

Mr Geoffrey William Putland
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30th September 2017

Mr Tim Stuckey
Planning Officer
Resource & Energy Assessments/Planning Services
NSW Government Department of Planning & Environment
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SYDNEY NSW 2001

Email: tim.stuckey@planning.nsw.gov.au

Dear Tim,

Re: Modification Request Number 4 for the Glen Innes Wind Farm

As approved by the Department, attached is my additional submission of 11 pages in relation to the Modification Request Number 4 for the Glen Innes Wind Farm.

Would you please confirm by return email to geoffreyputland@gmail.com that you have received the submission.

Yours faithfully



Geoffrey W Putland

ADDITIONAL SUBMISSION IN RELATION TO MODIFICATION REQUEST NO.4 BY THE GLEN INNES WIND FARM

Glen Innes Wind Farm Modification 4 requests approval for:

- Increasing the rotor tip height to 180m,
- Increasing the turbine blade length to 65.8m
- Increasing the width of the access tracks to 12mtrs, and
- Changing the location of some turbine sites.

Glen Innes Wind Farm Modification 4 request should not be approved for the following additional reasons:

Objections, Approval Lapse and Statements

1. All of the 43 submissions received by the Department in relation to Modification 4 opposed it – apart from the Proponent (viz: self-interest) there is no support for the increase in turbine size.
2. The Modification 4 request should not have been accepted by the Department as the approval for the GIWF lapsed in August 2015 (GIWF Modification 3 requested a 12-month extension to August 2015 – Objection submissions were lodged in relation to this 12 month extension request).

As no construction was completed by August 2015 the approval lapsed.

GIWF did not lodge any further time extension requests for the period from August 2015 to January 2017 (viz: a further 19 months to January 2017) – if they had there would have been strenuous objections and most likely court action.

3. Modification 4 does not have the support of the Glen Innes Severn Council – refer to their submission.
4. The EA states that the height of the turbines was increased to 180m at the request of the Office of Environment & Heritage (OE&H) – as this request was not attached to the EA maybe the statement is misleading. If such a request was made by OE&H surely it would have been attached to the EA submission in support of the request. My conclusion is that the request for the turbine height and size increase was solely “commercial” to do with the ability to generate more power to justify the project – this has been confirmed by staff of GIWF to me.

By increasing the turbine height and sweep area 1/3 more power is generated compared to the existing approval. It would appear that the OH&E reference is misleading.

5. All of the changes requested in Modification 4 by GIWF are in breach of the Land & Environment Court decision in relation to the Approval Conditions.

The Minister has no authority to change the Conditions of Approval ruled upon by the Court.

6. Page 1 of the EA quite correctly acknowledges that the approval granted by the Minister was modified by the Land & Environment Court in August 2010.

How can/under what authority has the Minister modified a decision of the Court in previous modification requests by the Proponent.

7. In paragraph 1 of the EA at part 3 it correctly states that Modification 3 requested an extension to the approval by one year (12 months) to August 2015.

Why did the Department give an extension of 29 months to January 2017?

8. The Environmental Assessment does not include a statement that it:

- contains all of the information relevant to the assessment/report, and
- that the information in the report is neither false nor misleading, or
- complies with S6(f) of the EP&A regulation.

Clearly such statements should be made where parties are relying on the report.

Clearly the best alternative is to comply with S6(F) of the Regulations even if the Proponent raised a technical argument that it didn't need to.

The Regulation is quite explicit about a number of things that **MUST** be part of an EIS. One of those, according to Schedule 2, is that it **must** contain:

S6(f) a declaration by the person by whom the statement is prepared to the effect that:

- (i) the statement has been prepared in accordance with this Schedule, and
- (ii) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and
- (iii) that the information contained in the statement is neither false nor misleading.

On p ii, the EIS contains the following declaration:

"The declaration relates to the submission of this Environmental Assessment prepared for Glen Innes Windpower Pty Ltd in respect of a proposed wind farm site at Glen Innes, NSW.

