

To: ESCOSA [REDACTED] escosa@escosa.sa.gov.au

Re: Waterloo Wind farm stage 2 Application to Vary Generation License and add 6 turbines (V117)

From: Waterloo & District Concerned Citizens Group

Mr John Faint –Chair, Mrs Julie Quast - Secretary

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

Thank you for this opportunity to make this submission regarding the application to vary the Generation Licence of Waterloo wind farm Pty Ltd in order to construct 6 additional turbines (Vestas V117 model).

Waterloo & District Concerned Citizens Group was formed in 2009 to represent the local community in dealings with the developing wind farm. The committee consists of 6 members representing approx. 270 residents within 10km of the wind farm. Our aim has been to advocate for residents in trying to resolve ongoing issues created by the construction and operation of the wind farm. We also advocate for turbines being sited further from homes as this will alleviate many of the problems. Unfortunately the wind farm owners and operators have not been as open and transparent as we would have liked nor willing to address complaints with the integrity and honesty that is expected of a good corporate citizen.

We feel this application to vary the Generation License of Waterloo Wind Farm Pty Ltd should be refused because of Major Planning Faults and inconsistencies with standards applied to other wind farms in SA. Waterloo wind farm Pty Ltd has sited its turbines closer together than any other wind farm approved in SA. This may well be why this wind farm has generated so many complaints. The six larger turbines for Stage 2 cannot legitimately be accommodated on the site due to likely noise and shadow flicker impacts, inter-turbine spacing is too close, Safework SA /DPAC/ Statewide wind farms DPA recommendations, “Do Not Stay” zones and blade over-sail constraints are not implemented.

The application should also be refused on the grounds that the company has a history of not meeting its obligations to be open, honest and transparent in its complaint handling and relationship with neighbouring residents.

Supporting Information

1. The company attitude has been a problem not only for the residents and WDCCG but also for the Clare & Gilbert Valley Council as evidenced by Mayor Aughey’s testimony to the SA Select Committee on Wind Farms (see Attachment 1 - **Clare and Gilbert Valleys Council Experiences with Waterloo wind farm employees and management**
See also the full transcript - Attachment 2 - **SA SELECT COMMITTEE WF CLARE HEARING**)

2. Waterloo wind farm has been the subject of hundreds of ongoing complaints about audible noise, low frequency noise, infrasound and vibration despite the Operator's claims to the contrary. Evidence for over 800 complaints in a 10 week period can be seen in the SA EPA's Waterloo noise study weekly diary summaries.
http://www.epa.sa.gov.au/environmental_info/noise/types_of_noise/wind_farms/waterloo_wind_farm_environmental_noise_study/summaries_of_noise_diaries
3. Affidavits from some affected residents are provided at the end of the attachments.
4. The Company did act on a few complaints made very soon after the Wind farm started operating. Monitoring equipment was set up at 3 houses by Marshall Day Acoustics on behalf of the wind farm. Residents received no feedback from these complaint investigations until 18 months after the equipment was taken away. Finally when Senator Nick Xenophon made a request to the company on behalf of the residents, a brief summary of the testing arrived. At house 24, the house was "deemed compliant" even though it is clear from the graphs and information given to the resident that the noise is exceeding the guidelines when the wind speed is over 10.5 metres per second. (See attachment **3 "Comments on Compliance Testing at House 24 Waterloo wind farm 2010 – 2012"**).
5. Another resident has had noise monitoring done and has repeatedly asked the company to provide the noise data for his home, but the company refuses to give him anything other than a brief summary. (email chain available on request)
6. A significant amount of acoustic investigation has taken place at the wind farm by The University of Adelaide and by private acousticians (L Huson, B Thorne, S Cooper) who have concluded that residents are disturbed by the high levels of Low Frequency Noise emitted by the turbines. The SA EPA has conducted a 10 week study focusing mainly on audible noise using dB(A) at Waterloo wind farm and concluded that the wind farm met current guidelines. WDCCG remain dissatisfied with the EPA's investigations and conclusions and continue to advocate for the guidelines to include use of dB(Z), impacts on quality of life as well as measurement of infrasound, low frequency noise and vibration inside homes where people are trying to sleep.
7. Residents and private acousticians agree that the Sleep disturbance caused by Low Frequency noise and vibration of people's floors, walls and buildings is more of a problem than the **averaged audible noise level measured in dB(A)** by the EPA and wind farm's private acoustic consultants - Marshall Day Acoustics. Hence changes to the way wind farm noise is assessed are needed. People are not awakened by averages, but by peak levels.
8. Unfortunately SA EPA guidelines do not require Low frequency noise or vibration to be measured - unlike UK and Danish guidelines. The Waterloo people are still disturbed by the emissions despite the fact that we are told that the audible guidelines are being met. WDCCG supports further research into wind farm acoustics and the recent appointment of the National Wind Farm Commissioner and Scientific Committee.

9. Of course, these problems would not arise if the turbines were sited further away in the first place. The Stage 2 turbines are proposed as close as 1.4 km to the nearest residence despite the fact that residents 3.3 km away from the Waterloo wind farm have had to vacate their homes. Affidavits from impacted Waterloo residents who live from 1.3 to 8 km are attached to this submission.
10. The Developer is now planning to construct Stage 2 of the wind farm using a significantly larger turbine (Vestas V117) than they applied for in their 2012 Development Application. (Vestas V90)
11. No application to vary the turbine model to use V117s and layout has been received by Clare and Gilbert Valleys Council to date.
12. Noise and shadow flicker modelling provided to the Clare and Gilbert Valleys Council Development Assessment Panel for Vestas V90 turbine is not relevant or valid for the V117 turbine. V117 impacts are likely to be greater than V90 due to increased tower height, blade length and rotor diameter.
13. No updated noise prediction reports or shadow flicker reports have been provided to neighbours or the Clare Council to indicate the impact on nearby property owners.
14. V117 turbines cannot be sited using the layout provided in this Application as the turbines are sited too close together according to the Manufacturer's specifications.
15. Vestas specifies that their turbines must not be sited less than 3 rotor diameters apart. For V117s the minimum spacing distance is 351 m apart.
The layout provided in this Application shows V117 turbines as close as 250 m apart. It appears from the map provided in the Application that all turbines are less than 351 m apart. (See attachment 4 **"WWF2 turbine spacing less than 3 rotor diameters"** and Attachment 5 **"Vestas spacing specifications"**)
16. Turbines sited less than 3 rotor diameters apart are subject to greater turbulence from neighbouring turbines. This increases the noise produced and also increases the wear and tear on the turbine leading to a shorter lifespan of components and increased risk of turbine failure.
17. Squeezing more turbines into the space will inevitably increase the noise level relative to fewer turbines just as 6 motorbikes make more noise than 4 motor bikes in the same space.
18. The Applicant has provided the map....[Electricity Generation Licence Variation – Waterloo Wind Farm Pty Ltd - SitePlans](#)
This shows a very narrow view and misrepresents the environment surrounding the turbines. It is not evident from the map provided in the Application that there are 12 houses within 2 km of the proposed stage 2 turbines.
It is not evident from the Site plan provided in the Application that the turbines are so close to the neighbouring properties belonging to the 3 families who are not stakeholders in the

project and will no longer have safe or quiet enjoyment of a significant proportion of their property.

19. See map below from Energy Australia's 2012 Development Application for Waterloo Stage 2. Figure 5-1 Planning. This gives a much more representative view of the wind farm site and surrounds and shows how unacceptably close the turbines are sited to local houses. There are 12 houses within 2 km.

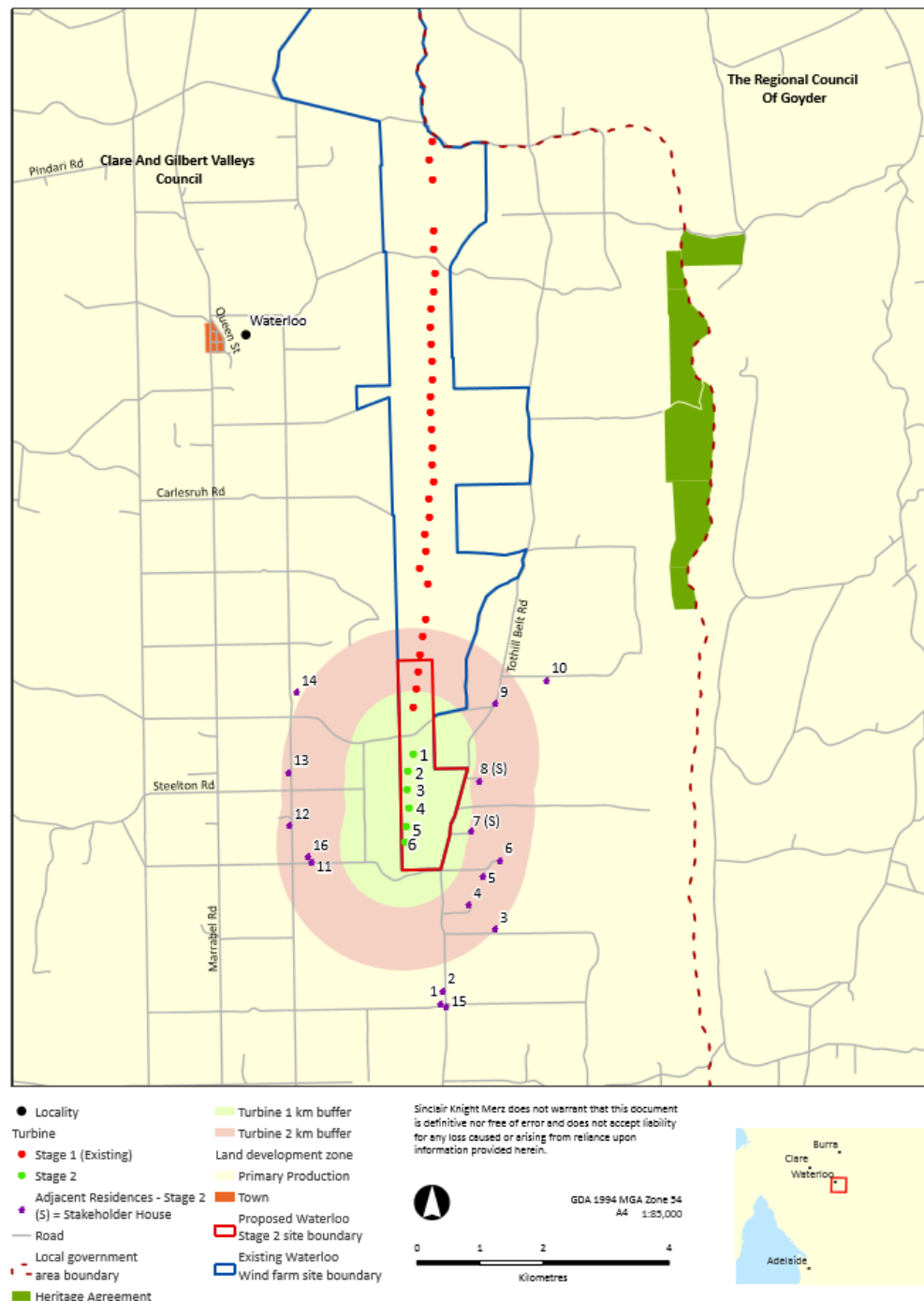


Figure 5-1 Planning



20. The setbacks to houses for the Waterloo stage 2 development are insufficient, inconsistent with and significantly less than the 2 km setbacks for the neighbouring Stony Gap wind farm (proposed by the same developer and operator of the Waterloo wind farm stage 1 – Energy Australia). Residents at Waterloo should be allowed the same 2 km setbacks as Stony Gap residents. (see Attachment **6 ENERGY AUSTRALIA letter – Accepts Goyder Council revised SGWF plan**)

Turbines are sited too close to neighbours' boundaries. Turbine blades will over-sail neighbours land. This is an unacceptable hazard according to SAFEWORK SA submission/DPAC report and the 2012 Gazetted Ministerial Wind farms DPA (see Attachment 7) because of the risk of turbine failure.

"addition of policy that seeks that wind turbines be setback from dwellings, tourist accommodation and frequently visited public places (such as viewing platforms) a distance that will ensure turbine failure does not present an unacceptable risk to public safety"

21. Neighbours should not have to be subjected to whirring blades immediately overhead whilst utilising and enjoying their property.
22. Turbine workers are advised of a "Do Not Stay" area within 400 m of a turbine where they should not linger in case of turbine or blade failure or drop hazards– (see Attachment 8 - **"DO NOT STAY ZONES"**) Turbines should therefore be sited a minimum of 400 metres from property boundaries so that neighbours can use their whole property and not have to stay away from any area within the topple zone or drop hazard zone of a turbine.
23. Wedge Tailed Eagle nest set backs are also inconsistent with other wind farms developed in SA. Wedge Tailed Eagles nests at all other wind farm sites (except Energy Australia's local wind farms) are given a 500 m year round buffer from turbines. Waterloo wind farm Pty Ltd allows an inadequate buffer of 180 m, but only at nesting time during construction. Bird impacts are not just about "turbine strike", disturbance is also a major factor. If given the same buffer as all other SA wind farms, turbines 5 and 6 could not be constructed as they are within 500 metres of an existing Wedge Tailed Eagle nest.
24. **Standard of Honesty and Integrity shown by Officers and Major Shareholders of the Applicant.** Waterloo residents have found the company to be deficient in dealing with the neighbouring community. The following list describes behaviour which warrants improvement:

Offhand handling of complaints
Taking a long time to reply to letters and emails
Not replying at all to letters and emails
Not answering the phone
Not returning phone calls

Not providing noise data to residents despite repeated requests (email chain attachment available on request)

Not providing requested operational data to Adelaide University researchers

Not providing noise reports in a timely manner - 18 months after noise monitoring done, 2 years after the noise started and only after receiving request from Senator Nick Xenophon

Making derisory and derogatory comment in the media about complainants

Trivialising residents' complaints, concerns and feelings

Responding to verbal complaints in a public meeting that – “you can’t prove that noise and vibration is coming from the wind farm” and “we are compliant with the guidelines so it doesn’t matter that you find it noisy”

Not providing montages of turbine proximity to properties in a more timely manner

Misrepresenting the amount of noise that the turbines would generate to the community.

The Waterloo and Districts Concerned Citizens Group requested TRUenergy the operators of the wind farm to turn the turbines off at night during sleeping hours, but they refused

Conclusion:

For the above reasons we submit that the proposal should not proceed in its current form and the application should be refused.

If a licence were to be granted, greater consideration must be given to ensuring that Safework SA/Wind farms Public safety DPA requirements, Planning deficiencies and inconsistencies, Manufacturers Specifications for spacing and safety requirements, noise and shadow flicker impacts are all adequately assessed and implemented.

Setbacks from houses should be a minimum of 2 km - the same as those established in the Regional Council of Goyder, recommended by DPAC and agreed to in writing and in the ERD Court by Energy Australia.

Turbines must be sited so that blades do not over-sail the neighbouring properties.

Turbines must be sited so that neighbours and their children can safely utilise their entire property without having to wear a hard hat and be inducted by the company because their property is within 400 metres of a turbine.

Other conditions we would like to see written into any licence given would include:

- improved company attitude to the immediate local community,
- provision of background and post construction noise monitoring data on request
- a more user friendly and transparent complaints process
- a more private and confidential local forum for dealing with local community concerns rather than the very public existing Community Liaison Group (CLG) which attracts non-resident members from outside of the Waterloo district.

Please contact us if you require any further information.

Signed by John Faint Chair WDCCG and Julie Quast Secretary.

Clare and Gilbert Valleys Council Experiences with Waterloo wind farm employees and management

Evidence of Clare and Gilbert Valleys Council Mayor Allan Aughey to the SA Parliamentary Select Committee into Wind farms July 2013 Page 211 Paragraphs 2 – 6

For Full Hansard see Attachment LEGISLATIVE COUNCIL SELECT COMMITTEE ON WIND FARM DEVELOPMENTS IN SOUTH AUSTRALIA 17 July 2013

Mr AUGHEY: *"At Waterloo, we have 37 turbines currently established. Permission was granted by a preceding council in 2005, and permission has just been achieved, through our development assessment panel, for a further six on the southern extension to the existing 37. We have dealt with companies such as Hydro Tasmania, the Roaring 40s and Energy Australia, which is a shareholder in the Roaring 40s and has just recently increased its ownership so that now, I understand, it is the controlling shareholder in that company.*

"In our experience in dealing with wind farm proponents, we have found them difficult to deal with. We have found a degree of arrogance; the residents' views have not been, in my opinion, treated with the degree of sensitivity, respect and finesse that they should have been, particularly with a well-funded organisation that is able, one would assume, to amass the correct personnel to be able to better integrate their proposals within country communities, who normally are pretty easy-going and not hard to get along with, I must say.

"I found their community integration inept; I have found their public relations nightmare; and we have found, as a result, that we have been unable to properly negotiate due to a systemic bias here in South Australia.

"We feel that the industry enjoys too many free-kick advantages through the planning process and through many other factors whereby it seems that the process is somewhat easier than many other applications have to suffer. Delays are inevitable even in putting up sheds, agricultural infrastructure and wineries proportional to the value or the costs of the infrastructure— they seem to go through more pain than the wind industry.

