieved by the commission of a suitably qualified person to undertake a dilapidation report on each road before and after construction.
- An agreement would then need to be in place to ensure any damage is rectified by the proponent. The proponent's assessment indicates that this would also be their preference.
- During construction a regular inspection and maintenance program would also need to be conducted. A weekly inspection report would need to be submitted to Council with an agreement to provide specific maintenance where required. This would be a suitable option to resolve this issue. This suggestion is also mentioned in the proponent's assessment.
- Consideration should be given to sealing steep sections of the internal access roads.

Based on the Traffic and Transport Impact Assessment and the proponents commitments made within the EA Report Council is satisfied that adequate measures are (and will be) in place to ensure the integrity of Council's local infrastructure will be maintained during the construction phase of the project.

## TELECOMMUNICATIONS

Over recent years the issues relating to a number of gaps (black-spots) in mobile telephone network within the Inverell Shire have become apparent. It has been determined that a significant number of black-spots could be eliminated from the Shire if a mobile phone tower was erected in the White Rock Mountain locality. In May 2011, Inverell Shire Council commenced planning and investigations for a powered telecommunication tower, to be located on White Rock Mountain. This planning has involved discussions and an inspection of the site with the landowner and consultation with Telstra.

Because of Council's recent developments with the proposed mobile phone tower, it is acknowledged that the EA Report and the Telecommunications Impact Assessment did not include reference to this proposal. Council, however, is uncertain as to why enquiries with Telstra by the proponent of the wind farm did not result in the identification of this proposed tower. Perhaps the enquiries directed to Telstra focused only on existing towers?

**Appendix 1** includes maps showing the proposed location of the mobile phone tower on an aerial photograph and the location of the proposed tower in relation to the proposed wind turbines. In this regard Council asks that negotiations between Council, the landowner, Telstra and EPURON commence in respect to the ability for the wind farm and telecommunications tower to co-exist on White Rock Mountain.

## **COMMUNITY INITIATIVES & SECTION 94 CONTRIBUTIONS**

In Council's submission to the Department of Planning for the preparation of the Director General's Requirements, Council requested social impacts in the locality to be addressed and details on any proposed community initiatives by the proponent be provided. Section 4.5.4 of the EA reveals that the proponent does not propose a community fund as these contributions are voluntary. Council acknowledges that the proponent is encouraging submissions on a possible format for a community enhancement program. Inverell Council would welcome the opportunity to meet with the proponent to discuss possible initiatives.

Council requests that the Department condition any approval that prior to commencement of construction, the proponent shall in consultation with the relevant Council's develop and submit for the Director General's approval a Community Enhancement Program. Given the scale of this project, and to assist with issues relating to social equity, it would also seem reasonable that the proponent make a monetary contribution to such a program.

Council's Development Control Plan – Wind Power Generation 2009 requires the developer to make contributions in accordance with Council's Section 94 Contributions Plan.

## **ENVIRONMENT**

Council notes the Ecology and Aboriginal Heritage Assessments prepared by the proponent. From Council's position it appears that these assessments are comprehensive, however Council do not employ specialists in these fields. Council is satisfied that combined, the referral of the application to the Department of Environment, Climate Change and Water and the Department of Planning's internal assessment, will result in a comprehensive assessment of these potential impacts.

The EA addresses issues associated with Environmental Management. It is acknowledged that the proponent intends on preparing an Environmental Management Plan (EMP) for the project including a Construction Environmental Management Plan and an Operational Environmental Management Plan. Preparation of these plans will be enforced as conditions. Council requests that a Noxious Weeds Management Plan for the construction and operational phase of the project be included within the EMP's.

Council is satisfied that the Department will include as conditions of any approval that appropriate Environmental Construction and Operational Plans be prepared, approved and implemented for the duration of the project.