The opinions and declarations in this document are ascribed to Environmental Property Services (EPS) and are made in good faith and trust that such statements are neither false nor misleading.

In preparing this document, EPS has considered and relied upon information obtained from the public domain, supplemented by discussions between key EPS staff, representatives from Glen Innes Windpower Pty Ltd and other consultants."

It is obvious from inspection that the declaration does not comply with any one of (i), (ii) or (iii) of s6(f).

There is no statement that the EIS has been prepared in accordance with Schedule 2 [s6(f)(i)].

There is no statement that it "contains all available information that is relevant to the environmental assessment of the development" [s6(f)(ii)]. There is no statement "that the information contained in the statement is neither false nor misleading" [s6(f)(iii)].

Visual Impact

9. Figure 3-1, on page 25 of the EA, should be expanded to include, and be overlaid with, the White Rock Wind Farm turbines so that a complete picture of the visual and noise impact on residences in Matheson Valley and Furracabad Valley can be determined.
10. Any conclusions drawn in the Visual Impact Report prepared by Green Bean Design (GBD) should be rejected by the Department as:
 - the report was prepared without a site visit,
 - no discussions were held with affected residences,
 - it contains numerous errors and inaccuracies (because a site visit and discussions were not held) and;
 - numerous statements/conclusions made by GBD are not supported by the detail in the report.

Clearly the most fundamental requirement of preparing a Visual Impact Report is to VISIT THE LOCATION. The Department is left with no alternative but to completely disregard this report and request the Proponent to prepare a new Visual Impact Report by another party.

11. The visual report by GBD is also defective because it does not address adequately and comprehensively the combined Visual Impact of the GIWF and WRWF – a fundamental flaw. It merely repeats some "old words and conclusions" prepared for the WRWF.

12. The report by GBD should have also assessed the Visual Impact from the original turbine approval in August 2010 to Modification 4 – not Mod 2 to Mod 4. As this was not done the Department should request a further study be completed by the Proponent.
13. Visual – The visual assessment by GBD is stated as being “theoretical”, which is correct, as they have not visited the site. Now that the neighbouring WRWF is substantially constructed it is possible to get an ACTUAL visual impact of what the effect of the Wind Farm will be like. Clearly the current visual report is not relevant and a new visual report should be done which, as a minimum, would include site visits and extensive discussions with landowners with their concerns which are to be documented in the EA.
14. The EA/GBD report states:

“The viewing of additional hubs does not increase the visual impact of the approved wind farm” and,

“the proposed turbines are not considered to give rise to an increased level of visual magnitude over and above the approved”.

How can such a conclusion be drawn – this goes to the credibility of these reports. Seeing more hubs and increased sweep area clearly increases the visual impact.
15. The EA/GBD report also states:

“Visual mitigation (including landscape works) would provide screening for a number of dwellings surrounding the approved wind farm site in accordance with the conditions of consent”.

How can this statement be made when GBD DID NOT make a site visit. Goes to the credibility of their report.
16. The EA/GBD report also states:

“The visual impact assessment shows that while the proposed modification would result in a discernible change (my underlining) from some locations, these would not be of a magnitude that would significantly increase the approved visual impacts”.

Clearly if there is a discernible change there would be significant increase in visual impact. Goes to the credibility of the report.
17. Cumulative Visual Impacts at Section 3.2.2 of the EA states:

“Green Bean Design prepared a cumulative impact assessment for the White Rock Wind Farm that considered turbines at Glen Innes, White Rock, Sapphire and Ben Lomond wind farms (Green Bean Design 2011 - my underlining)

2011 was before the WRWF was substantially constructed – my words.

"Green Gean Design (2011) concluded that "the White Rock wind farm would not result in significant 'direct', 'indirect' or 'sequential' cumulative impacts when considered against any known existing or proposed wind farm developments, including the Glen Innes, Sapphire and Ben Lomond wind farm projects. Visibility between approved and proposed wind farms is influenced by undulating landform and tree cover within and beyond the White Rock 10km viewshed".