"My people are often described, as recently as in the Sunday Mail in Peter Goers column or offering, that if they oppose wind farms they are simply sore because they have missed out on financial advantages in not having turbines on the property. This could not be further from the truth. In my investigations the complainants that we are dealing with are genuine, honest, country folk. They are not liars. In many cases they just want a good sleep. They do not need a bigger bank balance. They have to put up with the stigma of being categorised in a way that is not accurate in any way, shape or form. This should be recognised, not least by the industry who should be making greater efforts to ameliorate their complaints and their genuine issues"

"In summing up, our experience has not been a particularly good one. We have been able to negotiate agreements in terms of road infrastructure on two occasions now quite successfully. I think there is a way forward, but I think this is an area that we have rushed into and we may pay a bigger price down the road because these whirligigs of woe are permanent. They are there forever. We needed to get this better organised and get it correctly balanced before it got to this stage. I am

hopeful that, from here on, this will be a watershed and we may be able to do it better for the sake of the future."

Page 213 Point 783

The Hon. R.P. WORTLEY: I have got four questions, Mayor Aughey. Look, you were quite critical of the utility company that is developing these wind farms. You actually mentioned arrogant. Can you just expand on your experience with the company?

Mr AUGHEY: Absolutely. We found the relationship extremely troubling. They seem to come in and treat it all as a fait accompli and that the fact that they are dealing with renewable energy gives them carte blanche to dictate in almost every way the way they want to achieve their outcome, which is invariably the shortest and the cheapest method, both in time, resources and with an eye on their bottom line profitability. A much better way of doing it would be to be more consultative and more understanding that the nearby communities do have a bigger investment at risk.

Land values and property values are questionable as soon as a wind farm is mooted for any particular area, so the community, even before it gets off the ground, is largely in a state of stress. Whether they are for turbines or against there is an uncertainty that is involved and we have found that, in view of the sensitivity of the community, almost without exception, the degree of arrogance is not warranted and it would be better to come into the process from a wind farm proponent's point of view with an attitude of greater consultancy and understanding.

Comments on Waterloo wind farm Compliance Testing at House 24

M Morris May 2015

These comments relate to wind farm noise compliance testing carried out at “House 24” which is approximately 2.49 km West of the nearest Waterloo wind farm turbine in the Mid North of South Australia.

The testing was carried out by Marshall Day Acoustics (MDA) on behalf of the wind farm operator TRUenergy soon after the wind farm commenced operation in late 2010.

A copy of TRUenergy’s noise summary letter^[1] sent to the residents of House 24 in October 2012 is provided in the following pages. I have added comments in red and purple to this copy of the document to highlight key points

Approval to develop the Waterloo wind farm was granted by the Clare and Gilbert Valleys Council (CGVC)^[2] in 2005 and at the time the development was subject to the SA EPA wind farm noise guidelines 2003 (SA03)^[3] which specified a noise limit of 35dB (A) for wind farm noise.

SA EPA wind farm noise guidelines 2009 (SA09) ^[4] succeeded the previous 2003 version of the noise guidelines. One main difference was that the noise limit for the Primary Production Zone was raised to 40dB(A). Presumably because it was realized that the Waterloo wind farm could not meet the SA03 35dB (A) limit.

Construction of the wind farm did not commence until 2009 and generation commenced in late 2010.

Examination of the following letter from TRUenergy’s Steve Brown dated 8 October 2012 reveals that noise testing was carried out at House 24 during the period 25 November 2010 to 19 April 2011.

The TRUenergy letter arrived **2 years** after the wind farm began generating noise impacts which disturbed the residents and **18 months** after the noise monitoring equipment was removed from House 24.

Results provided by TRUenergy show that during the testing by Marshall Day acoustics **the wind farm noise level was below the SA09 noise limit only when the wind speed at wind turbine hub height was less than 10.5 metres per second.**

When the hub height wind speed was higher than 10.5 m/s, the noise level at House 24 exceeded the 40dB(A) limit and compliance was not achieved. Noting that producing the rated power of Vesta V90 3 MW turbines is only achieved at the much higher wind speed of 18 m/s. A much greater speed than 10.5 m/s.

SA09 specifies that the noise level “*should not exceed ... 40dB (A) at all relevant receivers for wind speed from cut-in to rated power of the WTG and each integer wind speed in between” ^[4]*

CONCLUSIONS

The Waterloo wind farm operators have been in no hurry to communicate noise testing results to impacted residents who have made complaints.

MDA data shows that in 2010/2011 Waterloo wind farm did not comply with the SA 2009 limit of 40dB (A) when wind speeds at hub height were more than 10.5 m/s

MDA have deemed this wind farm to be compliant at House 24 despite their data contradicting this conclusion.

MDA data shows that in 2010/2011 the Waterloo wind farm could not have complied with the SA 2003 limit of 35 dB (A) when the wind speed at hub height was more than 6.5 m/s. Note that Development Approval for Waterloo wind farm was given under the lower SA03 limit and later (2009) adjusted to the higher noise limit.

The SA EPA has allowed the noise limit for the Waterloo wind farm to be relaxed to allow levels of noise that would not be compliant in other Australian States, presumably because the development could not comply with the original conditions of its approval.

The SA EPA have allowed this wind farm to continue to operate despite the fact that noise levels at House 24 do not comply even with the existing guidelines, let alone stricter 2003 guidelines under which the wind farm was originally given development approval.

[1] Letter to Waterloo resident from Steve Brown, TRUenergy, October 2012 [2] Waterloo wind farm Development Approval 2005 Clare and Gilbert Valleys Council DAP [3] SA EPA 2003, *Wind farms environmental noise guidelines*, SA EPA, Adelaide [4] SA EPA 2009, *Wind farms environmental noise guidelines*, SA EPA, Adelaide

POST-CONSTRUCTION NOISE MONITORING RESULT SUMMARY

Waterloo Wind Farm



EnergyAustralia

House reference: 24

Resident Name: Quast

Stakeholder: No

Project Duration: 24

Relevant Standard: SA EPA Guidelines 2009

Period: 25 November 2010 to 19 April 2011

Distance to Nearest Turbine (m): 2,493

Worst case Wind direction: S3-1-1

EnergyAustralia Waterloo Wind

Farm Pty Ltd

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8 October 2012

Mrs. [REDACTED] Quast

Dear Mrs Quast,

TRUenergy Waterloo Wind Farm Post-Construction Noise Monitoring Result Summary

Please find attached a summary report of the noise monitoring that was conducted at your residence between 25 November 2010 and 19 April 2011. The report has been prepared by Marshall Day - Acoustic consultants & noise control engineers. If you believe that a conversation with a representative of Marshall Day would assist in understanding some of the detail in the report I would be pleased to make the necessary arrangements.

I take this opportunity to apologise for the time that has passed between the noise monitoring and the provision of this information.

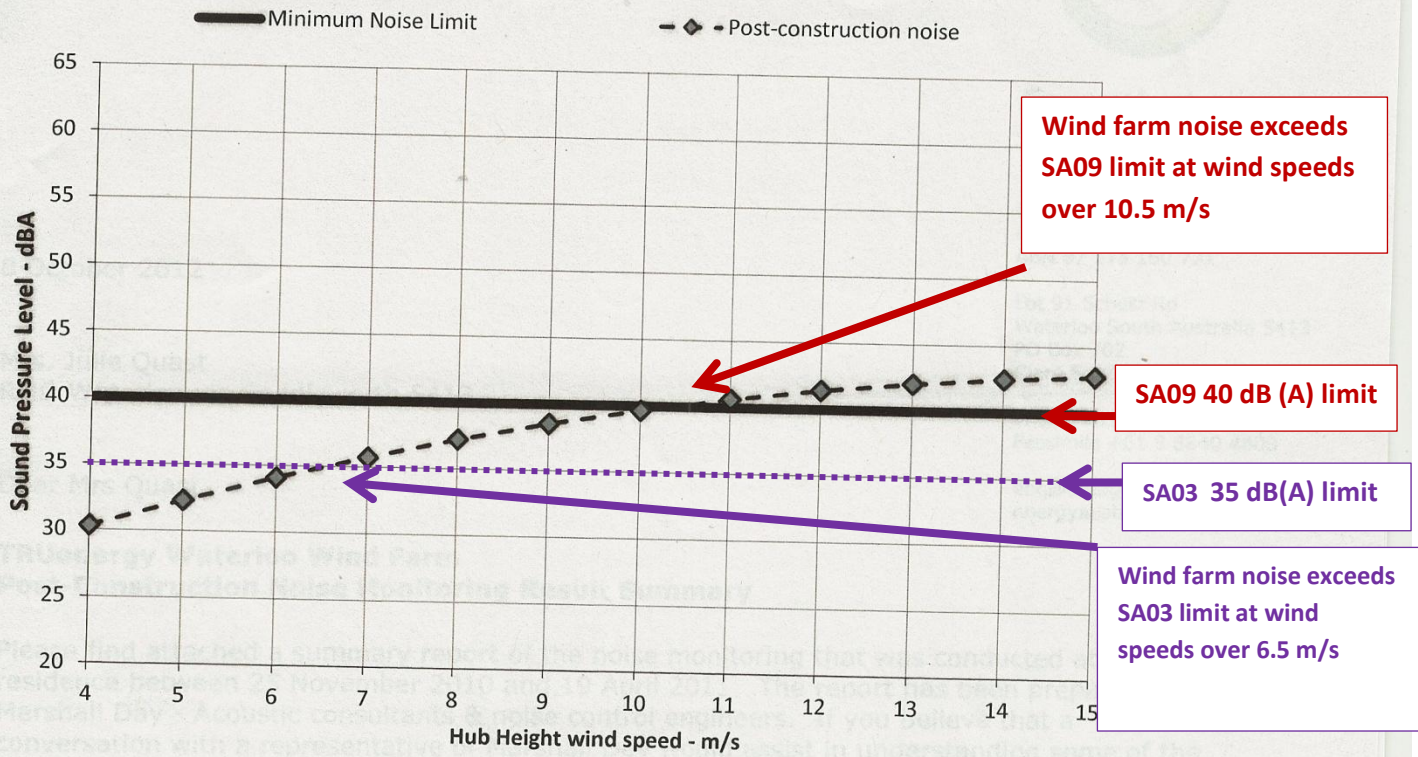
Yours sincerely

Steve Brown
Manager, Asset Services
Operations & Construction
EnergyAustralia

General Comments

Wind farm noise levels could not be derived at this property due to the lack of pre-construction baseline noise level. Further investigations by mDA and the South Australian EPA demonstrated that post-construction levels were highly affected by background noise levels and that compliance with the SA Guidelines has therefore not been achieved.

Noise Levels vs. Wind Speed



POST-CONSTRUCTION NOISE MONITORING RESULT SUMMARY **Waterloo Wind Farm**

House reference 24
 Resident Name: Quast
 Stakeholder: No
 Nearest Turbine: BH

Relevant Standard: SA EPA Guidelines 2009
 Period: 25 November 2011 to 19 April 2011

Distance to Nearest Turbine (m): 2,493
 Worst case Wind Direction: 53-143°

Noise monitoring periods	Easting	Northing	Make	Model	Serial Nb.
25.11.10 – 07.12.10	305,077	6,239,818	ARL	316	16-306-029
25.02.11 – 20.03.11	305,077	6,239,818	ARL	316	16-306-030
25.03.11 – 05.04.11	305,077	6,239,818	ARL	316	16-306-031
08.04.11 – 19.04.11	305,077	6,239,818	ARL	317	16-306-032

Total number of valid data points collected 7,617
 Number of data points used for analysis (worst case wind direction) 3,775
 Wind speed range used for analysis (worst case wind direction) 3.5 to 17.7m/s
 Post-construction regression line of best fit R² 0.19

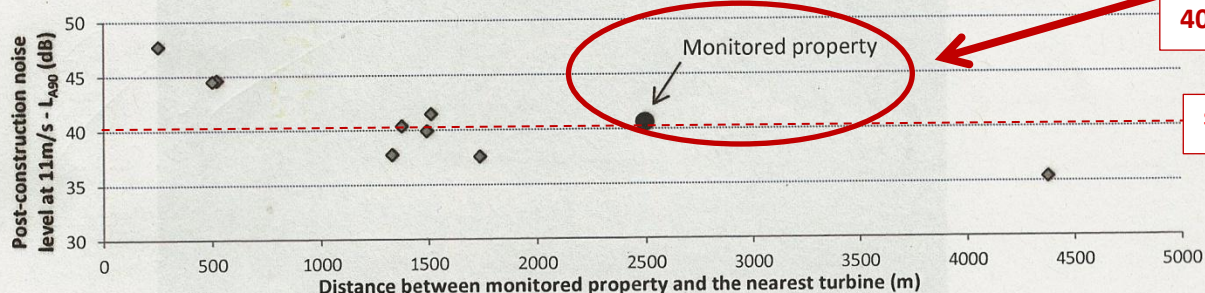
Wind Speed	4	5	6	7	8	9	10	11	12	13	14	15
Minimum Noise Limit	40	40	40	40	40	40	40	40	40	40	40	40
Post-construction noise	30.3	32.3	34	36	37	39	40	41	41	42	42	43
Derived wind farm noise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Compliance	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-

Exceeding
40dB(A) limit

Compliance with the SA EPA Guidelines 2009 achieved? **Yes** (See comments)

Presence of tonality*? No Presence of annoying characteristics*? No

* based on subjective assessment by a qualified acoustic consultant



Exceeding
40dB(A) limit

SA09 40dB(A) limit

General Comments

Wind farm noise levels could not be derived at this property due to the lack of pre-construction background noise levels. Further investigations by MDA and the South Australian EPA demonstrated that post-construction levels were highly affected by background noise levels and that compliance with the SA Guidelines was deemed to be achieved.

Comments from Relevant Authority

Conclusions accepted ☐

Further assessment required ☐

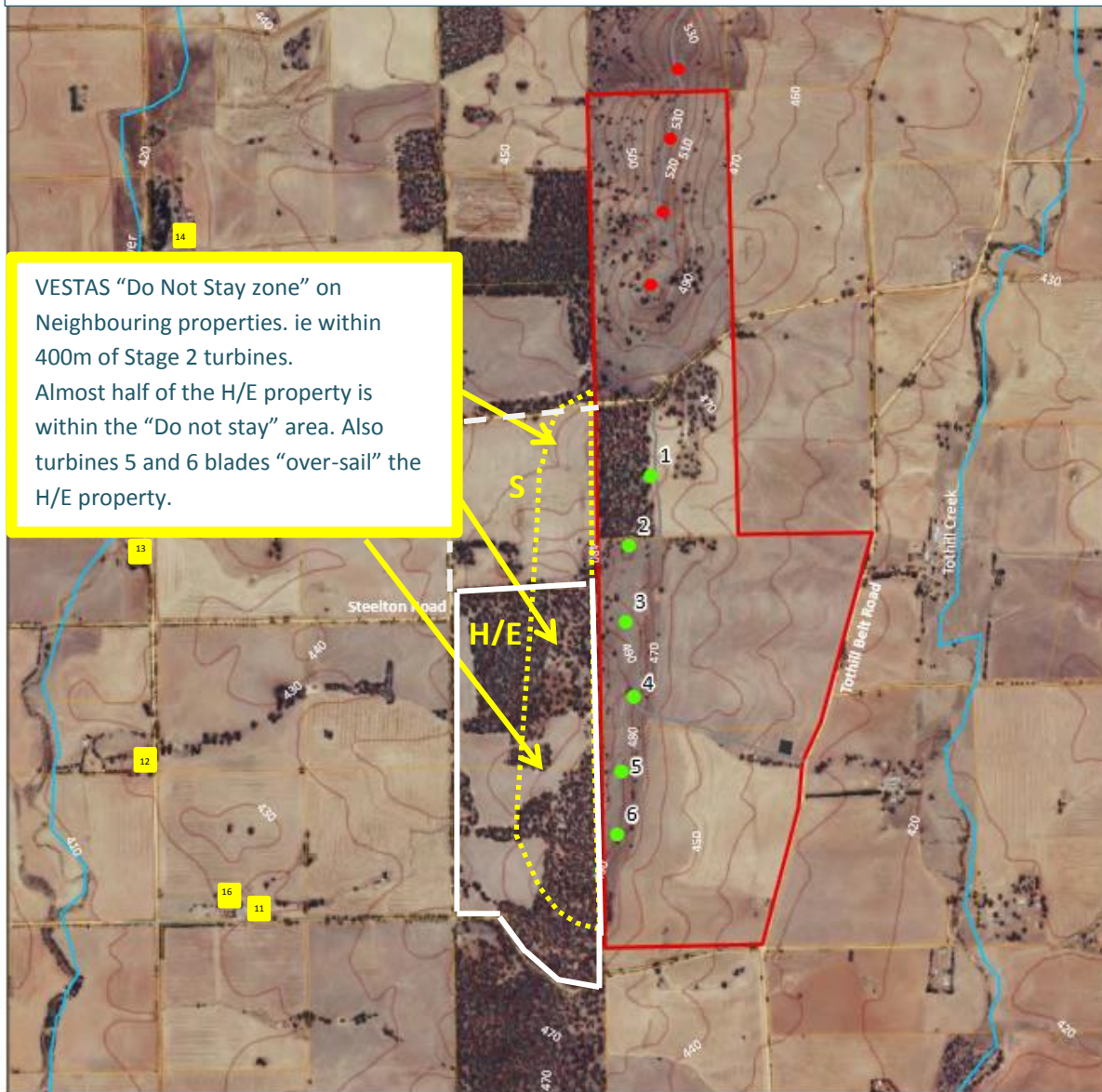
Waterloo wind farm Stage 2 “Do not stay” Zones WDCCG amended map

ORIGINAL SOURCE: 2012 Development Application Figure 13-2 Topography and Watercourses

Yellow features added to SKM Map by WDCCG residents showing Vestas 400 m “Do Not Stay”

zone on Evans/Haydon/Schmaal properties - see footnote *

12 non stakeholder residence



Turbine Location

- Stage 1
- Stage 2
- Road layout
- Watercourse
- Contours (10m)
- Cadastre
- ▭ Proposed Waterloo Stage 2 site boundary
- ▭ Temporary construction laydown area

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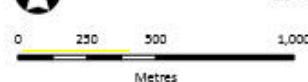


Figure 13-2 Stage 2 Topography & Watercourses



3/07/2012 4:06:38 PM msikewes I:\PINT\Projects\FI30386\Technical\Spatial_Data\ArcGIS\Waterloo Windfarm Figures\Figure 13-2 Stage2 Topography & Watercourses.mxd
Prepared by : MS
Checked by : CG

*“2. Stay and Traffic by the Turbine: Do not stay within a radius of 400m (1300ft) from the turbine unless it is necessary. If you have to inspect an operating turbine from the ground, do not stay under the rotor plane but observe the rotor from the front. Make sure that children do not stay by or play nearby the turbine. If necessary, fence the foundation.” Vestas safety regulations 2009

and SAFEWORK SA recommendations in WINDFARMS DPAC – REPORT 2012
DEVELOPMENT ACT 1993, SECTION 26 (9): STATEWIDE WIND FARMS DEVELOPMENT PLAN
AMENDMENT Gazetted 18 October 2012

“addition of policy that seeks that wind turbines be setback from dwellings, tourist accommodation and frequently visited public places (such as viewing platforms) a distance that will ensure turbine failure does not present an unacceptable risk to public safety”

Excerpt from:

Statewide Wind farms development Plan Amendment pages 24 and 25
Summary of Consultation and Recommended Amendments report 2012
by the Development Plans Amendment Committee DPAC

Failure of Wind Turbines

The submission by Safework SA, advises that wind turbines can fail and that this can result in uncontrolled blade rotation, fire, explosion and disintegration of rotational parts and, in turn, release of flying projectiles. To address this potential it recommends implementation of separation distance requirements (to dwellings, other buildings and public facilities such as viewing areas and roads) based on manufacturer / designer specifications and consideration of the exacerbating effect of sloping terrain.

