

Flyers Creek Wind Turbine Awareness Group Inc

31st August 2018

Dear Sir/Madam

RE: Flyers Creek Wind Farm MP08_0252-Modification 4

We wish to lodge an **OBJECTION** to Flyers Creek Wind Farm MP08_0252-Modification 4.

Whilst the Department of Planning would have us just address Modification 4, the problem is far greater than Modification 4 and the department has certainly been made very well aware of the concerns from our group and community along with others who have deep concerns.

As part of our submission please refer to all our previous submissions from the original development to all subsequent modifications and submissions from the community lodged to the department of planning, including our submission to the NSW Draft Wind Farm Guidelines.

After 8 years of dealing with the NSW Department of Planning over the Flyers Creek Wind Farm it would appear to us that the Department and Ministers have certainly had a clear bias for facilitating the development of this wind farm regardless of community concerns and complaints. It is also appears very clear the complete disregard for any reports that clearly identify problems that exist with wind energy and the many impacts it creates.

The Department of Planning are very well aware of the many complaints plaguing others in this state and nationally and yet to date little if at all any action has been taken to admit to or alleviate the impacts.

The impacts reported in NSW from existing wind farm communities are not just unique to NSW and are well recorded around the world. These include but are not limited to the:

* Impact on the flora and fauna, one of the most devastating is the impact on avian and we have seen at other wind farms that the strike rate is far beyond what is estimated.

* Environmental degradation and cumulative impacts from multiple industrial sources

- * Property devaluation
- * Shadow flicker
- * Impacts on community cohesion
- * Visual pollution
- * One of the worst of all is the impacts from noise and vibration on human health and well-being.
- * Displacement of residents, even those that are financial beneficiaries of the wind farm

Whilst some of the impacts are not visible as such, it has made it easy to hide the truth, bury and deny complaints. The continual warnings from some experts and those impacted shows what little regard is held for communities surrounding industrial wind developments.

Based on the knowledge we have and the responses from the developer, Department of Planning and contributing professional /relevant experts reports and knowing that there is sufficient evidence that has been submitted to all parties to warrant concern one would now believe that the Department of Planning are failing to adopt the “Precautionary Principle” and breaching their “Duty of Care” to the people and their environment.

MODIFICATION 4

- In the documentation for Modification 4 Ms Richardson makes the statement in her conclusion that *“Significant consultation with relevant stakeholders, including community members and representatives, has been carried out in relation to Modification 4”*

Not sure if Ms Richardson understands the meaning of the word “Significant” but I know that most of this community could vouch for the fact that they had no consultation of this modification 4 until receiving a newsletter marked as July but post marked on the 8th August 2018, with some members of our group receiving it on Friday the 10th August 2018 and others the following week just a day or 2 before we were informed by Ms Homsey from the Department of Planning on the 14th August 2018. We would hardly call that significant consultation! A barely acceptable community consultation appears to be a tick the box exercise in what appears to be a defective department of planning process.

- The documentation provided for Modification 4 is compiled with relevant experts' reports resembling a small environment assessment , however we are given just 2 weeks to read and absorb this documentation for comment.

Based on previous experience we could take all the time required and secure the services of qualified professionals/relevant experts to review these reports and once again we are sure the department will get Infigen to respond and accept their conclusions regardless of whether the DGR's are satisfactorily met or not. This is highly evident in previous approvals for Flyers Creek.

- Ms Richardson also states: *It is acknowledged that Modification 4 is likely to:*

- *Result in Low to Negligible increased visual impacts; and*
- *Generate a slight increase in predicted noise levels.*

However, these impacts are considered to be relatively minor and able to be appropriately managed by the existing conditions of the Project Approval as proposed to be updated and the updated Statement of Commitments.

- In previous submissions from our group and members of our community we have raised the very serious impacts we see as a major contributors that should result in refusal of this project .Visual and Noise being amongst the top issues.
- Visually the turbines proposed will completely destroy our rural environment and Ms Richardson may well be correct in that the increased size would result in Low to Negligible **increased** impacts, the operative word here being "increased". If you are polluting an area visually you are polluting it. We do know the original visual report is flawed and have no hesitation in suggesting that current predications don't appear any different.
- **Noise** – Ms Richardson states that Modification 4 *would "generate a slight increase in predicted noise levels"*. Ms Richardson needs to explain how the difference between a 2.5MW GE turbine and how an increase to a 4.2MW turbine would create only a slight increase in predicted noise levels. From our understanding the increase could be seen as quite dramatic.
- In previous submissions by our group and this community the noise and vibration issues have been clearly raised including reports from relevant experts. However there has been much controversy resulting from this including the dismissing and denial of issues raised.
- It is still clearly evident that DGR's requirements have not been adequately addressed when it comes to impacts and the issues of low frequency noise and vibration have been dismissed.