## **TEMPORARY FACILITIES**

It appears that the temporary site facilities including switch yard, operation and maintenance facility, construction compound and temporary batching plant are located in the Inverell Shire. There will also be a site office catering for 100 employees. The site office may include a number of demountable buildings and an amenities block. Council has no significant concern with these temporary facilities subject to the submission and consideration of more detailed design plans and proposed mitigation measures, particularly in respect to on-site effluent disposal and impacts from the temporary batching plant. It is assumed that these facilities will be the subject of further applications.

Council requests that appropriate conditions be included in any approval requiring that further details including design plans, environmental management and mitigation measures be provided to and approved by the relevant consent authority.

## **DEVELOPMENT CONTROL PLAN – WIND POWER GENERATION 2009**

Inverell Shire Council has a Development Control Plan – Wind Power Generation 2009, which sets out Council's current position in relation to development for wind power generation. Section 2.2 – Planning and Environmental Controls items (a) to (u) sets out the design criteria and assessment parameters for wind farm developments. Overall it appears that the Environmental Assessment Report addresses

and provides adequate information relating to Section 2.2, with the exception of items (f) and (h), which relate to setbacks from non-project related dwellings and boundaries.

**Item (f)** – It is Council's view that the minimum setback distance is an important component of the DCP. The setback requirement is either 15 times the blade tip height or 2km, whichever is the greater. With a maximum 150m blade tip height the setback is 2.25km (150 x 15). However, assuming a blade tip height of 133m (2,000m divided by 15) then a 2km setback is Council's requirement.

While the 2km setback may seem conservative (to the proponent and possibly the Department, at this point in time), this is considered reasonable to assist with considerations of noise, health impacts (perceived or otherwise) and visual intrusion.

Conversely, should the wind farm be constructed and become operational, Inverell Council will seek to maintain its position of a minimum 2km setback for new development in close proximity to the wind farm, including tourist accommodation, rural dwellings and subdivision. Council is confident that the operator of a wind farm would welcome this position in the future to assist in reducing land use conflicts and complaints made against the wind farm.

With this principle in mind Council respectfully asks that unless absolutely necessary, and extensively justified (on a case by case basis), all towers should respect the 2km minimum distance from non-project related dwellings. In the case of White Rock Wind farm, complying with this setback requirement will not significantly inhibit the project.

The non-related dwellings (Inverell Shire) within the 2km buffer are identified as R41, R42, R49, R50, R51, R56 & R57 within the Landscape and Visual Impact Assessment (Appendix 2 of the EA). Justification in respect to these encroachments appears to be based generally on acoustic and visual impacts and the ability to mitigate shadow flicker; not on health and safety impacts. Low Frequency Noise is just one health related issue currently under debate. Given the lack of empirical data, or conclusive evidence either way it would seem reasonable to respect the 2km setback distance, at least until more is known. (Note – the recent Senate Inquiry – “The Social and Economic Impact of Rural Wind Farms, 23 June 2011”)

Given this, Inverell Shire Council request that the Department give consideration to either:

- A minor re-design of the project so that the turbines are 2km from non-project related dwellings;
- Deleting from the project the turbines that encroach into the 2km setback from non-project related dwellings; and
- A staged construction so turbines within the 2km setback distance are built last and when more is definitively known about the impacts. In time new technology may be available and possibly community acceptance / perception may also change.

If the proponent wishes to pursue the current layout it is Council's view that more detailed justification, on a case by case basis should be requested, and assessed, prior to the Department making a final decision on the project.

**Item (h)** – This item requires a setback of 260 – 300m (depending on blade tip height) from non-project related property boundaries. Within the Inverell Shire there are a number of turbines located on the boundaries of non-project related properties (specifically turbines 32, 48, 109-113 & 115). Specifically turbines 32, 48 and 109 are not only on the boundary but also within the 2km setback distance of non-project related dwellings. Council asks that the Department seek further justification in respect to the location of these turbines.

In addition, from a bushfire management perspective, the turbines should be set back a sufficient distance to allow for defendable space and, if necessary, Asset Protection Zones to be contained wholly within the project boundary.