Safework SA's submission expresses support for policy seeking that wind turbines be separated at least 1 kilometre from a dwelling. However, it expresses opposition to proposed policy that contemplates a lesser separation distance where agreed by a dwelling owner.

For reasons discussed under the heading *Noise and Vibration Produced by Wind Farms and the Impacts of this on Human Health*, DPAC recommends that planning policy seek that wind turbines be sited no closer than two (2) kilometres to a dwelling. However, the question of whether

planning policy should contemplate and allow a dwelling owner to agree to a lesser distance remains.

Whilst it is understood that the likelihood of catastrophic failure of a wind turbine is low, it is considered prudent that planning policy recognise and address the consequences of this. To this end it is recommended that the draft Development Plan Amendment be altered to include policy that seeks that wind turbines be separated from dwellings and public areas a distance which will ensure that wind turbine failure does not present unacceptable risk to safety. Guidance in this respect could also be provided by a non-statutory guide regarding wind farm development.

Recommendations

That the draft Development Plan Amendment include policy that seeks that wind turbines be separated from dwellings and public areas a distance which will ensure that wind turbine failure does not present an unacceptable risk to safety.

9.1 Climate and Site Conditions

Values refer to hub height:

Extreme Design Parameters	
Wind Climate	IEC IIA
Ambient Temperature Interval (Standard Temperature Turbine)	-40° to +50°C
Extreme Wind Speed (10 Minute Average)	42.5 m/s
Survival Wind Speed (3 Second Gust)	59.5 m/s

Table 9-1: Extreme design parameters

Average Design Parameters	
Wind Climate	IEC IIA
Nominal Power	3.3 MW
Wind Speed	8.5 m/s
A-Factor	9.59 m/s
Form Factor, c	2.0
Turbulence Intensity According to IEC 61400-1, Including Wind Farm Turbulence (@ 15 m/s – 90% quartile)	18%
Wind Shear	0.20
Inflow Angle (vertical)	8°

Table 9-2: Average design parameters

9.1.1 Complex Terrain

Classification of complex terrain according to IEC 61400-1:2005 Chapter 11.2.

For sites classified as complex, appropriate measures are to be included in site assessment.

Positioning of each turbine must be verified via the Vestas Site Check programme.

9.1.2 Altitude

The turbine is designed for use at altitudes up to 1000 m above sea level as standard and optional up to 2000 m above sea level.

9.1.3 Wind Power Plant Layout

Turbine spacing is to be evaluated site-specifically. Spacing, in any case, must not be below three rotor diameters (3D).

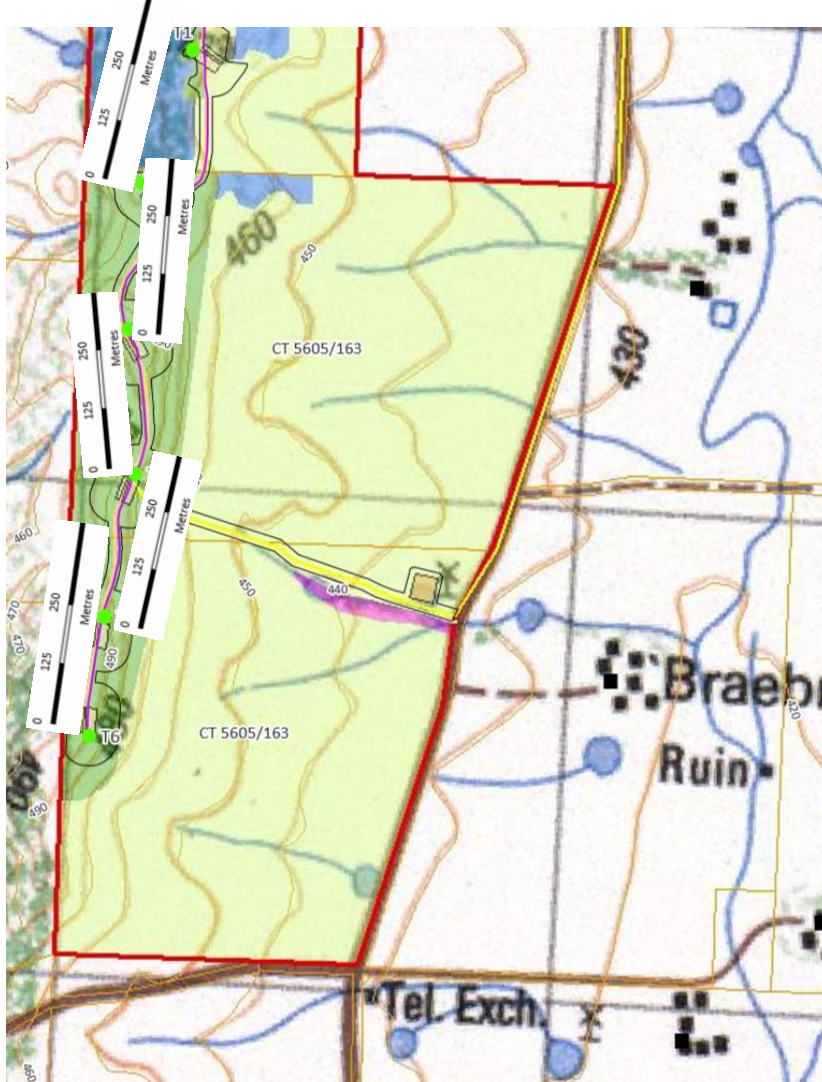
Waterloo Wind Farm Stage 2 Turbines - Spacing does not meet Vestas Specifications.

Vestas V117 are named on the Waterloo wind farm ESCOSA license variation [1] as the turbine to be used for Waterloo wind farm Stage 2. These have a rotor diameter of 117 metres. [2]

Vestas Spacing requirements for the V117 [2] state:

"9.1.3 Wind Power Plant Layout Turbine spacing is to be evaluated site-specifically. Spacing, in any case, must not be below three rotor diameters (3D)."

3 Rotor Diameters for the V117 = $117 \times 3 = 351$ metres. Examination of the map PI30386 Waterloo Wind Farm Stage 2 [3] shows that the spacing of all 6 turbines appears to be below 351 metres (3 rotor diameters and therefore all are in contravention of the manufacturer's specific spacing limits.

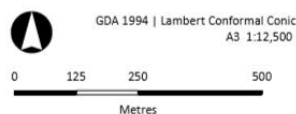


laydown area

Sindair Knight Merz does not warrant that this document is definitive nor free of error and does not accept liability for any loss caused or arising from reliance upon information provided herein.

je 2 site boundary

trostipa (Spear Grass) Grassland
permint Box) Woodland



[1] <http://www.escosa.sa.gov.au/library/20150917-Electricity-GenerationLicenceVariation-WaterlooWindfarm.pdf>

[2] Vestas 2013 Document no.: 0035-1209 V02 General Specification V117-3.3 MW Operational Envelope and Performance Guidelines Date: 2013-04-05 Page 25 of 38

[3] Waterloo Wind Farm Stage 2 site map <http://www.escosa.sa.gov.au/library/20150917-Electricity-GenerationLicenceVariation-WaterlooWindfarm-SitePlans.pdf>



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17.12.2012

Mr John Brak
Chief Executive Officer
Regional Council of Goyder
1 Market Square
BURRA SOUTH AUSTRALIA 5417

Dear Mr Brak

**Conciliatory approach - Stony Gap Wind Farm
ERD No. 212 of 2012**

I refer to our recent without prejudice discussions and correspondence and our attempt to settle the above appeal in the Environment, Resources and Development Court against the decision of the Development Assessment Panel to refuse development plan consent for the Stony Gap Wind Farm at its meeting on 1 August 2012.

I am pleased to advise that TRUenergy Renewable Development Pty Ltd (EnergyAustralia) accepts the Council's without prejudice compromise response to our counterproposal, as conveyed to me by your email of 5 December 2012.

As such, we understand the Council consents to a development plan consent being issued in respect of development application No. 422/115/11 that is generally in accordance with the conditions and reserved matters recommended by the MasterPlan report dated 21 July 2012, save for any modifications to give effect to the following agreement between us:

1. The Wind Farm layout has been modified to comprise a maximum of 36 wind turbine generators, the location of which are depicted on the attached plan;
2. No wind turbine is to be located within two kilometres of the Thamm, Coffey, Mitchell and Dunn dwellings;
3. On the basis of the landowners' written consent that I supplied to you with my correspondence of 26 October 2012, Council agrees that wind turbines can be located within two kilometres of the Kellock and Hill dwellings;

GP

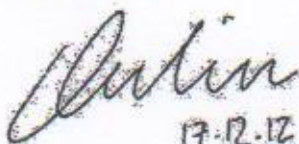
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4. An approved 'development envelope' within which micro-siting of turbines will be permissible under the development plan consent must accommodate and give effect to the mandatory two kilometre separation distance between wind turbines and the Thamm, Coffey, Mitchell and Dunn dwellings;
5. There must be a separation distance of at least 270 metres between each wind turbine, measured from the base of the turbine tower; and
6. On the basis of our agreement to the above matters, Council does not require a particular type or manufacture of turbine to be mandated by a condition of development plan consent.

We also look forward to receiving your response to our queries about the timing of the Landscape Assessment Report required by Reserve Matter 3 in the MasterPlan Report, and whether the obligations in condition 14(a) of the MasterPlan Report should continue to apply after construction of the wind farm has finished.

I will instruct our lawyers to consult with Council's solicitors to prepare consent orders to be presented to the Court in the event the joinder applications are not successful. Please do not hesitate to contact me if you have any questions, or wish to clarify any of the above.

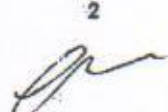
Yours sincerely

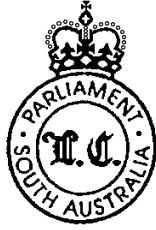


17.12.12

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LEGISLATIVE COUNCIL

SELECT COMMITTEE ON WIND FARM DEVELOPMENTS IN SOUTH AUSTRALIA

Held at Clare Country Club, White Hut Road, Clare

Wednesday 17 July 2013 at 1:45pm

BY AUTHORITY OF THE LEGISLATIVE COUNCIL

MEMBERS:

Hon. D.W. Ridgway MLC (Chairperson)
Hon. M. Parnell MLC
Hon. R.P. Wortley MLC

WITNESS:

ALLAN AUGHEY, Mayor, Clare and Gilbert Valleys Council, called and examined:

779 The CHAIRPERSON: Welcome to the Select Committee on Wind Farm Developments in South Australia. Thank you very much for coming. The Legislative Council has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. Should you wish at any time to present confidential evidence to the committee please indicate and the committee will consider your request.

Parliamentary privilege is accorded to all evidence presented to a select committee. However, witnesses should be aware that privilege does not extend to statements made outside of this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament. Mayor Aughey, over to you.

Mr AUGHEY: Thank you very much, Mr Chair and members of the select committee. I am very pleased and honoured that you have chosen to meet in our home town of Clare and would encourage all parliamentarians, when they get the opportunity, to come and visit the regional areas of South Australia, for not only do we feed Adelaide in the direct sense, we actually contribute a lot financially to the wellbeing of Adelaide and the entire state of South Australia from this particular region.

I'm here basically as a layperson, as a community representative, not as a technical witness. My expertise in the associated areas is somewhat limited, but I am more than happy to be able to give you some feedback as I have experienced it and the effect of wind farm technology on my community.

It needs to be said that my community, myself and council are in favour of renewable energy; there is no question about that. Our question with it is its location, and it's horses for courses. We believe that even with the wind turbine industry there are more than adequate wind resources in places that will cause a lot less problems than thus far they have created in our council area. So, location is really important, and we would encourage parliament and the experts in the industry to conduct a full state survey of the wind resource and the locations and better select geographical areas for the locations of these turbines.

Clearly, I am a nimby, a 'not in my backyard' person, because I am legally charged with looking after my backyard, which comprises the Clare & Gilbert Valleys Council area. We pride ourselves and, indeed, are privileged to be able to live within a very valued and quality geographical location where landscape is extremely important, not only adding to the value of our lives and the value of our locations and our properties but also very important to our tourism industry. We get many visitations from people who are indeed enthralled by our unique landscape.

We are a quirk of geography, if you wish. We are a long narrow council area; specifically, our valley is very narrow and only goes to a few kilometres each side of the Main North Road location. Our quality of life is extremely important to us; indeed, we enjoy a high quality of life here in the country. As a result of living in the country, we inherently have a lower noise threshold and perhaps a lower tolerance to noise, unlike people who are used to urban lifestyles. This may make us, in a very general sense, more sensitive to the role of noise in our lives.

In specifics, in the industry one of the great advantages touted by that industry is the employment opportunities. In my experience thus far, employment is overstated. There is a flurry of activity during the construction phase, but the ongoing jobs seem to me to be very limited. In fact, in some respects I would much rather have a new supermarket than a new wind farm for the ongoing jobs, the ongoing training opportunities for our young people, who really struggle. We

have found that the wind farm development situation has been very divisive in the community; in fact, I have found it to be the most divisive subject that I've had to deal with as mayor for almost seven years now.

At Waterloo, we have 37 turbines currently established. Permission was granted by a preceeding council in 2005, and permission has just been achieved, through our development assessment panel, for a further six on the southern extension to the existing 37. We have dealt with companies such as Hydro Tasmania, the Roaring 40s and Energy Australia, which is a shareholder in the Roaring 40s and has just recently increased its ownership so that now, I understand, it is the controlling shareholder in that company.

In our experience in dealing with wind farm proponents, we have found them difficult to deal with. We have found a degree of arrogance; the residents' views have not been, in my opinion, treated with the degree of sensitivity, respect and finesse that they should have been, particularly with a well-funded organisation that is able, one would assume, to amass the correct personnel to be able to better integrate their proposals within country communities, who normally are pretty easy-going and not hard to get along with, I must say.

I found their community integration inept; I have found their public relations nightmare; and we have found, as a result, that we have been unable to properly negotiate due to a systemic bias here in South Australia.

We feel that the industry enjoys too many free-kick advantages through the planning process and through many other factors whereby it seems that the process is somewhat easier than many other applications have to suffer. Delays are inevitable even in putting up sheds, agricultural infrastructure and wineries proportional to the value or the costs of the infrastructure—they seem to go through more pain than the wind industry.

My people are often described, as recently as in the *Sunday Mail* in Peter Goers column or offering, that if they oppose wind farms they are simply sore because they have missed out on financial advantages in not having turbines on the property. This could not be further from the truth. In my investigations the complainants that we are dealing with are genuine, honest, country folk. They are not liars. In many cases they just want a good sleep. They do not need a bigger bank balance. They have to put up with the stigma of being categorised in a way that is not accurate in any way, shape or form. This should be recognised, not least by the industry who should be making greater efforts to ameliorate their complaints and their genuine issues.

In local government, I'm more than aware of the financial challenges facing the country communities in terms of financing infrastructure. It seems to me that there is a woeful lack of sensitivity to the financing requirements of local government in that these facilities are largely free of rates. There is a small rate income stream by way of a secondary consideration of the value of the leases on the land, on the ridge land. Other than that, councils are unable to directly rate these capital investments. They are being treated, I'm told, as plant and equipment and ought not to be—at least the towers should be rated even if the nacelle. at the top is treated as plant and equipment. As a result, the companies make themselves out to be Father Christmas, in effect, by giving out community grants that are woefully short of any rate revenue that would otherwise be coming into the community.

