

December 17, 2011

Mr. Tony Philp,  
NSW Department of Planning,  
23-33 Bridge Street,  
SYDNEY NSW 2000

Dear Sir,

I wish to register my **OBJECTION** to the Flyers Creek Wind Farm project. Infigen Energy has had an Environmental Assessment performed by Aurecon Australia and I present this submission outlining my specific objections.

1. The Federal Senate Inquiry into Rural Wind Farms in its recent report (July 2011) recommended that all assessments should employ **the precautionary principle** particularly in relation to health, welfare and community affairs. There are a considerable number of matters that require this principle to apply (principally noise and health – see later) and which the NSW Government should not ignore.
2. Should the NSW Government ignore the precautionary principle and approve the Flyers Creek Wind Farm it will be disregarding its **duty of care** to the residents in proximity to this industrial wind turbine complex.
3. In the interim the NSW Government must:
  - Declare a moratorium on the construction of wind turbines until appropriate research has been carried out to assess all health effects;
  - Be mindful of the recent appeal before the South Australian Supreme Court which was upheld on the basis of non compliant noise. This raises questions as to the adequacy of any planning assessment in NSW since this state uses the SA EPA Noise Guidelines. This speaks again to the precautionary principle and the Government's duty of care.

4. Aurecon (Infigen's environmental consultant) has used the GE2.5x1-2.5 MW wind turbine to model noise impacts which significantly "under-represents" the eventual model that will be used, introducing significant sources of errors.
5. The measurement of background sound and the modelling of noise impact of the proposed FCWF is flawed and inaccurate. I have had the opportunity to read The Acoustic Group's monitoring results from Capitol Wind Farm and am aware that it has found non-compliance of audible sound levels, and significant levels of infrasound also above allowable levels. This work casts into doubt the ability of wind turbines operated at Flyers Creek to be able to comply in any way with acceptable and regulated levels of noise.
6. The matter of noise guidelines and measurement, tonality and other issues are currently being examined by the South Australian courts and no decision regarding the FCWF proposal should be contemplated until these matters are determined.
7. There are no effective monitoring and compliance regimes for sound levels proposed or contained in the Flyers Creek Environmental Assessment and it should not be approved on this basis. As well, there is legislative confusion, lack of structure and no proper mechanism to deal with complaints about noise. No Government Authority (including local government, EPA or Department of Planning) appears to take responsibility for the noise compliance of the energy company's operation. Noise complaints are referred back to the energy company. This needs to be addressed as a matter of urgency.
8. There has been no consideration of the effects of noise on school children (one school 1.5 km away), the elderly and the disabled, all groups in the community with increased susceptibility.
9. The arrangements for decommissioning as set out in the Environmental Assessment are inadequate and provide both the host and the community with little security to ensure the timely decommissioning and removal of the wind turbines at the end of their useful life.
10. At a recent public meeting Infigen Energy dismissed the application of a security bond as unnecessary stating that scrap materials and metals would cover any costs of decommissioning should the "unlikely" scenario of no energy company having responsibility for the obsolete wind turbines. Yet research of the overseas experience shows this is the only security available to the community (and the host landholder who would have the responsibility of removal should



the energy company no longer exist). Mining companies are now required to pay a bond, so it is not outside the experience of NSW Government.

11. The following brief statements outline my other concerns about the construction of the Flyers Creek Wind Farm:

- The wind turbines will dominate, scar and industrialise the landscape and alienate from that landscape the people who have chosen to live there and whose rights to the quiet enjoyment of their property have been usurped.
- There will be cumulative visual effects both locally and within the shire where Blayney Wind Farm, Cadia Valley Operations (Newcrest Mining), and other projected wind farms and mines will effectively create a massive industrial rural landscape.
- The substation is poorly located and visually impacts at least one residence. Wind turbine generated electricity is inefficient, uneconomic, and intermittent and does not create a net saving in CO<sub>2</sub> emissions.
- There are issues of equity where one landholder obtains an income at the expense of a neighbour and where one landholder destroys or significantly impacts the “quiet enjoyment”, “rest and repose” and visual amenity of a neighbour.
- The establishment of wind farms inevitable reduce land values for both host and non-host landholders alike. This is attested by research and anecdotal comments by landowners and real estate agents.
- There is insufficient detail about environmental management (wildlife including birds, bats – several endangered or vulnerable species and the maintenance of tree hollows), management of roads and traffic, the upgrading and maintenance of the currently very poor road network, fire management, water management and the cumulative impacts such a massive project is going to have on the Blayney Shire area.

12. Finally, the community consultation process in the Flyers Creek area has been appalling. It basically amounted to 2 community information days one year ago. Requests for further community forums have been ignored and it is apparent that Infigen preferred the one-on-one meetings with farmers, the result being that a culture of secrecy and community division has developed. Many community members, if they disclose that they are opposed to wind

turbines, have been belittled by the company. While it is difficult to prove without legal affidavits etc there is certainly a thread going through the community that some of the wind turbine hosts feel they were "badgered" and "bullied" into signing contracts without really being aware of some of the conditions of the contract. There does not appear to have been any form of "cooling off" period.

The Environmental Assessment is poor on a lot of details – particularly those pertaining to noise and noise measurement (background and modelled). I am confident that the wind farm in its current form will not be able to meet the Noise Guidelines. Unlike other wind farms that already operational and which are registering significant health impacts on a section of residents in proximity, the Department of Planning NOW has the opportunity to pause the wholesale, seemingly mindless rush to construct wind farms at all costs and make a proper and judicial assessment of the risks, hazards and impacts of the industrialisation of the rural landscape by these wind turbine monsters.

I urge you to take the opportunity to do so. The patience of many rural landholders is wearing thin at the way their wishes and human rights are being ignored.

**The proposal for the FCWF must be rejected as a great many of the Director-General's Requirements has not been met.**

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Dr. Watts', with a stylized flourish at the end.

Dr. Colleen J. Watts OAM