"The key to wind farm cumulative impact is the extent of visibility between separate project's turbines. Visibility is dependent on turbine location, height, local topography, intervening vegetation and distance to the viewpoint. Of the four wind farms considered in Green Bean Design (2011), Glen Innes and White Rock wind farms are by far the closest together. The report notes that while there is a low direct cumulative impact between the two farms from all residences, there would be some indirect cumulative impacts where turbines from both projects could be seen from individual residence, albeit not from the same field of view and at some distance".

This conclusion defies logic when the facts are considered.

One can only assume that this conclusion was made without a site visit, or if a site visit, prior to the WRWF being substantially completed.

As the Department knows from their recent visit, there is a significant cumulative visual impact arising from the WRWF and GIWF on residents.

18. Shadow Flicker – The EA confirms that shadow flicker from the Mod 4 increased turbine size will exceed the approved limits. Accordingly, the increased turbine size should not be approved. Also, any approved turbine should be fitted with flicker management software to limit flicker to within the approved conditions.
19. Visual Effect – It is generally accepted that a 5% to 10% change in a particular criteria is/has a material effect.

This Modification No 4 request for larger turbines results in:

- a) a 32% increase in Sweep Area,
- b) a 24% increase in Hub Height,
- c) a 20% increase in Tip Height, and
- d) a 15% increase in Rotor Diameter

These changes are all increases, not lessened by some decreases, and all increases are substantially above the 5-10% materiality criteria.

How GBD can conclude in their Executive Summary that:

"The overall assessment of visual effects associated with the GIWF proposed Mod 4 wind turbines is summarised as Low to Negligible. The GIWF Mod 4 wind turbine is not considered to be of a magnitude that would significantly increase visual effects associated with the approved GIWF Mod 2 development"

GBD conclusion is not what an average person's reasonable conclusion would be.

Visual increases of 32%, 24%, 20% and 15% will have a material/substantial Increased Visual Effect. Figures 4, 5 and 6 in GBD report (attached as pages 12, 13 and 14), which are attached, clearly illustrates this fact and as such Mod 4 cannot be approved.

GBD at section 7.1 goes on to state:

"Within the parameters of normal human vision, the proposed Mod 4 wind turbines are not considered to give rise to an increased level of visual magnitude".

AN AVERAGE REASONABLE PERSON LOOKING AT THE ATTACHED FIGURES 4, 5 AND 6 FROM THE GBD REPORT (ATTACHED AS PAGES 12, 13 AND 14) WOULD CONCLUDE THAT MOD 4 WOULD GIVE RISE TO AN INCREASED LEVEL OF VISUAL IMPACT.

20. Wire Frame Models in GBD Report

A physical inspection of the constructed wind towers of the WRWF clearly demonstrates the misleading nature of the Wire Frame Models in the GBD report.

21. GBD in their report state that 19 residential dwellings will see additional turbines as a result of Mod 4, caused by the increased turbine size – this is not a minor impact as concluded by GBD.

22. In Section 5.1 of the GBD report, GBD acknowledge the recognised limitations of their theoretical diagrams.

As a result, limited/no reliance should be placed on GBD report by the Department.

23. In GBD report at Table 7 the conclusion is drawn, notwithstanding the substantial increase in the bulk of the proposed new turbines, that ALL 23 properties have an unchanged visual rating. Any reasonable man would conclude that the properties closest to the turbines would have a changed visual rating.

The validity of conclusions in Table 7 must be challenged by the Department as some are clearly wrong.

24. In Section 7.5 of GBD report the conclusion is drawn that for residences in Matheson Valley the cumulative effect of the WRWF and GIWF would be low.

A drive up Matheson Valley, as the Department has done, confirms that the conclusion of GBD is incorrect.

25. Notwithstanding, the severe limitation of the Wire Frame Models in GBD report a review of all the diagrams clearly indicates that Mod 4 substantially increases the visual effect over Mod 2. The conclusion by GBD that there is no substantial increase in visual effect is not supported by the Wire Frame Models.