In terms of advantages to local communities, there has been some initial investigation into the opportunity to be able to provide discounted electricity to the communities that are in the near vicinity of these wind farms. It struck me as a good, practical idea. However, it seems that, as a result of a competitive policy and the ACCC, that may not in fact be legally possible to achieve. That is, I think, lamentable. There is an understanding that the large amounts of electricity generated here in the Mid North of South Australia actually ends up in Victoria. Again, if that continues, that is a lamentable outcome as well.

Residents precede the turbines in our region and I think that, at the minimum, they ought to be offered some degree of a buyout option. This would at least give them a degree of choice and freedom from what would otherwise be, in many cases, a less than ideal residential environment.

In terms of our topography we are by definition a hilly area, being a valley. The geography and the role that that plays in the noise situation strikes me as warranting much closer attention. Noise sources on plains act very differently in terms of their amplification than they do

when noise sources are located on ridge tops where they may echo from one side of the valley to another. As I've said at the beginning, I'm no expert on this matter but I have reports of people—honest people, I again reiterate—who are plagued by noises at odd hours of the night, a drumming and a thumping eight kilometres away from the source.

This can be not only a cause of concern in hilly areas but also I think it is probably under the influence of matters like the air. Air weighs more in the evenings than it does during the day, I am informed. The predominant wind and other issues that may have an effect have been somewhat more investigated. It certainly warrants more investigation, and more scientific structure should be put in place before any more wind farms are located near residential areas.

We are very concerned that, as a result of the changes to the planning regime that have occurred, in terms of setback in particular, a cynic could look at those figures and say, 'Well, this was merely done to prevent turbines being established on the Adelaide Hills.' As an economic, rational approach, the turbines could be established on the Adelaide Hills Face Zone and feed directly into the major consumer area. We are paying a price here in the region for green electricity in the cities, and that is poorly recognised.

The EPA, as they should have, have a big interest in this issue and in terms of setting technical borderlines on matters, I am concerned about their resourcing and their ability to resource to any great extent on this matter. It is a matter where particular equipment is very expensive. It is specialised equipment; it is supersensitive. It's highly technical and I'm just a little concerned about their ability to fund and resource what I consider to be the appropriate scientific investigations into aiding not only residents but in fact aiding the wind farm proponents themselves—the companies.

In summing up, our experience has not been a particularly good one. We have been able to negotiate agreements in terms of road infrastructure on two occasions now quite successfully. I think there is a way forward, but I think this is an area that we have rushed into and we may pay a bigger price down the road because these whirligigs of woe are permanent. They are there forever. We needed to get this better organised and get it correctly balanced before it got to this stage. I am hopeful that, from here on, this will be a watershed and we may be able to do it better for the sake of the future.

780 The CHAIRPERSON: Thank you, Mayor Aughey. I must firstly just offer apologies. The Hon. Ann Bressington and the Hon. Robert Brokenshire are two members of the committee who are apologies today. You spoke about a systemic bias. Can you elaborate on that, please?

Mr AUGHEY: Certainly. Systemic bias in terms of planning is quite clear and pronounced, as witnessed by the latest changes to facilitate the better integration of these wind farms in terms of proximity to singular residences and townships. Also, we have been unable to achieve protection or even delineation of our scenic areas and our landscape areas which normally I would have expected would have been pretty clear-cut, particularly in a place like the Clare Valley, but I would also include the Barossa Valley. To me, these are no-go zones but they lack protection, so there is a systemic bias in that sense as well—that the system favours the applicants at the expense of longstanding, traditional recognition of landscape values. There are two areas straight away.

781 The CHAIRPERSON: Earlier in your evidence, you spoke about inappropriate locations. Does your council have a view of where there are appropriate locations?

Mr AUGHEY: Within our council area, I'm very proud to say that our area is of singular scenic beauty from north, south, east and west; we are blessed. But I may point out that to our west, the Wakefield plains council, as I understand it—and I'm not speaking for them, as you will understand—and the community actually welcome wind farms and they have a significant number of turbines that are about to be expanded. We say that is fine on landscapes that are less aesthetically valuable than ours are and that is part of why I say horses for courses. So, in direct answer, no, I do not see any position for them in our particular council area, but certainly we think there are plenty of places for them. There is one proviso, and we understand why, and it is the connectivity of turbine placement to the market and we understand the huge costs of the connection infrastructure.

782 The CHAIRPERSON: You also spoke in your evidence about the community benefit and some reference to cheaper electricity for neighbouring property owners or communities.

Now, just this morning we visited the Waterloo farm and that was raised with us there that it is something they were looking at. I was just interested to hear you say that because of the ACCC that may not be possible.

Mr AUGHEY: It is a supposition to some extent, Mr Chair, on my part that we have not had a positive response thus far from the companies and the company involved was pursuing it. The message has come back to me, via alternative means, that it is not looking all that promising. I would say the ball is still in the air on that matter, but it is something that would be really good for both the companies and for the local residents. At least they would then get some immediate benefit and I think it would just be good for PR purposes if nothing else.

783 The Hon. R.P. WORTLEY: I have got four questions, Mayor Aughey. Look, you were quite critical of the utility company that is developing these wind farms. You actually mentioned arrogant. Can you just expand on your experience with the company?

Mr AUGHEY: Absolutely. We found the relationship extremely troubling. They seem to come in and treat it all as a fait accompli and that the fact that they are dealing with renewable energy gives them carte blanche to dictate in almost every way the way they want to achieve their outcome, which is invariably the shortest and the cheapest method, both in time, resources and with an eye on their bottom line profitability. A much better way of doing it would be to be more consultative and more understanding that the nearby communities do have a bigger investment at risk.

Land values and property values are questionable as soon as a wind farm is mooted for any particular area, so the community, even before it gets off the ground, is largely in a state of stress. Whether they are for turbines or against there is an uncertainty that is involved and we have found that, in view of the sensitivity of the community, almost without exception, the degree of arrogance is not warranted and it would be better to come into the process from a wind farm proponent's point of view with an attitude of greater consultancy and understanding.

784 The Hon. R.P. WORTLEY: You have also mentioned they do not pay rates?

Mr AUGHEY: Yes.

785 The Hon. R.P. WORTLEY: That has been brought up with this committee in the past. At Wattle Point, the council there mentioned the same issue. What you are advocating is that, if there is a property that has six or seven turbines, you can accept the very top is plant equipment, but the funnel might be worth a million dollars or whatever—I am not quite sure—so you say then the actual property would have an extra \$6 million of capital value which you can then rate. Is that the way it works?

Mr AUGHEY: Well, that is one possibility, sir. There are a number of approaches that could be taken to it, but I understand one of the stumbling blocks is the status of the development or the capital infrastructure as plant. If there is a concern for setting a precedent that might affect other industries and other developments, then that strikes me as one opportunity to class the tower and the other associated infrastructure as, indeed, capital improvements of a building nature and leave the operating cell as plant, but certainly councils across the board—and I speak in financial terms as a generality—are financially stressed. Rates are a tax, if you like, on property and property improvements.

This is one classic case where, to the industry itself, frankly, it's petty cash but it means a lot to councils in the provision of infrastructure. We have a lot of infrastructure challenges where that financial stream would be really, really welcome, with basically minimal effect on the payer and a magical effect on the community which could benefit from the facilities that that capital stream would provide.

786 The Hon. R.P. WORTLEY: You mentioned also a payout, a buyout, option. Can you expand on that?

Mr AUGHEY: Yes, certainly. I associated that with a remark that the residents preceded the turbines, and I acknowledge that there's an opportunity for opportunists to come in and buy a property on the strength of a rumour of a wind turbine coming in and then making a lucky capital gain, and that needs to be protected. Having said that, though, it strikes me, as a matter of natural justice and fairness, that at least the company offer to purchase the nearby houses. There are not a large number of them involved and, again, it's not a deal breaker in terms of the overall

finance of the industry. The offer doesn't have to be accepted but I think that, at least as a matter of a fair go to country residents, that would give them a way out.

That would mean that they would at least be able to realise their capital before the market depreciates their capital investment in the property and give them an alternative to be away from the wind turbines. I don't think that the drafting or the wording of such a requirement would be onerous. I think it would be appreciated by all and I think in terms of the long-term prospects and economy of the industry itself that would be very advantageous and assist them in the public relations aspect, in which, to me, they seem to be struggling.

787 The Hon. R.P. WORTLEY: How do you see the public consultation process? Are you happy with the way it has taken place?

Mr AUGHEY: No, I'm not, and perhaps I can divide that up for the purposes of this select committee. The public consultation could be divided into that carried out and engaged in by the company itself and then that which is required by law. Firstly, the consultation needs to start a lot earlier, it needs to be more closely focused, and it needs to be done with a greater degree of sensitivity, which I have already alluded to; and I think those comments I will just direct, for the sake of time, to that particular side of the way the company carries out its consultation. In terms of consultation that is legally required, we were very concerned about the changes to the planning regime where rights were actually taken away from citizens.

To me, that is a major change and people don't appreciate it. Whether they use those rights or not is almost irrelevant. The fact that they've got them and either use them or don't use them is an important choice that I think all citizens in South Australia ought to have, and they ought not to be removed without deep consideration and, indeed, with consultation with the population generally. We are concerned that the rights of appeal have been interfered with, as it were, to hasten the advancement of the wind industry in South Australia and I would encourage parliament to revisit that and, indeed, to restore the rights that citizens in South Australia previously enjoyed, whether they utilise them or not.

788 The Hon. M. PARNELL: One issue we are going to have to grapple with on this committee is the planning system. You have referred in your evidence to one part of it, which is the rules—what are the planning guidelines, the development plan, and against what criteria should decisions be assessed, and that includes no-go zones or it might be setbacks, whatever. The other part of the equation is: who should make the decision? Certainly, historically, local councils have made decisions. Then we went through a period where developers went to the state government and the Development Assessment Commission, or the minister—in fact, the minister usually, under section 49. I think you said that it was your council that approved Waterloo in 2005, and you have approved an extension to it. Is it your view that local councils are well enough resourced to be able to adequately assess and then decide on these projects, or is it a matter that should be better dealt with at a higher level, such as the Development Assessment Commission?

Mr AUGHEY: My direct answer to that is that, at the moment, no, because the amount of money we are allowed to charge the applicants is capped at \$200,000. We are finding that, as a result of the situation on the ground, we need a higher degree of specialist information. They are at the cutting edge of scientific technology, in many cases, so that cost of \$200,000 is, I fear, woefully inadequate for the job. So, my direct answer to that is no. But given adequate and proper finance opportunities, the answer is definitely yes.

I would see an ideal situation as a cooperation between state government, local government and the community. We all work together, we are all part of the community, and we want the best outcomes for the community, so a collaboration on this matter, in particular, would be extremely welcome. I am sure that we could all work together and get a better outcome. We all want renewable energy. Electricity is the oxygen of the modern world. We all use it, and we are all keen to get it. We can do it better in South Australia.

789 The Hon. M. PARNELL: Of the various suggestions you have made, which ones of them might be the deal breaker, if you like, the one that has your council welcoming more wind farms into your area? Some of the things you said were making them pay their way more or more fairly, with better rates, maybe cheaper electricity for the neighbours. Leaving aside legal difficulties, I am sure that Port Augusta residents would love to hear that the hosts of electricity generating facilities are entitled to cheaper power because, of course, they have put up with the

fallout of the coal-fired stations. So, if you had cheaper electricity, you had a fair share of rates, would that be enough? Would this council then see that there are opportunities for more wind farms in this area?

Mr AUGHEY: You have specifically asked me about my council, and I would have to say that, at this stage, we would not want any more under any circumstance, purely because of the aesthetics and the value of the scenery and the landscape, not only to us as locals but to our visitors. That is not shunting aside the issue at all; that would be an easy way out, and I am not taking that avenue. What I would suggest, though, is that all of those benefits to local residents and communities should be on board, and could be on board.

I think that the attitude towards renewable energy is widespread across South Australia: we all want it, we all need it. I think that more consideration for the individuals involved and their families would go down really well, and that may be the clincher, because we as a community in South Australia are small; there are only 1½ million of us—half of us are related, the other half knows each other. If somebody is not getting a fair deal, we all tend to know about it.

I think that the way in which individual neighbours are being treated by the wind farm proponents and developers is not a fair go, so I think that the buyout is really important. I think that, if they want to remain in their house, the companies, then, or we as a community even, ought to share some of that burden and soundproof their houses, give them the TV sets that don't flicker away, resolve their problems—these should not be without a solution in a modern society. I would go right down to that level, as it were, and seek solutions from there up, and that will spread the goodwill that I think the industry does need, and it would make us all a better and more content community in South Australia.

790 The Hon. M. PARNELL: When we visited Waterloo this morning, one of the things they reminded us of was that the EPA had been doing a noise testing study. In fact, if you go online, as I did, you would find the location of the six monitoring stations, and they were at various distances around the wind farm. I notice that the raw data has been loaded up online, as well as, I think, diaries that people have been keeping. Was your council involved at all with the EPA? Did they ask for your assistance or for any help with where the monitoring station should be located? You can take it on notice if you do not know, that's fine.

Mr AUGHEY: I find that difficult to answer because administration may well be integrating with it. I rather doubt it, actually. We have a relationship with the EPA, obviously, and we have spoken to them on this matter—we have had a number of discussions—and we have found them very fair and reasonable, very attentive and able to take on board the considerations that we have passed on from the community. So the simple answer is that yes, we have integrated with the EPA, and we will continue to cooperate with the EPA. As to the extent of that cooperation, at this point in time I am unable to quantify that for you. There may be, on the technical side and the administrative side of the council, some closer relationship.

791 The CHAIRPERSON: You spoke about division in the community earlier; has that subsided? Obviously the Waterloo wind farm has now been there for a number of years. Have you noticed any change in that community division?

Mr AUGHEY: A degree of moderation, probably achieved through frustration. No; I actually think that this has riven our community and will continue to have that effect on the community for many years to come.

792 The CHAIRPERSON: I think we've all discussed with you the potential ways of developing these wind farms, sharing some of the benefit, whether it is paying council rates or in cheaper electricity. As a council, are you involved with the community liaison group—or whatever they call them—and has the council being proactive in saying, 'We would like a contribution for a project'? Has council been involved?

Mr AUGHEY: Again, I have to be careful in how I answer that because there may be relationships that I am not directly aware of over a period of time. What we have noted from the community, though, is that the community or groups in the community have, on occasions, had a relationship with the wind farm proponents. One that comes to mind is the Clare Racing Club. TruEnergy sponsors a race meeting; in fact, I think they still have their signs on the racecourse. So the community is not backward in approaching people of their wealth and influence to try to get a subsidy, or assistance or sponsorship for any of the activities.

The companies themselves—and this has been on their own initiative, as far as I understand it—have set up a community chest, as it were, of a set amount of money and have invited submissions from the community with projects that could be financed from this chest of money. However, from where I sit I see what they are offering to the community, the way that has been treated as a PR exercise, compared with the actual far higher rate income stream that would be—again, through council—accessed by the community. From what I have seen that would far outweigh any of the offerings made by the companies voluntarily.

793 The CHAIRPERSON: We do not have any further questions. Thank you very much for your evidence today. As I said earlier, a copy will be sent to you for clerical corrections.

THE WITNESS WITHDREW

WITNESS:

PETER MATTEY, Mayor, Regional Council of Goyder, called and examined:

794 The CHAIRPERSON: Welcome to the meeting. The Legislative Council has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. Should you wish at any time to present confidential evidence to the committee please indicate, and the committee will consider your request.

Parliamentary privilege is accorded to all evidence presented to a select committee; however, witnesses should be aware that privilege does not extend to statements made outside this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament. Mayor Matthey, over to you to make your opening comments.

Mr MATTEY: Thank you, Mr Chairman. First of all, thank you for the opportunity to speak with you today. There are a couple of familiar faces here, but you are a bit new to me, Mr Chairman. Firstly, I would like to make it clear that neither myself nor the Regional Council of Goyder are anti-development. In fact, I don't think there are too many country regions in South Australia that can afford to be anti-development; it is pretty hard for us to get development in the regions, so we are not anti-development.

I think a lot of the troubles with wind farms go back to the urgency of a former premier to establish them. The ground rules weren't set up properly. In the normal course of events, if planning procedures are to take place, they take place under a zoning system, and in each zone it is made pretty clear what you can do, what you can't do, and what you might be able to do if you present it the right way.

I cannot for the life of me understand how we went into this wind farm industry without having a good look across the state and determining where the no-go zones were and where the zones were that they would be acceptable. Not only would that have allowed for community debate before there were any proposals on the table, it would have also given a fair bit of certainty to proponents of these developments. I think, as a state, we lacked a fair bit of foresight in that area.

I realise there are some difficulties with it now we are down the track a bit, but I think, to be quite honest, we've got to work towards uniformity right across the nation. At the moment, we've got one set of rules in one state, we've got another set of rules in another state, and we've got another set of rules in South Australia. I don't see why there should be any great difference between the states. I realise states have a fair bit of a problem agreeing about anything, but I think it is something that should be worked towards; it may not be totally uniform, but it should be as close as it can be.

Some of the provisions that have been foisted upon us over the last couple of years—this two kilometre and one kilometre business; two kilometre from towns, one kilometre from homesteads out in the rural hinterland—I just can't understand why anybody can be treated any differently no matter where they live in this state. That, to me, is unbelievable. People on the land living on the homestead, isn't their hearing quite as good as people in the township area? I don't know, but it just seems to me to be quite ridiculous. I think we need to get away from that.