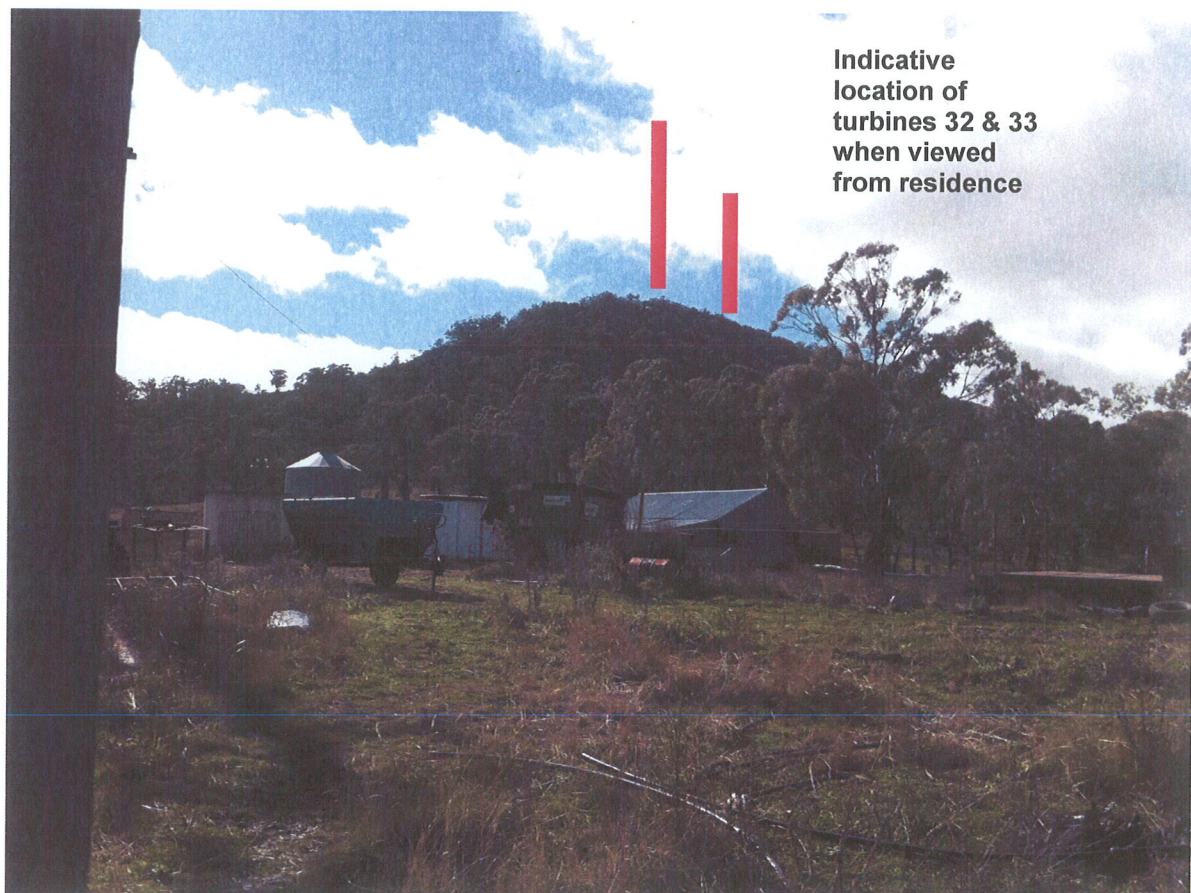


## **REPRESENTATION FROM RESIDENT (LOT 154 DP 753260 - "TRYAGAIN")**

During the exhibition period Council were contacted by one non-project related resident with concerns in respect to the location of turbines in close proximity to their property. The property is known as "Tryagain". Turbine 32 is approximately 1.3 km from their house and located adjacent to their property boundary.