- The cumulative impacts of noise and vibration from the existing and ever expanding Newcrest's Cadia East operation which sits on a significant fault line and in an area of increasing seismic activity has not been adequately addressed. Bearing in mind that some homes in this area are already impacted with infrasound and low frequency noise that is proven to be (even by their own emission) emitted by the Cadia Valley Operations the consequences could well and truly be diabolical for some. (1,2)
- The impacts of wind turbine noise and vibration on the Moomba Sydney Pipeline have not been assessed that we are aware of, even though APA asked for an assessment prior to approval of the original Flyers Creek Wind Farm Application. If an assessment has taken place our group and community would request a copy be made publicly available and if this already publicly available we would request we be provided with the link to this assessment.
- Ms Richardson then goes on to state :
The approved Project will provide a substantial economic benefit to the local and regional community during construction and long term operation (25 to 30 years) of the wind farm. During the construction there will be employment opportunities for a peak of 140 people and 6 to 10 ongoing regional jobs during the operational life. There will also be a direct injection of approximately \$1 million per annum to the local community throughout construction and operation through payments to landholders, permanent staff and community fund contributions.

Ms Richardson needs to explain the long term positions requiring 6 to 10 workers and guarantee that this is fact and provide a job description for each of these workers, not just figures on paper to make it look impressive. We have no doubt that during the construction it will provide short term employment for many but where will these people be drawn from?

Ms Richardson also states that there will be a direct injection of approximately \$1 million per annum to the local community throughout construction and operation through payments to landholders, permanent staff and through community fund contributions. However, Ms Richardson fails to provide how the "real community" (those who live on neighbouring properties) who will be and who already are negatively impacted by this development due to property devaluation and if constructed the further lifestyle, health and well-being impacts will be provided for? Already we have seen properties sold in recent times dramatically devalued due to the approval of Flyers Creek Wind Farm. At existing wind farms and as seen in the senate inquiry in 2015 it was very evident that even wind farm hosts who are paid large sums of money have had to abandon their homes or seek respite. So how does Ms Richardson equate the local community will be economically better off?? Which community funds does Ms Richardson believe will receive contributions?

Ms Richardson then goes on to state:

The changes proposed as part of Modification 4 are required to:

- *Enable the important public benefits from the approved Project to be realised by reinstating the 132Kv transmission line required to connect the Project to the electricity grid; and*
- *Increase the total generation capacity of Project to 430GWh without increasing the number of wind turbines at site. This is a significant contribution to the NSW Government's target of reducing greenhouse gas emissions by 60% by the year 2050.*

Ms Richardson should explain why then has Flyers Creek Wind Farm been in the planning system since 2009 with landholders signed up in 2008 if it had a significant contribution to be made and how does she really class the contribution as significant?

There is been plenty of debate by relevant experts over the true benefits of wind energy to the public and the environment. (4)

What does Ms Richardson see as the public benefits of Flyers Creek Wind Farm?

If wind energy wasn't highly subsidised by way of Large Scale Renewable Energy Certificates would it even exist. Would Infigen construct Flyers Creek Wind Farm if they received no REC's?

We are led to believe that if the connection to the grid is via the specially recently constructed (mine) 330kV line there are technical issues that need addressing otherwise attempting to feed an *intermittent* feed from a handful of wind powered turbines will ultimately compromise the **security/integratory** of the local mine who find it vital to have reliable supply . Possibly the greater NSW electrical grid system could be compromised.

We note there is a map of the grid connection route but no formal report. Can a technical report be provided as to how they will connect Flyers Creek Wind Farm to the grid?

Of course a thorough investigation as to the consequences of connecting a known intermittent power source such as a wind farm, to the 330kV line and its connection to the grid should be conducted by qualified unbiased electrical engineer.

Especially as it appears that maybe this has not been adequately assessed based on the statement " *In addition, a small switching station on an area of land approximately 100m x 100m **may be** required at the northern end of the line where it connects into the existing 132kV line (Switching Station)*" One would believe it is either required or not required, not maybe!!! Maybe 2 Switching Stations are required!

CONCLUSION:

Given the technical and highly complex technology/emissions and issues/impacts arising from wind developments, it continues to be a serious matter of concern to our group and community as well as many others concerned with inappropriate development, that it appears the consent authorities do not have the specialist expertise/qualifications to assess such projects or a clear unbiased opinion, thereby raising the issue of negligence regarding 'Duty of Care' and the legislated 'Precautionary Principle'.