It was probably part of the things mayor Aughey was talking about a while ago—divisions in the community. While we had quite a few divisions in our communities in certain areas, in other parts of Goyder (which is a fairly large council area), we probably haven't seen that to the same extent. I think it probably has got to do with the density of the population to a fair degree: if you keep out of the more populated areas, there are probably less divisions.

One of the ways—mayor Aughey has touched on a couple of things here—that might be a means to heal the divisions is this. It just seems to me that those people who have turbines on their properties are getting a fairly good package out of it, but there is not much for those who are around. There needs to be some sort of way—and I am not sure how you do it—of a shading-in effect to actually compensate those people who are close to wind turbines but not actually receiving all these payments.

The provision of cheaper power is put up—well, I am perhaps talking more about the long-term capital values of properties that are close to wind farms but yet they are not benefiting from them. The properties that have the wind turbines on them, they are going up in value, but there is quite a fair probability in a lot of places that the ones that are adjoined that haven't got any turbines are going down in value. That in itself I think creates some of the divisions.

How you go about it, I am not quite sure, but it would seem to me that perhaps there should be some mechanism put in place to encourage the proponents to actually pay less lease on the turbines and make some sort of compensation to those who are clearly affected; possibly, I don't know, you would have to put a limit on it of a five-kilometre radius or something like that.

795 The CHAIRPERSON: So that would be a sort of sharing the love type approach.

Mr MATTEY: Well, it helps get the whole community on board. That's how I'm looking at it, rather than the severe opposition that certainly has appeared in a lot of areas across the lower Mid North of South Australia. Now, the biggest problem: acoustics. Nobody in Australia seems to understand fully the acoustics, the cluster effects and background noise and how that relates to what people are hearing.

I have to say that I was fairly sceptical when I first heard it, but I had the misfortune to get a flat tyre one day about 2½ kilometres from out in front of one of these whole rows of turbines. When I got out to change the tyre I could hardly hear myself think. It was just horrendous. I changed the tyre, and I was on a bit of high ground out in front of the turbines, not as high as they were, but on high ground. I drove about a kilometre towards them and I stopped again and got out and I could hardly hear anything. It is very difficult, certainly for a layperson like me, to be able to predict where you are going to get this whirring, roaring, horrendous noise. It is something that I think the industry, government and local government have got a deal with. You've got homesteads that are complaining and then other homesteads not very far away not complaining or not complaining as much because it seems to be wind direction, cluster effect, and how much background noise there is as to how much effect they get.

It would seem to me that there is room somewhere in the industry for a bit of innovation. Rather than actually start buying houses or bulldozing houses or whatever, it would seem to me that surely we can come up with some mechanisms to measure the noise at a homestead and then, while the wind is in that direction or while those prevailing climatic conditions persist, those wind turbines could be shut down. It would seem to me that that is a far more efficient way to go about it than to actually try to move everybody out of the area, which leads me to another problem with the noise.

The noise is measured and then it is averaged over an eight-hour period. That's not much help to a bloke at three o'clock in the morning if he can't sleep. There should be a limit, a decibel limit, at all times on the turbines. Where there is a problem, it needs to be measured and, as I said before, with a bit of innovation, you might be able to shut those turbines down and everybody might be able to live happily together. But the averaging over a period of eight hours is not appropriate in my view.

Another suggestion—and I understand, of course, going back to where I started, it wasn't made clear or it wasn't determined where they were acceptable and where they weren't right at the start of the industry. So, pretty clearly they set themselves up as much as they could as close to the wind as they could but as close to the existing infrastructure, and that makes sense if you are in business. It seems to me that we should be working towards a bias to encourage wind farms to develop in unincorporated areas, and by that I mean low population areas. I think the one out from Broken Hill is an excellent example of that, and I think that is the path we ought to be going down in South Australia.

As far as the EPA goes, our council has had a fairly good relationship with them. I think they have responded as much as they can to our request for measurements of wind turbine noise. When I say 'as much as they can', I think it needs to be addressed that, from my observations, the EPA is probably under resourced and I think that's something that needs to be taken forward into the future. That's about as far as I would like to go at the moment, Mr Chairman. I am quite happy to take questions on any aspects of it. I think we are a bit more balanced in Goyder than in Clare. We are not quite as protective. He's looking over my shoulder, I'll bet.

796 The CHAIRPERSON: He's still sitting.

Mr MATTEY: He's still sitting so I'm safe. I think we are probably a little bit more balanced in our approach to it. I would also have to say that wind farms have brought some benefits to our communities as well, and certainly economic benefit.

797 The CHAIRPERSON: Thank you, Mayor Matthey. You make some comment about the capital value of properties that don't have the turbines, and we've heard evidence or we've read in interstate newspapers where there have been some councils where residents have applied to have their rates reviewed because they believe that the capital value of their properties have gone down. Do you have any evidence in your council that you have definitely seen the value of properties decline?

Mr MATTEY: No, it's pretty difficult to answer that. Look, I think that has probably occurred in parts other than our council, but you have to understand the turnover of land in a council like Goyder is very slow anyway. It would be very difficult to measure it at this point in time, but, certainly, people view not only the turbines but the infrastructure that comes with them as an undesirable place to be.

798 The CHAIRPERSON: Your council hasn't had any request to review rates on any particular properties?

Mr MATTEY: Not that I know of but I am not in a position to be able to answer that, because if you want to have your valuation reviewed, you know as well as I do that you've got to go to the Valuer-General, and what case people put to the Valuer-General is their business, between them and him.

799 The CHAIRPERSON: For your benefit and for the rest of the gallery, we have the Valuer-General scheduled to be a witness at some future meeting in the city. With your proposal of sharing benefit around, it is your council's view that it is more appropriate to share it, perhaps with a sliding scale with neighbouring property owners, rather than a contribution to the community. Do you have a view on the proposition Mayor Aughey has put about increased rates and not having all the wind farms judged to be plant, but for some of it to be capital value?

Mr MATTEY: Yes, I think they are probably two different issues. If people's lifestyles and desirability of where they live is affected then I think the private individual, up to a certain limit, should be compensated. I think it is very unfortunate, given that the wind farm proponents, or the wind farm companies, do use our facilities and they do use our infrastructure, and I think it is unfortunate that we can't achieve more through the rating processes. If I put up a \$500,000 hay shed on my property, I would get rated on it, and yet these people are putting up billion dollar propositions and not paying any rates at all. It is one of the things, I think, that the community finds annoying and it is divisive in the community.

800 The CHAIRPERSON: Just quickly, you also mentioned that with the setbacks of two kilometres from towns, and one from homes, your view is that with a person living in a homestead, their rights are exactly the same as somebody living in the town. Does the council have a view on any particular distance, or do you think it would be better based on a noise measurement?

Mr MATTEY: I think this issue should be the same for both and, really, it ought to be—and this is not my council's point of view, I'm just giving you my point of view—I reckon a minimum of three kilometres. But, again, I would be prepared to be flexible in that view provided there were some measurements taken that would actually shut down the offending turbines when they exceed the 40 decibel limit, and not an average over eight hours but when they actually exceed it.

801 The Hon. R.P. WORTLEY: Mr Matthey, can you let me know your view of the public consultation process that went on with this from the very beginning until now?

Mr MATTEY: I think in our area the proponents went out and tried to sell it as much as they could. I think there are people in our community who believe that they probably were not told the whole story, and I can't say whether that it is accurate or not, but they believe they didn't hear the whole story and, whether they actually did or they didn't, I can't say one way or the other.

With regards to the categories of these developments, I think that it is an absolute disgrace that anybody in the community can't make comment or make appeal with regard to them. They are something that affect the whole community. If you exclude the community from that then, again, I think that divides communities.

802 The CHAIRPERSON: Just one quick question: how many turbines are there in your council area, do you know?

Mr MATTEY: In excess of 100 anyway.

803 The CHAIRPERSON: And was it your council that had the Development Assessment Panel meeting in Burra? Is that right?

Mr MATTEY: That's correct.

804 The CHAIRPERSON: And that was for Stony Gap?

Mr MATTEY: That's correct. Our panel at that stage rejected that.

805 The CHAIRPERSON: And that was on the basis of health reasons?

Mr MATTEY: Health reasons, yes, and proximity to the houses.

806 The Hon. M. PARNELL: I want to pursue this issue that the Hon. David Ridgway described as 'sharing the love'. It is sort of shorthand for something that we've talked about with a range of people. You have very big structures, visible from a long way, can be heard, and yet the hosts get a direct economic benefit and the people who are in the neighbourhood say, 'What about us?' There are a couple of different approaches, and you talked a little bit about one, which would be direct compensation of neighbours.

I make the comment that that would be novel, I think, in South Australia because if someone has a piggery built next to them, or a foundry, road or railway, no-one ever gets compensated, so it would be novel. Another approach that has been suggested is the community fund approach. Again, there are two ways of looking at that. One is companies, wanting to be good corporate citizens, voluntarily put money back into the community, whether it is sponsoring the races, or whatever. Another approach would be to mandate it. In other words, as part of a development approval a certain sum of money per turbine per year must be set aside and put into some sort of community development fund.

So, I guess my question is: have you thought at all about that sort of an approach and would local government be the appropriate body to handle a community fund, or do you think we can just trust that companies will do the right thing and they will work with Rotary, Lions, Apex and hospital boards, and whatever? So, it is voluntary versus mandated.

Mr MATTEY: I would have to say that in Goyder at the moment there are small amounts of money made to small community projects as a result of these wind farms. It's a fairly token gesture. I think it would have to be mandated. I might sound a bit cynical here, but in my knowledge of business, business is there to make a profit, it's there to serve shareholders. At the end of the day, shareholders would put pressure on them not to make too many voluntary contributions. I think it would need to be mandated. In what form you do it I don't know.

I mean, you drew the analogy a while ago about: what's the difference between road infrastructure or train infrastructure? Quite a big difference. If you build a major road, you get some barriers, these days, put up to try to alleviate the noise problem. You have a look at all the new road developments that are going in now, there's quite a lot of stuff put in to try to eliminate the noise problem, or reduce the noise problem. I haven't seen anything done yet to reduce the visual impairment that these turbines create in our communities or anything done yet to try to reduce the noise.

807 The Hon. M. PARNELL: Yes. The example I gave, I used those too, but you could equally say other industry. In a previous life I was a lawyer working for residents groups who were tackling pollution problems coming from foundries, for example. You might have a foundry that was there for 100 years, four people working an eight-hour day, and all of a sudden it's now 200 people working around the clock. I was just making the point that the legal system doesn't recognise the right to compensation, it recognises that pollution authorities, like the EPA, should be insisting on

standards being met and, in theory at least, they could shut down an operation that doesn't meet those standards.

Anyway, it was just an example of whether or not there is likely to be an appetite for direct compensation of neighbours. I guess I'm just saying that I don't know if there would be an appetite for it because there's not a lot of precedent for it, yet there is precedent for more indirect community compensation because most wind farms, either generously or less so, do put money back into communities.

Mr MATTEY: Whatever you come up with there is always going to be somebody who reckons they missed out; you know that as well as I do. I think in a lot of cases, if there was compensation in some form or other, one, it would drive them away from township areas because, I mean, the compensation would be quite horrendous. So, it would reduce the divisions, I think, amongst our rural communities if there was a shading-in effect.

You've got to understand that rural communities are living with this infrastructure. They use a minimal amount of power compared to where the power is going. They see this as all going—let's face it, most Australians live in metro areas, that's where we use the power. They see it as an imposition placed upon them to provide power to the metro areas. A lot of people came to the country because they wanted peace and quiet. They didn't want a lot of background noise.

808 The Hon. M. PARNELL: I guess the only other thing is—you put your finger on it in terms of your evidence before—one of the difficulties with this whole system—and your changing the car tyre analogy was a good one—is that most of the guesswork, if you like, or the assessment of what the impact might be, is all done before it's built. Clearly, that is how it works. They do acoustic modelling, they get the landscape maps, they get the prevailing wind directions, they try and guess what the noise profile will be, which areas will be shielded, which areas might be noisy, and that's all done on computers, and they do that.

Once they have been approved, then the reality might turn out to be different to what was modelled. So I guess that then is the ball being hand-passed from local council, for example, that might have been involved in approving the wind farm, to the enforcer of standards, which is the EPA. So I guess that's part of the issue. They're not currently licensed separately. The EPA certainly does enforce general noise standards, but we don't have a sophisticated licensing regime for wind farms that has been specifically developed for that industry. Would that be an improvement?

Mr MATTEY: I think you're getting back to the innovation I was talking about earlier. At this stage it appears that even the best acoustics experts in the country can't come to an agreement on what the result might be prior to a wind farm being built. And you just said yourself that it is quite likely that on a lot of occasions it will be different once it's actually there and functioning. The innovation part is that they actually measure this. Where people have got a problem they measure it and determine which turbines are causing the problems, and shut them down when they do.

They don't cause a problem all the time. Often it might only be one or two nights a week. Again, it is dependent a lot on background noise, where the wind comes from. I don't think we are ever going to work that out properly to start with, so we've got to find something to make everybody live in harmony. That's the only way I can see, that wind farm proponents or operators have got to be prepared to accept that half a dozen turbines might get switched off for 10 hours occasionally because of a homestead. Does that answer your question?

809 The Hon. M. PARNELL: Yes and no. I am trying to imagine practically how it would work. Unless you had some sort of official monitoring at every nearby residence, it would effectively be that someone rings up and says, 'It's noisy, make them turn it off,' on the telephone versus some sort of official technical monitoring station where someone could remotely work out, 'Well, actually, you're right, it is too noisy; they should turn it off.' It's just the practicalities of it I guess I am interested in.

Mr MATTEY: If they can manage some of these wind farms, I understand, from Melbourne and switch them down when it's too windy, for them to be able use them effectively creates too great a risk, I can't see for the life of me why they can't monitor the noise levels and switch them off in that situation as well. Look, it probably is not going to happen in every homestead. If you set up a noise monitoring mechanism at a homestead, and over a period of six

months it's only invoked once or twice, well then, you probably allow them to remove it, but if it's getting invoked twice a week you certainly wouldn't. I think that's part of the cost the industry has got to bear if it wants to find sites for wind turbines and live in harmony with its community.

810 The Hon. M. PARNELL: Thank you.

811 The CHAIRPERSON: Mayor Matthey, thank you very much for your evidence today. As I said earlier, a copy will be sent to you to check for clerical corrections, but we thank you for your evidence today.

Mr MATTEY: Thank you very much.

THE WITNESS WITHDREW

WITNESSES:

MARY MORRIS, and WANDA ALLOTT, called and examined:

812 The CHAIRPERSON: You were both in the gallery when I read the preamble so we don't need to repeat it. Over to you.

Ms MORRIS: I'm Mary Morris. I live 17 kilometres from the Waterloo Wind Farm. I'm mainly involved in this because I'm sensitive to whatever it is that causes people a problem, whatever it is that the wind turbines are emitting. I can feel the effects occasionally at my house depending on which way the wind is blowing.

813 The CHAIRPERSON: And you're 17 kilometres away.

Ms MORRIS: Yes, I need a strong north-westerly, but I feel it when I go there. I feel it when I go to Snowtown Wind Farm. I guess I have become really involved in this because I have discovered how many people around Waterloo and Hallett are affected and they didn't seem to have a voice so I have become that voice. A lot of them aren't very skilled at writing submissions or whatever to get their point across to the regulatory bodies that should be hearing from them. Today, as part of my spot, Wanda has come along to tell her story face to face rather than write it on a piece of paper that may or may not be read. Wanda lives in Waterloo.

814 The CHAIRPERSON: Wanda, tell us your story.

Ms ALLOTT: I'm a resident and I live in the actual town of Waterloo.

815 The CHAIRPERSON: How long have you lived there?

Ms ALLOTT: Ten years, so well before the wind farm was there. When we heard about it we thought it was all great because we believe in green technology. The thing that we didn't like about it was that the wind farm corporation said that they spoke to the people in the community. I know for a fact that there are at least 10 people—10 households—who have never seen anyone from the wind farm. We constantly hear about how they are in contact with the community, but they don't talk to us.

They talk to the council but the council people are at Clare; they don't live in Waterloo. We are also being told that we are after the money, that we are jealous of the people who have the turbines on their property, which is not true. It is absolutely not true. I don't want compensation. What I would like is for them to give us the opportunity to buy us out if we have health problems and we can't live there anymore, rather than being told that we are just a bunch of undereducated—nimby's, they call us. They don't even know us.

I have talked two of my brothers into moving to Waterloo so we could be there for each other as we grow older, to be debt-free, so both of my brothers bought houses there. Both of them cannot live there any longer. They have health problems. They left their houses; they are just standing there. They spent a lot of money; one of my brothers spent a lot of money renovating and, within about six months after the turbines started to run, he was like a changed person.

His personality had changed. He was constantly flying off the handle, and he is a very calm person. He was starting to have headaches, not sleeping, heart palpitations to the point where he had to go and see a heart specialist. He had three stents put in his heart. He tried to come back—couldn't. The heart specialist said that if he goes back to Waterloo, he will die, so he bought a property 20 kilometres away in Hamilton.

I have been there, and believe it or not, depending on which way the direction of the wind is, I can actually hear them down there. He's living in a caravan when he had a nice home before, and now he is finding out the extension, part 2, of the Waterloo station which is going to go further down towards where he is, so he is going to have to again move, but he has paid and yet we can't sell our properties. I know they are saying about the value of our properties—we don't know if they're going down because we can't sell them.

People's houses have been for sale for over a year and they have reduced the prices but were unable to sell. My brother had some friends of his move into his place free of rent. All they had to do is just pay the electricity, so that somebody would be there in the house. After

three weeks they had had enough; they couldn't handle it anymore. And it's not so much the noise: it's what we can't hear that makes us ill. That's what a lot of people don't understand.