A site inspection carried out at R56 ("Tryagain") indicates that Figure 34 within the EA (photomontage W41) is not an accurate representation of the primary view from the dwelling and immediate curtilage (house yard). The photographs have been taken some 50 metres from the residence and behind a significant stand of vegetation. The closest and most prominent turbines (32 & 33) are not shown in the photomontage. The photograph below is a more accurate reflection of the view to turbines 32 and 33. It is considered that turbine 32 & 33 would be completely visible from this residence including blades, hub and the entire tower. Due to the short separation distance from the turbine, lack of vegetation screening and the vertical imposition of the turbines placed atop of the hill (see photo 1 below), it is Council's position that these turbines would have an over-bearing visual dominance on the residences' views.

In this instance Council requests that turbines 32 and 33 be relocated to a more respectful location within the project site.



**Photo 1 – view from "Tryagain" dwelling towards turbines 32 & 33.**

## **CONCLUSION**

After reviewing the Environmental Assessment for this wind farm project, it is evident that, due to the obvious complexities, it is necessary to put forward a "concept" design only, rather than an actual defined project, as many "key" parameters have not been finalised for a "final layout". The

Environmental Assessment states that the design is subject to modifications based on a range of factors including, final turbine selection (including height & blade widths), wind-speed and energy yield analysis and geotechnical constraints. These key parameters have the ability to significantly impact on the project in terms of viability, design and environmental considerations.

Council requests that if there are any significant changes to the design based on final detailed investigations, that further consultation at a local (Council) level be undertaken prior to commencement of the project.

Inverell Shire Council is confident that the Department of Planning's assessment and determination will be thorough and that appropriate conditions will be placed on the Project Approval to ensure the likely impacts are adequately mitigated and that corrective action, where necessary can be undertaken should it be found that during the project life there are unforeseen impacts on a local and regional scale.

With a view to ensuring the most appropriate and transparent outcome for all stakeholders including the proponent, Council and the local community, Inverell Council requests the opportunity to view the draft conditions of the Project Approval during the same period in which the proponent is given to review them.

Should you have any queries or require further clarification on matters raised in this submission, please contact me on 0425271633 or (02) 6728 8200.