26. The original EA, and subsequent modifications have assessed the Visual Impact on 14 of the 23 surrounding residences within 3klm as high.

It isn't logical that the Visual Impact for those residences originally rated as less than high have not been further impacted by an increase in sweep area of 96% on 37.5% taller towers.

Also, those previously rated as high would now be extreme.

Consultation

27. Consultation

At Section 3.10 of the EA a comment is made that GIWP notified the Community Consultative Committee (CCC) on 26th April 2017 that it had selected a Wind Turbine Design – notifying a decision is not consultation.

I am a member of the CCC, the meeting was called at very, very short notice, the proposed agenda did not include an item that it would be notified of the turbine selection or that a resolution would be put requesting support for the taller tower and longer blades.

I find it difficult that the members of the committee, present at the meeting, could support a motion approving Mod 4 when the EA in support of the increased turbine size had not even been prepared. What information did the committee members consider and rely upon in making their informed decision. When the next CCC is called I will request an item on the agenda to withdraw the support of the Modification 4 until each member has had an opportunity to properly assess it viz: read the entire EA (250+ pages) and all of the 43 submissions lodged against the modification.

As I have fully read and assessed the Modification 4 request I will not support its approval at that CCC meeting.

It should also be pointed out that Alan Fletcher, a wind farm landowner, was involved in putting this motion as well as voting for it without declaring his conflict of interest.

I hasten to add that I do not object to Alan Fletcher being a member of the CCC, it is entirely appropriate that he can be a member of the CCC, but he must, like any committee member, declare any conflicts of interest when motions are being considered. Unfortunately, Alan did not declare his conflict of interest.

But most importantly, the CCC should not be either supporting or opposing the GIWF or any modification request – it should be neutral. The CCC role should be to purely provide “facts and information” to the community and then let community members make up their own mind independently.

Nexif/GIWP in requesting the CCC to support Modification 4 has substantially compromised the standing and independence of the committee. The CCC should clearly rescind their support of Mod 4 – although the damage to its independence is already done.

It is also interesting to note that none of the committee members who voted to support Mod 4 lodged private submissions supporting Modification 4. Although I am a committee member, but was not at the relevant meeting, I have lodged submissions against Mod 4.

28. Glen Innes Community Consultation Committee Minutes

If the minutes attached to the EA, as Appendix 6, is a correct record of what was said by David Brown of Nexif/GIWP to the committee, then David Brown has misled the committee. David is recorded as saying that the blade tips were only 10 metres above ground level – this is false; the current approval has the blade tips 29 metres above ground level.

David is also quoted as saying that the Office of Environment & Heritage (OE&H) has recommended blade tips be 20 to 25 metres above ground level to provide safety for migrating birds. Firstly, there is no evidence provided that OE&H recommended a 20 to 25 metre ground clearance height, but if they did, then the current approved turbines comply with OE&H recommendation as the current approval has blade tips 29 metres above ground level.

If the minutes are not a correct record of what David told the meeting then the Proponent/David should immediately tell the Department, publicly recall Appendix 6 from the EA and advise all relevant parties and advise the CCC Committee Chairman of the error in the minutes. If David/Proponent does not take these actions he is confirming that the minutes accurately record what he said.

So that there is clarity going forward, it is now essential to request OE&H to advise what they actually did or didn't recommend in relation to hub heights and turbine configurations. Without this information we do not know whether the EA is misleading in this regard or not.

Environmental Matters

29. The proposed substantial turbine height and sweep area increase will severely impact on the ability of aerial fertilizer spreading on properties close to the wind arm.
30. The proposed substantial turbine sweep area increase (96% increase from the original approval and 32% from Mod 2) will significantly increase bird and bats strike.
Increased bird and bat strikes are totally unacceptable.

31. A request to increase the access track width from 8m to 12m is a 50% increase- this is an unacceptable increase in the damage to the environment and cannot be approved.
32. The EA considers how the environmental and social impacts of Modification 4 compare against that which was assessed by Aurecon in 2014.