816 The Hon. R.P. WORTLEY: Can you expand on that and explain what you mean?

Ms ALLOTT: When I am in my lounge room or in my bedroom, especially at night-time when there is actually more wind around, you get this sound that starts bouncing off the walls, kind of, and you get a pressure in your head and your ears. You can't concentrate; you can't think straight. Your memory goes; you walk around like a headless chook, really. The only time we've noticed that something is not right is when we went away and you can actually feel the headache lifting, your mind clearing, but as soon as we come home, within half an hour you get the ringing in your ears, your head starts to pound. I even get heart palpitations at night-time. I can lay in bed and I can feel my bed vibrate, and no-one from the wind farm has come and spoken to us even though we have written letters to them that we have a problem.

817 The CHAIRPERSON: Have they responded at all to any of your complaints?

Ms ALLOTT: They just said, 'Give us a ring,' but why should I ring them? I've already sent them a letter. They already know that we're having a problem.

818 The CHAIRPERSON: We have heard evidence that the wind farm companies have responded—not only just here, but other wind farms too—when they get a complaint from a resident.

Ms ALLOTT: They have not actually been in contact with any of us. Both of my brothers and myself, my husband and other people that I know have not been in contact with them, so I am not just speaking for myself. I know these people who are really ill and having a really hard time.

My husband is so tired that he sleeps during the daytime. He had an appointment at the doctor. On the way home from Clare he nearly fell asleep in the car and drove the car into a ditch and I have had the same happen to me. You get so tired sometimes because the continuous sleep is always interrupted. I will wake up anywhere between three to four times a night and you do not go back to sleep straightaway. We drive into Clare and come back and you are tired and you can feel your eyes closing. So, what do you do? You stop at the side of the road so you feel better, but you are not feeling better because you cannot catch up on your sleep. I have to go to Adelaide every couple of weeks so I can actually have a clear mind.

Mail, letters or any communication from other people—I have to come into Clare and do it here because I cannot concentrate at home. I cannot go on the computer at home. I cannot concentrate. I get headaches. I cannot write letters because my memory is just not there. Your vocabulary goes and people do not seem to understand that unless you have actually been there and sometimes one night is not enough. We have had people here in Waterloo who had no problems at first from the wind farms, but now two years on you can see the difference in them. We didn't think there were any problems, but you can see it.

I have problems with my neighbour. She yells and screams at me for no reason. She is telling me, 'It is your fault that our house is devalued because you were against the wind farm.' We had to call the police on her and she reckons she has no problem with the wind farm, yet before we were friendly. We had no problems with these people. Everybody in Waterloo has changed. It isn't a community anymore. When I first moved there virtually every second house was empty. After five years virtually every house was full. It was nice. It was quiet. People were friendly. Everybody started to talk to each other. The wind farm comes and within six months people are leaving. People are at each others throats. Husbands and wives are fighting and arguing and the kids are screaming and carrying on. We never had that before and now the town is virtually empty again. I think that the people have got a right to compensation, but I am saying not for people who live in Clare as they do not know what we are going through. I do not really care about that. The wind farm people put a playground in Waterloo. We do not have any kids there.

819 The CHAIRPERSON: How many people live in Waterloo?

Ms ALLOTT: I don't really know how many are left now. There are 35 houses, but you could say 80 per cent of the people have left.

820 The CHAIRPERSON: And no kids?

Ms ALLOTT: Well, the kids have grown up, but there would be the grandchildren who are occasionally there.

821 The Hon. M. PARNELL: When we met this morning with the people from the Waterloo wind farm, they talked about something—I have not got the exact title—I think it is a community reference or liaison group. Are you on that or are any of your neighbours on it?

Ms ALLOTT: No.

822 The Hon. M. PARNELL: So there is no-one from the town of Waterloo on that group?

Ms ALLOTT: Not directly in Waterloo.

823 The Hon. M. PARNELL: Right. Now, we asked them—my colleagues will correct me if I am wrong—and I think they more or less said that it was open, whether that meant their meetings or whatever, but they gave the impression that they had a structure in place to deal with local residents, so that has not been your experience?

Ms ALLOTT: That is not true at all. That is a straight out lie.

Ms MORRIS: You do have to apply and be accepted to join. There are a fair few conditions that they require you to go along with.

824 The Hon. M. PARNELL: Have people not been applying or are the conditions onerous or what is the problem?

Ms MORRIS: There are actually two community members that have been on that community liaison group. John Faint, who is the chair of the local concerned citizens' group, was on there from its start until just recently. He has actually resigned because he felt it was a waste of time because they just would not listen to what the community concerns were.

There's also Abby Walker-Schwartz; she's still on there. I'm not sure how many people are on it altogether, maybe a dozen, but she's the only person on it now, since John has left, who is there to speak up to represent the community. Everybody else on that committee is from further away who's got another agenda, like they are really there to promote renewables or they are from some community group in the Barossa that wants to get funding for their youth program. They've got other agendas. We should have seen that group would have been set up for liaison with the actual affected residents, but it doesn't seem to have developed that way.

We actually had a very large turnout to the TRUenergy information night on 17 May last year where, I think, there were 53 local people who were concerned about stage 2 development, that was their information night. We all went and we all asked questions all at the same time. We talked about the community liaison group and how people like Wanda are affected and they've asked for noise testing in their house to test the vibration in the house. I said, 'The community liaison group doesn't address those issues and we need our own group for you to deal with these actual problems that aren't the business of anybody else from Dutton or Clare or the Barossa, or somewhere else, who's coming along to push their agenda.'

They just had no interest in meeting with individual people or groups of individuals—smaller groups of individual people—to address whether we can get vibration monitoring done in Wanda's house. I believe Michael Head said that you can't prove that noise is coming from the wind farm or you can't prove that vibration is coming from the wind farm. It was a two-hour session when he just basically dismissed all the community concerns that were raised at that meeting.

825 The Hon. M. PARNELL: Can we just follow that up a little bit, because the EPA testing that is being done, we have set a map so we have the dots on the map where they have been testing. I've had a quick look online at some of the different charts and things, but I haven't gone through the diaries yet. Are you confident that that EPA process will give a true reflection of what's happening in the community?

Ms MORRIS: I think there's a fair bit of scepticism about it. We have been pleased that after probably it would have been two years of people complaining, they invited us to meet with

them and go ahead with the study, and I think that was only because we got a bit nasty with them. I think Mayor Aughey raised the point about the lack of resources in the EPA. They have said to me that basically they don't have the resources, the equipment, the time or the personnel to deal with it.

826 The CHAIRPERSON: But, surely, the testing they have just recently done was reasonably comprehensive, wasn't it?

Ms MORRIS: Well, yes and no. I've got two partial maps here. This is what I've provided to Adelaide Uni. That is the east side and the west side. There are over 50 houses on there which have put their hand up to have testing at their house—inside, outside, whatever—not necessarily because they've got a lot of noise. Most of them have got noise but some of them, part of it because it's basically a program with Adelaide Uni to find out where the noise goes and where it doesn't.

The Adelaide Uni testing gear is far more high tech. Some of that EPA stuff, they had to bring all sorts of bits and pieces in together, and I believe that some of their microphones just simply do not measure down to the levels that they are supposed to. If you look at those graphs on the internet—I only found it yesterday so I haven't had a chance to go through it properly—basically, the dBA, they say that the noise only goes down to 25 dBA. There's just a flat line, basically, there. They can't measure anything below that with the microphones they've got. It just is not high tech equipment enough to do that.

827 The Hon. M. PARNELL: We have heard that there is the EPA testing and the Adelaide Uni testing. Is the Adelaide Uni a separate project?

Ms MORRIS: Yes, a separate project.

828 The Hon. M. PARNELL: Is someone funding that separately? How has that project come about?

Ms MORRIS: Simultaneously with the EPA, there were their six houses. Then at three of those same residences, Steven Cooper, the acoustician from Sydney, has put gear side by side with the EPA at three of those houses, plus one extra house which has really bad vibration, in that you can feel it in the house at night at 3½ or four kilometres away. He has three lots of gear side by side with theirs, and then a separate lot. So, they can verify measurements between themselves.

He is using different microphones from theirs, and he is using the same microphones as Adelaide Uni. Colin Hansen of Adelaide Uni has an Australian Research Council grant to do lots of testing at lots of wind farms. Basically for the last, I think, four months, he has set up two lots of gear, going around to all these different houses for a few nights of time, picking where he thinks the wind is going to be for the next few nights. He is measuring inside and outside, low frequency, infrasound, audible noise and vibration. He is doing that two houses at a time.

In the end, we will have six lots of results from the EPA, three lots from Steven Cooper, side by side with three lots of theirs, plus an extra lot (I think the uni has done some at that house as well), plus lots and lots of separate ones that Adelaide Uni has been collecting. They are still going around—some of the houses they have been going back to and back to for a few days at a time. They will be presenting papers on that in Denver in August this year, at the International Acoustics Conference, as will Steven Cooper.

It is too early to tell yet. At some point, someone with a lot of acoustics brain and time is going to sit down and compare side by side EPA, Adelaide Uni, Steven Cooper: 'Okay, they have used these microphones, this is what they got.' It is a huge job.

829 The Hon. M. PARNELL: You haven't had to pay for any of that—that has been government grants to the researchers?

Ms MORRIS: We haven't paid anything, no.

830 The Hon. M. PARNELL: They haven't got money out of a company to pay for any of that, that you know of?

Ms MORRIS: I don't think so, no. The EPA has gone on its own with this, but they have been happy for people to go side by side with them in a data sharing exercise. With low frequency noise and big turbines, they are still feeling their way. They haven't put up any 150-metre ones yet, and they are talking about bigger ones again. No-one knows what is actually going to happen until they go up and then they can measure. I think that it's still a learning curve. We really don't like being guinea pigs.

In terms of the EPA, I reckon they are stuck between a rock and a really hard place because they are scared of the companies with big bucks to throw at them. They are not going to say to Energy Australia, 'You need to turn that off,' unless they have bucketloads of data to prove why, because the company is just going to say, 'Nope; take us to court.' They are not scared of us because we are just little guys. They're a statutory body, but I guess at any time the government can say, 'We're taking that section of pollution control away from you,' as they did with Nyrstar. Nyrstar has special rules that go outside the EPA because the government wants it to be there. So, they can essentially do that with this, and we're stuffed.

831 The Hon. M. PARNELL: You're talking about exemptions.

Ms MORRIS: Yes.

832 The Hon. M. PARNELL: Certainly, Nyrstar has exemptions, the power stations at Port Augusta have exemptions because they can't possibly meet the pollution standards, so the EPA gives them an exemption because it's an alternative to shutting them down. So, that's the sort of dilemma you're talking about.

Ms MORRIS: Yes.

833 The Hon. M. PARNELL: Mary, you and I discussed this some time ago, but we have the issue of people who are experiencing symptoms and going to see doctors and being advised of different things they can do. But one gaping hole in the evidence before this committee is that we haven't had doctors coming to us telling us about their patients and their experiences. Can you comment on that, and, also, has anyone approached the company and basically said, 'You need to be paying for tests.' I am not sure what tests you would do, whether there is some sort of acoustic laboratory test you could do. Has anyone actually approached the company, putting themselves forward as a, to use the words, 'guinea pig', to say 'I want to be tested'? Because whether it is an individual susceptibility thing or whether it is something that hasn't been picked up before, I am just trying to work out how we fill that gap in the information.

Ms MORRIS: I am really glad you asked that question because it was on my list, and I've been talking to Dan van Holst Pellekaan about this. There is a huge gap. I don't know how many families are affected in this area, but five families might be going to one doctor at Clare, Riverton, Burra, somewhere, somewhere, somewhere. I just want to call for some sort of register or collaboration between the Rural Doctors' Association and Country Health SA or whatever to pull that information from all those GPs in to say what is happening. Because other people go to my doctor, but he isn't interested in sticking his neck out at all because he doesn't want to commit professional suicide.

Most people, when they go to their doctor, the doctor says 'That's a contentious issue. The NH&MRC says there's no problem.' They only say that there's no problem probably because no-one has done the research. I think we need to get Country Health SA and maybe the Rural Doctors' Association just looking at that whole health thing, to say, 'Okay; how widespread is this problem?', and pulling in all that information from the local GPs. It is only going to be a problem for a handful of rural GPs.

Getting back to health research, the other thing is that it has been more than two years since the senate inquiry into the social and health effects of wind farms. They made all these recommendations—we need research, we need to spend money on it, we need to find directions about ways to do it—but nothing has happened, and I think it is high time it did. It is past time that it did.

In terms of research, that could be done. I think a really simple way would be sleep studies. If you can put quiet, non-invasive little hat things on people's heads while they sleep in their bed at home, near the wind farm, and measure what their brain activity is doing, you can

correlate that with what is happening with infrasound, low frequency noise, and audible sound coming from the wind farm. I think that would be a really simple way of showing what was happening in people's heads.

834 The Hon. M. PARNELL: I think you will appreciate that the dilemma this committee faces is that whilst they might all be sound recommendations of work that needs to be done, we are not getting that direct medical evidence before us. What we are getting is the Auckland study, the Massachusetts health department study; we are getting all the other studies, which are population-based—and they are not even Australian—but we are getting all these other generic studies that are telling us that there is no connection between wind farms and ill health.

Ms MORRIS: Is that what Robyn Phipps at Palmerston North found in 2007?

835 The Hon. M. PARNELL: I am sure there are lots of studies, but what I am saying is that the bulk of the ones that have been brought before the committee are, basically, and you mentioned the NHMRC, most of them are like that. They say that there is no proven link. So that's the dilemma for this committee.

Ms MORRIS: Well someone needs to do the research, someone needs to bring their brain activity monitors up to Waterloo. I guess Con Doolan went part of the way to do that, in terms of his research that he spoke about in Clare in January. He was measuring the infrasound and low frequency noise, but the people in the homes didn't know what he was measuring; they had to write down, at certain times, what they were experiencing, whether they were getting the ear pressure pain, the headaches, the dizziness, being woken up, or whatever. He compared that to what he was measuring, and he found a strong correlation.

However, the thing with that was that because he did not have power output data, wind speed data and stuff like that from the wind farm he couldn't prove it was the wind farm that was doing it. It is a bit of no-brainer: when you turn it off all those things stop, if you turn it on again all those things start up again. But that's not acceptable evidence.

No-one has approached the wind farm company about funding research. Well, for a start, we are nearly three years down the track since it has been running. You can only bash your head against a brick wall for so long trying to get a proper response from them. So, lots of people ring up the wind farm, the wind farm recognises their phone number, doesn't answer the call.

836 The Hon. M. PARNELL: Can we explore that a little bit more, because one difference that we have come across so far—and you and I discussed this a while ago—we were told again today there had been five complaints in relation to Waterloo. They used the words 'official complaints'; so, five official complaints; but, I said to them, 'Well, I have seen the emails from many more than five people who live around Waterloo.' What is happening there? What is the problem? Is their complaint mechanism so difficult to access? Is that the problem?

Ms MORRIS: I think there is a systemic failure in the complaints mechanism. Who are we supposed to be complaining to, really? Are we supposed to be complaining to the wind farm company? They don't have a proper complaints form; they have a 'talk to us' email thing you can send to, and they have a phone number which they do not answer. I have written to the big boss in Hong Kong and said all these problems, Sir Michael Kadoorie of China Light and Power; he said 'There's no problem'.

Should we be complaining to Clare council or Goyder council? Should we be complaining to the EPA? Should we be complaining to the planning minister? There is no defined complaints process. If you go to the Falmouth, Massachusetts' council website and lots of other websites where this is a problem and there is more populated area, so they are having to deal with more people, they have a complaint form online—a standard complaint form.

I have contacted the Clare council and the Goyder council and said, 'You don't have a complaints form'. They said, 'We don't need a complaints form; you just write to us and tell us what the issue is.' I think, while you have such a nebulous—who do I complain to? There is no proper form; where does it go when you have done it? You cannot follow the trail of how many people are affected.

The wind farm company needs to have a proper complaint form. I think those complaints need to go to the council who has approved the wind farm, or the regulatory authority

that is supposed to be enforcing compliance. The company, the council and the EPA all need to get a copy of the complaint, otherwise no-one knows what anyone else is doing.

837 The CHAIRPERSON: It is interesting, Mary; I am intrigued by what you have just said, because the company this morning said they have a system whereby they log when they receive a complaint. I am just surprised that they claim there are only five complaints that they have ever received.

Ms MORRIS: Well, it could be something to with social demographics, that people don't—there is no formal process; what is the process? When you are having a bad night tonight, you ring up.

838 The CHAIRPERSON: Okay.

Ms MORRIS: So, you ring them up. If you are some people, you ring up the manager at home in his bed at 3 o'clock in the morning and tell him you have been woken up by the wind farm, and then he rings you back at 6 o'clock in the morning to wake you up, because you have gone back to sleep but he is just doing it to get back at you.

People tend to do nothing about it; they complain to their neighbours; they talk to the council but they do not write letters—people do not write letters. I wrote lots of letters; I'm sorry, when I looked at all the stuff I had sent you last year—I printed it all off last night and thought, 'Gee, that was a bit mean, wasn't it?', but guess what? I have lots more. The complaints process does not allow for things to be really monitored properly as to how bad it is, but then you have to get the people to follow the process anyway, and people don't.

839 The CHAIRPERSON: Part of the role of the committee is to look at what we need to do going into the future as well.

Ms MORRIS: Yes.