One of the most serious of concerns is the impacts of Infrasound / Low frequency noise/vibration which have been well documented for many years enough so that the WHO include it in their Guidelines for Community Noise. **There is research that also concludes there are some very serious ramifications to humans and dismisses the "Nocebo Effect" (4,5)**

World Health Organisation

Berglund, B., Lindvall, T., Schwela, D., Goh, K, T. (2000) Guidelines for Community Noise. World Health Organisation

"It should be noted that a large proportion of low frequency noise components in a noise may increase considerably the adverse effects on health"

"The evidence on low frequency noise is sufficiently strong to warrant immediate concern."

The recent AAT decision in the Waubra Foundation vs ACNC case also highlights the noise/vibration impacts on neighbours to industrial wind farms and concerns raised by the AAT. (Please see attached documentation)

VIPAC state : *"The Project Approval conditions relating to noise will be sufficient to achieve compliance with the relevant criteria and this will be verified by the operational noise monitoring required under Condition G9."*

With the knowledge we have and noise data collected from our area in recent times our group are not confident in the VIPAC report nor with previous noise reviews and approval statements. We request that Infigen pay for an independent review of the VIPAC report by an acoustician of our choosing.

Visually the pollution to this rural area from mammoth industrial rotating structures will be deplorable. No amount of mitigation can take the visual pollution away. It is what it is!

We find it outrageous that a government department and ministers allow a project of this magnitude to exist in a planning system for so long given the information and knowledge that has been provided to them. It could well be seen that a State Government has breached their “duty of care” to the people of the state.

Over the last 8 years our group has spent thousands of dollars in an effort to find out the facts on why people are being impacted and to also protect our environment, lifestyles, property values, wellbeing and health. The whole costly time consuming ordeal has created such undue stress and lifestyle changes already for so many while all along it appears the department and ministers of planning have facilitated every whim of the developer.

We ask you to seriously consider the following:

- Have we done an appropriate level of “Due Diligence” ?
- Are we relying on the developer/relevant experts to tell us the whole truth?
- Will this wind farm be structurally and siting compliant, especially with the significant enlargement of turbine?
- Will there be any cumulative impacts with the neighbouring industry?
- Have we adequately taken the surrounding landowners views into consideration?
- Do the professional/relevant experts who have contributed to this and all past environmental assessments, reports and approvals have professional indemnity insurance?
- Will this wind farm be insurable and will the developer insure for all liability including all toxic emissions from the wind farm that invade neighbouring homes?
- We have requested from Infigen on several occasions for them to provide us with guarantees that we will not be impacted. Of course they are not forthcoming. The best Infigen response we had was that they build to the departments’ criteria, so will the NSW Department of Planning give us a guarantee that the Flyers Creek Wind Farm will not cause harm to our environment, property values, will not be a noise nuisance and will not harm our health, wellbeing and lifestyles?
- Will those in the department assessing Flyers Creek Wind Farm Modification 4 do so with a clear unbiased attitude?

- Are the Department of Planning confident that Flyers Creek Wind Farm will contribute to a cost effective, clean energy future?

It certainly appears as if planning is being imposed on us by an authority that was meant to protect the people and their environment.

If Modification 4 is approved who will ultimately be held accountable for the negative impacts it may have on the surrounding landowners. Will it be the hosts for allowing the technology that emits toxic emissions on their property, will it be the developer who hides behind the fact that they build to what the approving authorities allow, will it be the approving authority or will it be the relevant experts who make statements that they appear to try and indemnify themselves against? Or will it be all of the above?

Having ones reasonable enjoyment of their land taken away from them constitutes as a common law nuisance and an infringement of ones rights.

We ask that the Department of Planning **REJECT** Modification 4 based on their moral and legal obligations to protect this community.

Yours sincerely

Patina Schneider

On behalf of FCWTAG

- (1) <https://www.afr.com/business/mining/newcrest-plots-cadia-expansion-on-shaky-ground20180813-h13wid>
Newcrest plots Cadia gold mine expansion on shaky ground
By Peter Ker
- (2) <https://www.australianmining.com.au/news/newcrest-cuts-cost-cadia-plant-expansion-80/> **Newcrest cuts cost of Cadia plant expansion by 80%** August 23, 2018 News Ben Creagh
- (3) AAT decision Waubra Foundation vs ACNC December 2017
- (4) Compendium for Sensible Energy Policy
- (5) Altered cortical and subcortical connectivity due to infrasound administered near the hearing threshold – Evidence from fMRI

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