This comparison is incorrect, the comparison should be against the Original EA when the approval was initially granted.

33. Biodiversity – In Section 3.6 of the EA the conclusion is drawn:

“Extensive reassessment of ecological impacts is not considered to be warranted, as impacts (particularly to birds and bats) are expected to be reduced further when compared to the approved design”.

With this Mod 4 request, although the ground clearance from the blade tip increases from 29m to 41.5m (and it is very questionable whether this will be of benefit to every bird and bat species) the sweep area increases in size by 32%. Clearly if there is any benefit from the increased ground clearance it would be more than offset by the increased sweep area – the bit birds and bats fly into.

It is illogical that an increased sweep area results in reduced impacts. Extensive reassessment of ecological impacts is required.

34. The increased sweep area of the proposed turbines is likely to increase the overall threat to birds and bats, not reduce it, as claimed in the EA.

35. On page 45 of the EA it is stated:

“Nexif (should be GIWP – my words) chose an alternative design with taller turbine towers to substantially reduce this potential impact (bird and bat strikes – my words) even when compared to the approved design parameters”.

If Nexif/GIWP were really concerned about bird and bat strikes (as they claim) by going for taller towers, then to continue with their concern, they should have selected “smaller blades” but instead they selected longer blades over those in the current approval. Smaller blades equal smaller sweep area – what happened to the concern for birds and bats.

Sweep area size has a direct correlation to bird and bat strikes – a larger area means more strikes.

It goes to the heart of the integrity of the Proponent when reasons are given to support a requested amendment, when everyone knows (including the Department who advised the community meeting on Wednesday 27th July) that the reason for Modification 4 is to produce more power and therefore make more money. At least if the Proponent was honest they would have more credibility in the community.

At 3.8 of the EA it states:

"The nominal electrical generation potential of the selected turbines is 33% higher (my underlining) than ---- for Modification 2".

If Mod 4 is not driven by commercial imperatives then Nexif/GIWP should immediately withdraw it.

Noise Impact

36. Noise – Sonus advise that the turbines proposed will exceed the Noise Guidelines at some residences at certain wind speeds. This is unacceptable; therefore, the Modification should not be approved.
37. Noise –In the EA Sonus advise that they assessed the noise levels under the SA Wind Farm Environmental Noise Guidelines 2009 (Modified) NOT the NSW Industrial Noise Policy. However, ongoing noise monitoring is under the NSW Industrial Noise Policy. Why the conflict in assessment? Surely the same Guidelines must be used.
38. The noise assessment has not considered the combined noise effects on residences of both the GIWF and WRWF. Surely this is a major flaw in the EA assessment process and must be completed.

The combined noise effect is a major issue for residents.