840 The CHAIRPERSON: Maybe that is one of the recommendations that we might look at—some sort of formal, standardised process for people to put through their complaints. How have you got on with your PowerPoint presentation?

Ms MORRIS: I just want to go where the conversation went, really.

841 The CHAIRPERSON: Yes, that's fine.

Ms MORRIS: We have covered some of the stuff.

842 The CHAIRPERSON: Are there any points you want to cover?

Ms MORRIS: Sure. I want to talk about the interim wind farm DPA consultation—the lack of consultation; the fact that it went into operation immediately, as soon as it was whatever. On 18 October 2011, John Rau said, 'Bang, it's in.' Twelve months' consultation.

So our friendly local wind farm company took the opportunity to—although its development application for Stony Gap Wind Farm had been in since June 2011 ss soon as Mr Rau put his new thing in, they pulled the application, and one for a wind monitoring mast, and put it back in again, so it was only considered under the new rules. So that meant that all the people who live around there who will be affected—because the effects don't just go one kilometre—couldn't respond anymore, and we thought that that was a bit of a dirty trick. They are totally legally allowed to do that.

One of his justifications for introducing the interim DPA is that it would give rise to proper and orderly development, and I think it did the exact opposite. When you have third-party notification, other people, other than the people who live right underneath whatever it is going to be, have got collective wisdom about whether that's a good idea or not. So, immediately you take that all away and therefore you end up with planning decisions based on information that isn't the whole picture.

843 The Hon. M. PARNELL: It's cold comfort to you, but the upper house of state parliament has passed a bill to stop the misuse of interim operations, but it hasn't been accepted as law yet.

Ms MORRIS: Good boy. Good on you; thank you. Also, good work on your coal seam gas stuff, too, but I couldn't help it when I read your letter in the *Stock Journal*, I thought just take out the words 'coal seam gas' and put in 'wind farm' and it all applies. Getting back to the DPAC, that interim period lasted for 12 months and, during that time, I think Waterloo Stage 2 was also lodged, therefore all these people who live closer to the wind farm than people who are allowed to object aren't allowed to object. There were only like three people who were allowed to object to that wind farm. There would have been heaps of useful information that should have gone to the Clare DAP—not allowed, so there you go.

I actually got hold of the Development Assessment Commission (DPAC) report that they gave to the minister. Have you read it? He didn't really follow very many of the recommendations. The most important ones he didn't follow. Just getting back to the misuse of interim development applications, one of the things is that the planning commissioners—you know, they know all about it; they've read all the stuff. They've heard from us heartfelt, heartbroken people, and they questioned the use of the interim DPA because it's meant to be restricting inappropriate development, not enabling stuff that people want to object to. So, it's a complete misuse of the facility that he had.

Also one of the other main things that he completely ignored—he's only ever considered visual amenity as part of the setbacks. There's point after point after point—I'm not going to read them all out—but the commissioner said that, if someone's got a wind farm, wind turbine, that's going to be built on their property and they think it's okay to be closer than one kilometre, from a work safe point of view or from the impact it's going to have on their children or people that are working there, you can't do that. You can't elect to change the safety rules for your own property just because you want to. Am I making myself clear?

844 The CHAIRPERSON: Yes.

845 The Hon. R.P. WORTLEY: You can't sell your rights.

Ms MORRIS: Yes, you can't sign your rights away. They also said that there should be at least two kilometres from people's houses. All the setbacks, recommendations they made, were on the noise and health and safety aspects. He has completely ignored every single thing about noise and health in his interim DPA. His setback relates to visual amenity and he's got a one kilometre setback. I just think what sort of a planning minister completely ignores the recommendations of all these experienced people. They have read all the submissions, they have listened to the people; he hasn't. He just comes along and goes, 'I'm just going to ignore that and just pick the eye teeth out of it. The other thing I noticed, and I don't know if you did, is that you can put wind turbines as close as 100 metres to the South Eastern Freeway under Mr Rau's now set in place DPA. So, they are more than 100 metres tall and they do catch fire, they do fall over, and the blades do fall off. I have a picture. I sent it to you.

846 The CHAIRPERSON: Yes, I saw that one.

Ms MORRIS: So, I think he is neglecting valid serious issues and the recommendations of his own planning commission, and it is not right. Maybe you'll be able to take that up. Have I got anything else to say?

Ms ALLOTT: About the EPA—about the diary that they made us fill out.

Ms MORRIS: That is true, and that is another health thing.

847 The CHAIRPERSON: The diary?

Ms MORRIS: Yes, the noise diaries. They said, 'We are only looking at audible noise.' Whatever else anybody wrote in there about what they could feel, or vibrations or headaches or being woken up, or ear pressure pain—which is clearly coming from the turbines because when they're not going, you don't get it, and when they are going you do—the EPA hasn't considered any of that information. Fair enough, they have to wait for the NHMRC or the health minister to declare something; however, their own noise guidelines are quite specific that sleep deprivation from noise is a health effect. So they've completely ignored if people have written in their diary, 'This week when the wind was from that direction, I got woken up five times a night the whole week,' and that is relevant to what they are supposed to be doing to protect people.

848 The CHAIRPERSON: But they've discounted that?

Ms MORRIS: Yes, they've discounted that.

849 The Hon. M. PARNELL: Just looking quickly at the website, it looks like 23 people have filled in diaries.

Ms MORRIS: Yes. We had over 50 who said they would but, when it came to the crunch—

Ms ALLOTT: It was very hard to fill it out every day, and to actually get your mind set on writing it out every day, because every day you virtually fill out the same, so it is almost like 'What's the point of filling it out?' I persevered with it.

Ms MORRIS: That's enough from me.

850 The CHAIRPERSON: Are you sure?

Ms MORRIS: Unless you have any more questions.

851 The CHAIRPERSON: I don't know if there are any more questions. You have nothing more that you want to show us?

Ms MORRIS: I could show you something. I do have one more thing. Mr Rau ignored cumulative effects, and the thing says:

DPAC recommends contemplation of greater setback distances where turbines have accumulated and stand to surround a dwelling.

I would like to draw you a little map. Can I draw you a little map?

852 The Hon. M. PARNELL: Nothing that you say now is being picked up so Hansard won't get it. Maybe you need to do your drawing and move back to the microphone to explain it. Would that work?

Ms MORRIS: All those lines and squiggles represent wind farms which are planned to be built in my immediate vicinity. Currently, agreements are in place with landowners and development applications before councils. So, Stony Gap was rejected by Goyder council, but the company is appealing it. The council has pulled out of the appeal but there are two landowners still fighting it. Apparently, Stony Gap stage 2 hasn't actually gone up on the radar anywhere but all the people are signed up, that's why they're not complaining about Stony Gap stage 1. So, up the top there are probably 70 turbines on top of the 37 for Waterloo stage 1, plus another six they are allowed to build.

Robertstown is eight kilometres to the east. Fourteen landowners have signed up there, but because nine or so—I think it's nine—because nine of them can already hear what's happening at Waterloo and it keeps them awake at night, they've told the company they don't want it. The company ignores them. So, then we've also got—

853 The CHAIRPERSON: But surely if they've signed up, how can—

Ms MORRIS: Well, I guess on the basis that they signed up—it's an expression of interest. It's to hold the land. They were told there would be no noise, there would be no health effects. I guess they believe they were misinformed on what the consequences would be. Then there is Bagot Well, St Kitts, and I think that's 57 turbines, heading down towards Kapunda. That has a monitoring mast up now. So, cumulative in this area, that's quite a lot, on top of what we've already got in Goyder. It's a bit too much.

The last point is, has anyone noticed that to the north of the River Murray and to the east of the Mount Lofty Ranges there is a really big empty space where no people live? I think it is AEMO or ElectraNet, someone has done a study on how much it would cost to build a powerline from Wilmington to New South Wales to take all the power they could put in the pastoral country, where there's no people living. I think it would cost \$3 billion. That would probably be better than sticking it in amongst all the people and having to rebuild all the substations that are there because they can't handle all those huge amounts of power that are being generated. They are doubling up everywhere. Where they have to build a wind farm, they rebuild the powerline. So, why not put it out there where there is nobody? Thank you.

854 The CHAIRPERSON: Thanks, Mary. Wanda, do you have anything more to add?

Ms ALLOTT: Is the reason that the wind farms, or the turbines, are being pushed onto people because of the government's subsidies? I mean, they are not worried about people's health and electricity is only going up. I don't want a discount for my electricity, I've got solar, so I don't care, and it's not going to help my health anyway. But I'm thinking about it because why else would you push so hard when there are alternatives besides wind turbines for electricity? Green.

855 The CHAIRPERSON: It's driven by the federal government policy of renewable energy targets, and that's what—

Ms ALLOTT: It's the everyday taxpayer that's actually paying for them anyway with the subsidies.

856 The CHAIRPERSON: It certainly does impact on everybody's power bills, but that is a federal government policy that is driving that. So, that is sort of outside of our jurisdiction, in a sense. We are looking at things that the South Australian government can control. Thank you very much.

THE WITNESSES WITHDREW

WITNESSES:

JULIE QUAST, and JOHN FAINT, both of Waterloo and District Concerned Citizens Group,
called and examined:

857 The CHAIRPERSON: Welcome to the meeting. The Legislative Council has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. Should you wish at any time to present confidential evidence to the committee please indicate and the committee will consider your request. Parliamentary privilege is accorded to all evidence presented to a select committee; however, witnesses should be aware that privilege does not extend to statements made outside this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament. Thank you for coming. We will hand over to you to make some remarks.

Mr FAINT: My name is John Faint. I am a resident of the Waterloo area. I am co-chair of the Waterloo and District Concerned Citizens Group, and Julie, here, is our secretary. On behalf of the Waterloo and District Concerned Citizens group we welcome the opportunity to address you, the Select Committee on Wind Farm Developments in South Australia, and strongly recommend that changes be made into the locations of future wind farms.

Our group at Waterloo was formed not only because of the impact on the community and environment but also by the frustration of having our concerns overruled by decisions made elsewhere. Now we are seeing firsthand a community divided and a precious and unique environment destroyed forever by an industry which we consider corrupt and inefficient. Why has this happened? Because of lack of research and the power of money. I have divided my statement into two categories, social and community, and environment, and I will summarise with what we think needs to be changed. Our secretary, Julie Quast, will present issues on noise and health and the community disaster that this has caused.

First, social and community: this once close-knit community is now divided by spitefulness and anger, not only to neighbours but also between family members. Community members who have raised concerns to the wind farm proponents have been treated with intimidation and contempt. For example, phone calls not returned, issues raised not addressed, and continually lied to regarding noise and tower location, road use, clearance of vegetation, protection of the environment, etc. In real terms, they have done what suits them not us. Through submissions, surveys and public discussions, there has always been strong opposition to the Waterloo location basically because of lack of interaction with locals and the failure of those in authority to intervene when necessary.

Environmental issues: massive destruction of natural trees and rock formations, hills levelled, and gullies filled in resulting in permanent scarring and now extensive erosion. When these matters were raised with relevant government departments, like the NRM and the Department for Environment and Heritage, the answers were always the same: 'There is nothing we can do under the current guidelines.'

There has been serious loss of habitat for native birds and animals, especially eagles and raptors, and also other rare bird species have disappeared and nests abandoned. The so-called independent environmental studies were hastily done by persons employed by the proponents. Tourists complain that this once beautiful, peaceful and unique area has been ruined. There were thousands of tonnes of non-renewables used, like steel, cement and gravel. Bulldozers were used to push aside trees and rocks, and now for hours on end, and even days, when the wind is not blowing the turbines stand idle, producing no power at all.

What we think needs to be done: there are many areas, but I will highlight three of them. Changes certainly must be made. Guidelines, locations and rules of engagement should be made by local government and local residents in respect to local conditions and issues. Distances from farmhouses and towns must not be less than five kilometres—in fact, further under certain topographical situations. If this change were made then most of the concerns and impacts that I have just spoken about would become irrelevant. Thirdly, cost versus efficiency studies, together

with social and environmental studies should be done by totally independent bodies and organisations.

Finally, we trust that you will recommend and insist on significant changes to this industry, keeping in mind that it is government's responsibility to first protect communities and the environment above all else. Even though we appear opposed, we are not against renewable energy generation: solar and sea power are far better options. Thank you. I will hand over to Julie.

Ms QUAST: Do you want to ask questions first?

858 The CHAIRPERSON: Mr Faint, I think I heard earlier that you were involved with the community liaison group—

Mr FAINT: Yes.

859 The CHAIRPERSON: —and you resigned.

Mr FAINT: I resigned.

860 The CHAIRPERSON: Can you explain your involvement and what led to your resignation?

Mr FAINT: Yes. We were invited by the TRUenergy liaison group to have a representative on that committee and I was chosen or volunteered. Probably every second month there was a meeting, so I think I went to five. I was frustrated by, when we made concerns, how things were overruled.

861 The CHAIRPERSON: How do you mean 'things were overruled'?

Mr FAINT: The issues we raised probably stated it: where were the facts regarding what was happening? I was always concerned about the community and the environment, and I raised issues about the locations of eagles' nests and the locations of the turbines. Initially, we were informed that there would be no turbines within 600 metres of an eagle's nest, etc. They finished up within 80 metres of the turbines, so it became frustrating for me as a representative of a concerned group to try and reason with them.

They would always say, 'We are working under the existing guidelines.' After probably the last meeting that I went to, there were continued lies about what they had promised and what was done, and I wrote a letter offering my resignation because I wasn't going to be part of a program like that. It's below my morals to be involved in lies to the community. That's basically it. There were other people there in the group who I think were only on this committee because they saw an opportunity to get some money out of the proponents, but that failed to eventuate.

From an environmental point of view, a person who was employed by Hydro Tasmania, as it was then, on the bird population, I could not believe what she was saying about the so-called non-impact of wind farms on the environment. She certainly was a doctor, but she was covering for the industry and she was employed by them, so that was frustrating to try and reason with her. It was always about the guidelines. 'We are operating under the current guidelines,' so there was very little that we could do.

862 The CHAIRPERSON: So it would be fair to say you felt the whole community liaison group approach was flawed?

Mr FAINT: I think it was flawed. It was an attempt to communicate, but they had their agenda, and I was told by them that it was all about wind and powerlines and money. The company said, 'We're in this business to make money,' and I thought, 'Well, okay, if that's the way it is, then what are your concerns about the community and the environment, really?' They had very little. They had never done the research, and it was frustrating seeing our beautiful area, where we've lived and worked all our lives, changed forever.

863 The Hon. M. PARNELL: I would just like to explore that a little bit more. They had clearly already spent an awful lot of money, so their agenda was never going to be to close or shut down. I'm just wondering what you expected you might be able to get from them when you first joined up, given that they were clearly there to stay?

Mr FAINT: I was happy that, if there were going to be future wind farms under their supervision or whatever, the distances from all the birds and animals would be respected, that the issues that we as a community were continuing to raise would be properly addressed. They said they would, but nothing was ever done, and it got to the stage where I felt that we were just being completely intimidated by them. We were a nuisance to them being there, and that to me is very disappointing because we consider ourselves normal, decent citizens of the district and it is our right to protect our business.

864 The Hon. M. PARNELL: One of the issues that we are going to have to grapple with is, obviously, planning rules and how those rules are best configured. Your suggestion was you thought five kilometres sort of made sense to you.

Mr FAINT: A minimum regarding the topography of the area.

865 The Hon. M. PARNELL: Yes, and you also said that in some cases you would need more than that, but part of the dilemma that we have got is that there would be some situations where five kilometres would be more than enough. There would be some areas where you would never ever under any circumstances be going to hear it at five kilometres, depending on hills in-between and all sorts of prevailing winds. Have you got any thinking about how a planning system might be a bit more flexible? In other words, if five kilometres is not needed and you could crib a little bit, but if more separation was needed—you are not here as a planner, I understand, but given that you put to us that you think five kilometres—how might that work do you think, in practice?

Mr FAINT: Okay, yes, as I mentioned about the topography of the area, I would agree that perhaps in some situations—and I think Snowtown or whatever may become prevalent—there is not the problem there. Waterloo is unique because there are the three ridge lines and two valleys. The valleys are trapping the noise and in our situation and where I live—I am 4.3 kilometres away from the turbines—I would sooner live closer to the turbines than where we are because what is happening is the sound is dragged down into the valley and if the weather conditions are right and the wind conditions are right, the pounding of the turbines is very relevant to distances, in our case, nearly five kilometres.

That is why we consider that in an area like Waterloo it needs to be at least five and possibly more. If there was a single ridge line or if the turbines were on a plain, then maybe the situation would be different and it would not be required to have that distance. I know that is an issue, but in situations like Waterloo, to me, it is essential that they are not close to these residents. Just going on from that, I think the Liberal Party might have said that maybe two kilometres from farmhouses and five from towns, but what is the difference between a farmhouse and a town? There are people living there and they are impacted the same, so I think the distance needs to be uniform.

Ms QUAST: I would perhaps suggest that some strict testing of each area would help with the guidelines situation because I know we keep saying independent testing, but a lot of it is not independent and that would probably help with the guidelines.

866 The Hon. R.P. WORTLEY: You are saying a distance of five kilometres from the development of the wind turbines to a residence or a home. Would there be many circumstances in areas that could happen five kilometres from a residence? Would there be any situation where you could put a farm?

Mr FAINT: Well, there would be if you went out into the open pastoral areas or things like that. There would not be homes within five kilometres.

867 The Hon. R.P. WORTLEY: So, like the outback?

Mr FAINT: That is right, the more far-reaching areas. In Waterloo's instance there are 75 families or residences within five kilometres of the turbines, so it is quite significant.