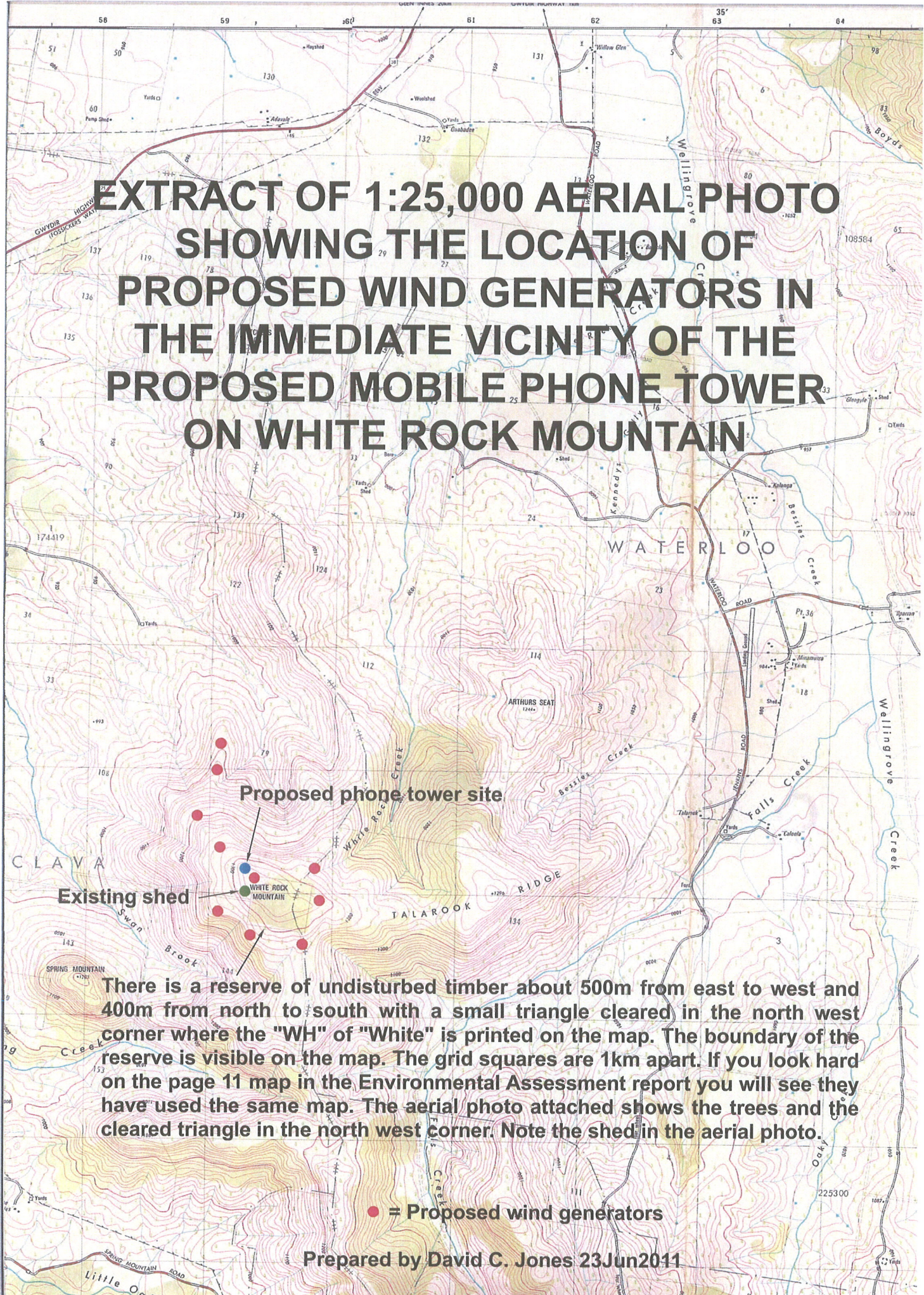
Yours faithfully,



**ANTHONY ALLISTON**  
**MANAGER DEVELOPMENT SERVICES**

**Appendix 1**  
**Maps showing the proposed location of the mobile phone tower**





# EXTRACT OF 1:25,000 AERIAL PHOTO SHOWING THE LOCATION OF PROPOSED WIND GENERATORS IN THE IMMEDIATE VICINITY OF THE PROPOSED MOBILE PHONE TOWER ON WHITE ROCK MOUNTAIN

Proposed phone tower site

Existing shed

There is a reserve of undisturbed timber about 500m from east to west and 400m from north to south with a small triangle cleared in the north west corner where the "WH" of "White" is printed on the map. The boundary of the reserve is visible on the map. The grid squares are 1km apart. If you look hard on the page 11 map in the Environmental Assessment report you will see they have used the same map. The aerial photo attached shows the trees and the cleared triangle in the north west corner. Note the shed in the aerial photo.

● = Proposed wind generators

Prepared by David C. Jones 23Jun2011



# EXTRACT OF AERIAL PHOTO SHOWING THE LOCATION OF THE PROPOSED MOBILE PHONE TOWER ON WHITE ROCK MOUNTAIN

We had intended that mobile phone tower be located in the north west of the cleared area containing the shed. This would enable the tower to cover eastwards into the Matheson valley and up to Wellingrove and Maybole. The much larger cleared area to the west is much lower.

Existing shed

There is a reserve of undisturbed timber about 500m from east to west and 400m from north to south with a small triangle cleared in the north west corner where the "WH" of "White" is printed on the map. The boundary of the reserve is visible on the map. The grid squares are 1km apart. If you look hard on the page 11 map in the Environmental assessment report you will see they have used the same map. The aerial photo attached shows the trees and the cleared triangle in the north west corner. Note the shed.