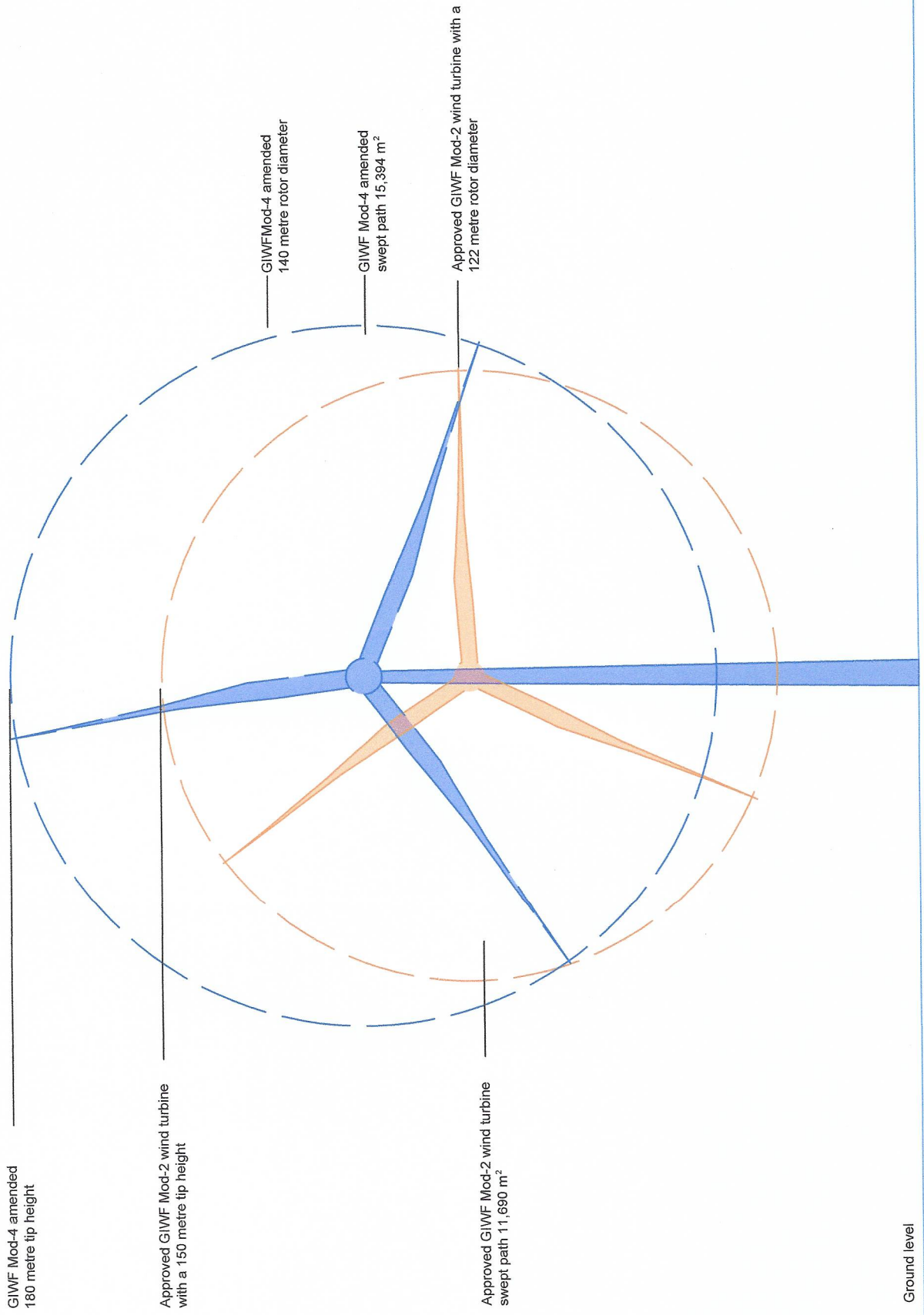
Other Matters

39. Figure 3-1, on page 25 of the EA, is incorrect as it does not identify Allan Fletcher's property as an Associated Residence.
40. The EA does not deal adequately with Non- Wind Farm Land Owners Residential Rights – a flaw in the EA.
41. The proposed new turbines requested in Mod 4 will generate more power than the level agreed to in the original approval which was a decision of the Land & Environment Court. The Department cannot approve Mod 4 as it would be in breach/attempt to overrule a Court decision.
42. Why wasn't this Modification request assessed against all of the NSW Guidelines for Wind Farms by the Proponent – this is a deficiency in the EA and should be corrected by the Proponent.
43. If you review the reasons given by the Proponent for justifying the previous modifications viz: 1, 2 and 3, you will find that none, or at least very few, have turned out to be correct. Does this say anything about the integrity and honesty of the Proponent? Will the reasons given to support and justify Mod 4 turn out to be correct?
44. A Transmission Connection Agreement with Trans Grid has still not been entered into.

45. Aviation Hazard – As the proposed turbines are above 150m and in close proximity to the Glen Innes Airport and numerous private airfields/runways the turbine size increase should not be approved.
46. Although the GIWF is being built on primary production land, the surrounding land, especially in Furracabad Valley, contains many “lifestyle” rural residential properties which will be negatively impacted by the increased turbine size.

Glen Innes Wind Farm Mod 4 Visual Impact Assessment

Figure 4- Approved GIWF Mod-2 and proposed Mod-4 wind turbine comparison

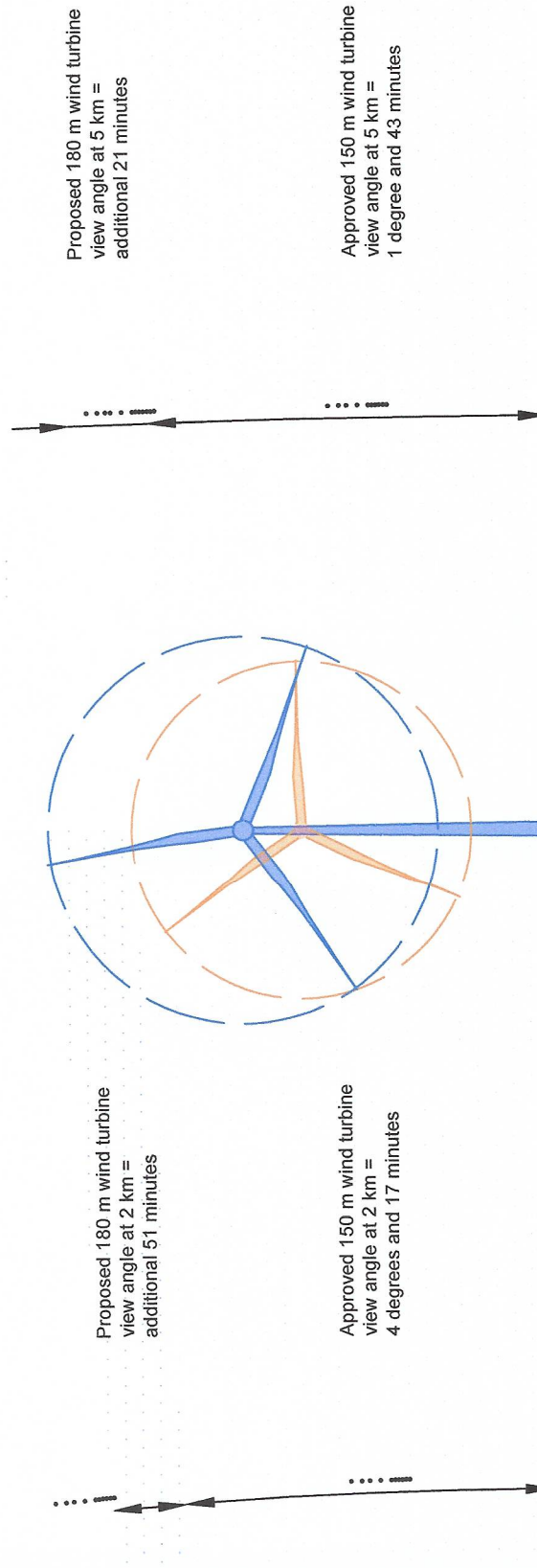


Orange line = view line toward tip height of approved Mod-2 wind turbine (150 metres)
 Blue line = view line toward tip height of proposed Mod-4 wind turbine (180 metres)



Comparative height of approved GIWF Mod-2 and proposed Mod-4 wind turbine from a 2 km view distance

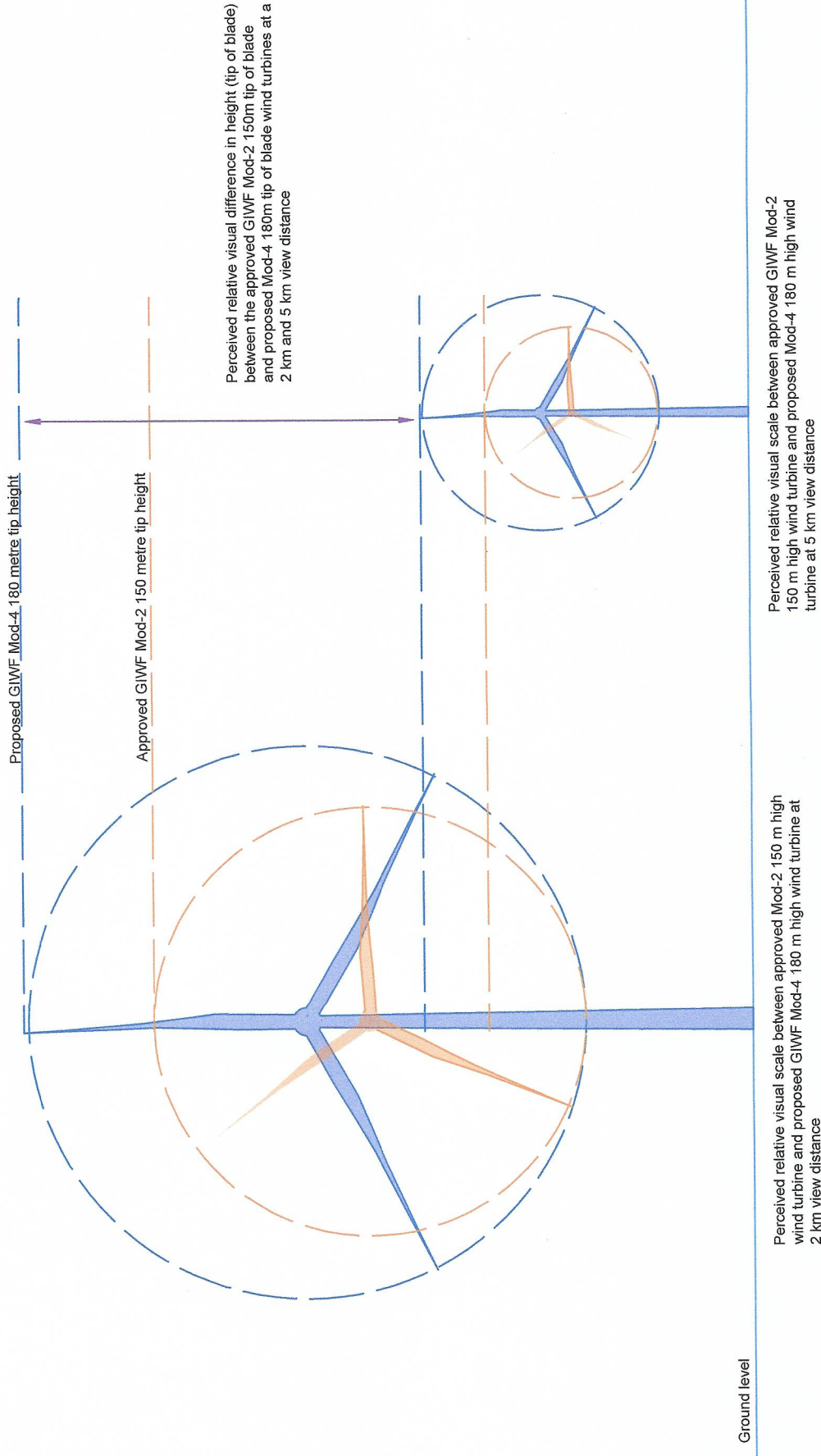
Comparative height of approved GIWF Mod-2 and proposed Mod-4 wind turbine from a 5 km view distance



View angle toward approved GIWF Mod-2 and proposed Mod-4 wind turbine tip of blade from a 5 km view distance

Figure 5 - Approved GIWF Mod-2 and proposed Mod-4 wind turbine view angle comparison

Glen Innes Wind Farm Mod-4 Visual Impact Assessment



Glen Innes Wind Farm Mod 4 Visual Impact Assessment

Figure 6 - Approved GIWF Mod-2 and proposed Mod-4 wind turbine comparison at 2 km and 5 km view distance