Ms QUAST: I wish to thank the committee for allowing us a voice. We, as rural residents, are getting sick and tired of being treated as second class citizens and collateral damage to the greater good. In Waterloo many residents have become sick with heart problems and stress, high blood pressure, vertigo, swollen neck glands, ear popping and severe sleep deprivation. There are different symptoms for each individual. Some experience weird and bad dreams. Some have

had to leave their homes on advice from doctors. I myself live in a weatherboard house which is 2.5 kilometres from the turbines in open farmland and I personally suffer severe sleep deprivation, swollen glands and ears popping and waking some nights with my heart pounding to the rhythm of the turbines. It has been explained to me that this is a fight and flight reflex. This happens to quite a number of people, I believe. On really bad nights you just want to knock yourself on the head to get some relief. TV and radio reception seem to be affected, depending on where you live.

An acclaimed acoustician has done testing in the area and at our home. His finding has shown the house vibrates to the rhythm of the turbines. Some nights, although the turbine noise is not very loud, your head pounds to the turbine rhythm. Since the turbines started operation, I've recorded a health diary. Having just been away for a month, I've realised after three days I'm back to the tired, grumpy person I was before. I have noticed people tend to become supersensitive to noise anywhere after living near this wind farm. Not everyone is affected by the noise or the infrasound, and that's a good thing.

The topography of the area seems to be an integral part of being affected by noise and vibrations. One resident, a turbine host, has moved from a transportable house two to 2.5 kilometres from the turbines situated in a dip in the land to a brick house four kilometres away, slightly higher, and can now hear the turbine noise much more there.

The effect on the community as a whole is devastating, as even families have been split, and you have to be very careful who you talk to and residents are afraid and not able to verbalise their concerns or problems in public. We as a committee are trying to give them a voice and not let this situation happen elsewhere in Australia. There has been extensive testing done at our home and several around the area. Some correlation to the annoyance of the wind turbines felt by the residents and the noise produced by the turbines has been recorded by the uni of Adelaide.

868 The Hon. R.P. WORTLEY: Why is the community split in Waterloo? Why would people support it when there's no monetary value or no visual aesthetics for them? Why have people split from those who don't want it? Why would it be a problem?

Mr FAINT: Of course, it doesn't all relate to money because a lot of people would sooner prefer the community and environment are protected, and I think that's caused some of the split because they are unhappy that this has occurred in a once peaceful area.

Ms QUAST: I think families are split because, say, one brother hosts turbines on his property and the other brother didn't want them there and they've gone ahead. So that affects them. And there are neighbouring farmers who didn't want it to go on their land and the neighbours have allowed turbines to be built on their land, and it becomes very heated.

869 The Hon. R.P. WORTLEY: What about in the town of Waterloo itself? We had evidence from a person, well back, saying that their neighbours turned on them, and all sorts. Can you understand why that happened?

Ms QUAST: Sleep deprivation wouldn't help, because people get very irate when they are deprived of sleep.

Mr FAINT: I think, also, with the health issues, some people are affected and some are not, and those who are affected, of course, look to their neighbours and say that, 'It's happening to us and so we are unhappy with the situation.' I don't think it's to do very much with jealousy. It's just the disappointment of this wind farm in a very close-knit community. It's got to the stage where we can't get people to stand on committees any more for fear of reprisals. The wind farm subject is basically not discussed at all anywhere. It's caused a real split.

I guess our lack of communication was another area. We certainly couldn't get our voice across to the authorities and the decision makers—the development approval panel was made up of members from well outside the area. We all think it's a good idea, renewables, but the reality is quite different.

Ms QUAST: I think the way the company handled the community and the process did not help things, either.

870 The CHAIRPERSON: Can you elaborate on that, Julie?

Ms QUAST: People locally were probably ignored, unless they were host families. We have land up on the ridge, level with the turbines, and, as an example, it took us six months to get an answer from them regarding what the turbine placement would be and what they were going to look like because we had said that, no, they couldn't put wires or Stobie poles on our property. We had researched before we even moved to the area, and we were very concerned about the health aspects. I think that the company, unfortunately, picked the wrong people to be dealing with the public; they were very arrogant. Even with meetings we had with the company after it was built, they were madly trying to repair the community feeling; they were basically rude, and we just didn't matter.

871 The CHAIRPERSON: You mentioned the health aspects; the headaches and all of the symptoms you experienced. I think that Mark Parnell has raised before. We have heard that from a number of people, but we have not had actually had any doctors come and give evidence to say, 'I have 10 patients, and these are the symptoms they have.'

Ms QUAST: They probably don't want to stand up and put their hand out, because they would probably be knocked very hard by the companies.

872 The Hon. R.P. WORTLEY: But why would a company—

Ms QUAST: Because money talks and, say, funding might not be available for a certain medical thing, or they would be hounded down by the community and by people who are for wind farms.

873 The CHAIRPERSON: I am sure you have explained your symptoms—as have the other people you know. I assume that you have been to your GP to explain the problems you have had.

Ms QUAST: Yes.

874 The CHAIRPERSON: I am surprised that we have yet to have one who is prepared to come and say, 'Yes—'

Ms QUAST: They would have to be very brave and very tough.

Mr FAINT: And be disciplined.

875 The CHAIRPERSON: I am not disputing what you're saying.

Ms QUAST: I know that, and I know that there are several people in Waterloo who go to the same doctor I do, and I would say that he would have to be very tough and very strong to stand up against—

Mr FAINT: My doctor has indicated, when I have raised problems, that, at this stage, there is no proof or no written documents in their medical thing to say that wind farms are detrimental. They're getting lots of evidence, but nobody is actually standing up for the community's health. There is no doubt that there are people in our area affected; the survey conducted two years ago indicated that at least 38 per cent of the community was either moderately or seriously affected with health and noise issue.

876 The CHAIRPERSON: Thirty-eight per cent?

Mr FAINT: Thirty-eight per cent.

877 The Hon. R.P. WORTLEY: Where was this from?

Mr FAINT: This was from the survey that was done through our group and with the help of others in the community. Also, another survey was done by a totally independent student from the University of Adelaide, and he was hammered because he was telling the truth.

878 The CHAIRPERSON: He was still around the same percentage, the independent one?

Mr FAINT: Yes, exactly the same percentage. The question was asked of the Waterloo community within a 10-kilometre radius, 'Do you want further wind farms?', and 80 per cent said no.

879 The CHAIRPERSON: Eighty per cent said no?

Ms QUAST: Yes.

880 The CHAIRPERSON: And everybody responded in that—

Mr FAINT: Yes; I think there was a high percentage rate. There was an over 70 per cent response, which is fairly high for a survey, I understand.

881 The CHAIRPERSON: So, 70 per cent of the community residents within a 10-kilometre radius—80 per cent of those respondents said that they didn't want any further wind farm development?

Ms QUAST: Unfortunately, Clare is our council. We probably don't exist to them.

882 The CHAIRPERSON: Well, your mayor was here earlier. I think that you do exist.

Ms QUAST: We do now.

Mr FAINT: Yes. I think that our mayor has been quite sympathetic.

Ms QUAST: When you go and put in an application to build something and they ask you, 'Where's Waterloo?', it is pretty disgusting for a council. So, it is no wonder they allowed us to have the wind farm because they don't really care about the people over there.

883 The Hon. M. PARNELL: I am interested in the Waterloo community because that's what you have talked about a bit. I guess there are people who have lived there their whole life, there might be people who come and go. Some of the evidence we had earlier was that some time ago (I don't think that the witness gave the date), every second house was empty. Then there was a period when where most houses were occupied and it was thriving again, and now we are in a period of decline again. I do not pretend to know your community at all, but there are no businesses still operating, or shops or service stations or anything. I am just wondering about employment opportunities. When we spoke to the wind farm people this morning, I think they talked about the equivalent of seven full-time equivalents, most of whom live in the area—not in Waterloo, I don't think, but within 15 minutes or so, some of the blokes I spoke to.

Ms QUAST: There isn't anywhere 15 minutes of Waterloo; there is nowhere.

884 The Hon. M. PARNELL: Okay, but they are in the district, if not—

Ms QUAST: They said that when they built the original wind farm, and they were coming from Brighton.

885 The Hon. R.P. WORTLEY: I spoke to one of them; he came from Point Turton.

Ms QUAST: There was nobody employed locally.

Mr FAINT: That's the whole thing, Mark. There have been no jobs created locally, and there has been a big debate about 'local'. We have debated that ourselves, even at the community liaison committee. We thought that five kilometres was the local community; well, they don't talk about five kilometres, it's all over Australia. Even when the construction took place there were trucks and vehicles from Queensland and New South Wales; contractors. As a result, there has been no real local opportunity for permanent employment.

886 The Hon. M. PARNELL: I guess what I am getting at, as well as that point, is in terms of the ebbs and flows of local communities. People put signs on their fences saying why they have left, so I don't doubt those people, but it does seem that in communities like this, especially once services go—I guess in country towns it is the bank and then the school, and things go one by one—are there likely to be factors other than the wind farm that have led to the decline of the local population?

Mr FAINT: No. Farms have become bigger, so if the farms have been sold they are usually bought by the neighbours, so families are lost that way. That is probably common all over the state. But the only other industry in Waterloo has been a quarry. That employed a few locals, but that has been leased out to a company called Fulton Hogan, and they are not operating there at the moment because they are a big company and they go where the work is. There is probably one permanent person there and a casual, and there would have been perhaps 20 people there at one stage. That would have helped the local community, but that is probably it, the main thing. However, as I said, the wind farm has not created any.

887 The Hon. R.P. WORTLEY: I need to go back. I don't like harping on about this, but it will be something we will be talking about when we deliberate on this: what can this energy company do or hold over a doctor from coming out and saying, 'This is a real health issue here. A lot of my patients are suffering'? He wouldn't have to mention anyone's names. It just seems that there is something missing. What can they do to frighten a doctor to not—

Mr FAINT: The wind farm proponents will say, 'Well, there's probably only two or three people complaining.' That has been their answer all the time, and they write that in their documents and their propaganda.

888 The Hon. R.P. WORTLEY: But if a doctor came out and said something, people would believe a doctor over a wind farm.

Mr FAINT: They should.

889 The Hon. R.P. WORTLEY: Most of the time they would. I still don't know why there is no doctor who will come out, on behalf of their patients, and say, 'There is an issue here and it should be looked at.'

Mr FAINT: I guess that is a question for the doctors themselves, in some ways, isn't it? We are not medical people. If I were a doctor I certainly would say something to the general public or to the decision-makers about a problem, because it is so real for so many people.

890 The Hon. R.P. WORTLEY: Thanks very much for that.

891 The CHAIRPERSON: Thanks very much for your evidence; we appreciate you coming in, and thanks for coming a few minutes early; it just meant we could continue on. As I said, a copy of your evidence will be forwarded to you for checking for clerical corrections.

Mr FAINT: Thank you for this opportunity.

THE WITNESSES WITHDREW

WITNESS:

JIM DUNSTAN, called and examined:

892 The CHAIRPERSON: Thank you, Mr Dunstan. You have heard me read the preamble before, so I will not go over that again. Maybe if you have any comments you might like to make, and then we will probably just ask a few questions.

Mr DUNSTAN: Thanks for letting me have a go today. I will try and remember a saga that has happened over a long period of time. I am Jim Dunstan, and my wife and I live at Ngapala, which is north-west of Eudunda and on the eastern side of Tothill Range, next to the Waterloo wind farm. We have a property there, and I also instruct at the school, and have for the last nine years, on the environment and agriculture. In saying that, I have no qualifications, but I have been there for that period of time.

I guess I will go straight to the crux of what we are talking about. I will try and do this in a brief way. I will go back six years, when the company first approached farmers. The way they were approached was one farmer in the district decided he wanted wind turbines in the area. After they had contacted that person, they then drifted off to the left and the right of that person.

As farmers do, they trust one another and they try to help their neighbours out. The company would go to the next guy and he would say, 'Look, your mate is having wind turbines and you can get this amount of money. Okay, well we can't stir up our mate, so they would drift along, in my case, to Robertstown Hills.

When it came to my brother and myself, we have a gentleman's agreement over a property. His property was half of what they wanted to put turbines on, and my half—the gentleman's agreement half—I did not want anything to do with them. After negotiating with all the other farmers, they came back to my brother. At the time, I think I was building stone walls in Eudunda. He came around and said, 'Look, I want this signed today; it is my half of the land,' so I signed it. Looking back, I was an idiot, but anyway.

After that, I was under the impression that his bit of land was the only bit of land that had wind farms on it, and I was under the impression that it was only for five years. So, in that period of time, I had gone off to find out what was happening with wind farms—Hallett, in town, nearly anywhere you could think of that was in the state to see what's going on with wind farms. I came back and I thought, 'This is not good.'

With the help of the Waterloo people when the wind farm at Waterloo kicked in, they said, 'You've got to do something while you've got the opportunity; you've got to do something now before it's too late,' so I went around and I went to the farmers that had signed the contracts. I had to do this three or four times.

The first time I went to them, they said, 'We can't talk to you; the company said we can't talk to you about our contracts.' I said, 'Okay, but as neighbours we can talk about some of it, can't we?' So, we got to the stage where, over a period of visiting these farmers twice, I got them together. I had a lawyer, a doctor, and some people there to explain what was happening.

Through that, six farmers decided, 'No, we don't want anything to do with this.' At that time, all those farmers were under the impression that it was a five-year contract, and then after five years the company would come around again. There was not one of those people—even the ones that wanted the wind farms were all under that impression. So, when five years came up, I went to my brother and said, 'Did you ever get the contract looked at?' He said, 'Yes, it's all good,' and I said, 'But who looked at it?' and he said, 'Our accountant looked at it.'

That is what happened with a lot of other farmers. They showed their accountant, the accountant flipped through it and said, 'Yes, this will be good for you, mate; no problems.' He didn't look at it properly. After those five years, I got the contract off my brother, I took it to a proper contractual lawyer and he said, 'This contract's poison, don't go near it.' I said, 'Well, I've signed it.' I was under the impression it was five years, but he said, 'This is a 25-year and on contract.'

I went back to all the farmers. We wrote to the company. We wrote a petition up, wrote to the company and said, 'You've misled us', and the only answer I ever got back from Clint

Perkins from now Energy Australia was, 'It's a complicated issue.' We emailed him back and said, 'That's not an answer. We want an answer.' We have never heard from him ever again.

In that period of time I have gone with a lawyer. My brother and I don't get on any more. The lawyer said our contract was no good because the company has never ever been to my property. It has never been to our house to discuss the contract. He did say, 'Well, you have signed it. What did the other farmers do?' If they looked at the contract properly they would have understood that it was a 25-year contract. None of the farmers that I know of ever got that told to them, not in that period of time back then. A lot of those farmers have since gone off and have found out that either their contract is no good anyway because the company has misled them, or the company was supposed to come round in a five-year period to renew the contract. So, when you came to renew your contract, the company would come to your house and they would basically want your bank account numbers and that renewed your contract. If you said, 'No, bugger off, we don't want you' then that was the end of it.

In a couple of cases farmers—maybe a bit older than I am, which is not too bad, I suppose—were pressured into it. They said, 'Okay, take the bloody bank account and get out of here. We don't want you pressuring us.' In some cases the wives had to get out because they couldn't handle the pressure of what these guys were putting on them, and husband just said, 'Look, here, go for another five years.'

When we signed the six farms at the time—there's more now—signed that letter, we asked for them to come and meet with us and discuss it, and they never did. After that five-year period they came around, or were going to come around—they only went to the farmers that they knew were okaying it still and saying, 'Yes, we still want the money, we still have the contract.' When they went to the beginning of the line of farmers, the farmer that they were going to see—I don't know whether it is safe to say his name, but I won't—they said, 'Look, these guys are coming around.' So the other five of us went to meet this guy. This was the first time we had a chance to talk to him. I had my brother-in-law there. He said, 'I'm going to take the minutes of this meeting because you won't listen to us and you won't come to meet us as a group. They'll come and meet you separately because they'll play off on you every time.'

After that meeting we wanted answers for our questions, and we have never heard anything from the company. We have used a lawyer and they won't answer through a lawyer. So when people say, 'Why don't you contact the company? Why don't you write to the company?', what I bring up tomorrow is another reason why we don't bother any more. That's just basically my saga.

893 The CHAIRPERSON: Thanks for that. I am just trying to understand it. If you had signed it and it was a 25-year contract, why did they have to come back after five years?

Mr DUNSTAN: When you sign it the first time, the impression was that you were holding the land not for a wind farm. In saying that, there were already masts up and no-one in the community knew about those masts until we had meetings to make people aware of it. The impression that people got was that it was going to be just for masts and then after that maybe a wind farm. But when you got a lawyer to look at it—I don't know the legal thing because the contract would be half an inch thick—he was saying, 'No, your property'—and my half of the property, in the case of my brother, the whole farm was under a contract. In saying that, I have been to meetings where our whole property has had wind farms sitting on it in a proposed area, and those guys knew that we didn't want them.

Just going back a little bit, when we had that meeting with Clint Perkins, the following day I was at a clearing sale and the bloke right down the end that couldn't come to the meeting to discuss it with him said that Clint Perkins had met with him and said, 'It's all hunky-dory. All the farmers are okay except for one bloke.' That was the next day, and he knew what we had been on about.

894 The Hon. R.P. WORTLEY: Are you able to tell us how much money we are talking about? How much are they offering per turbine?

Mr DUNSTAN: When I went around to see each farmer, after a while some of them loosened up and said, 'We're getting \$50,000.' I went to one lady who said, 'I'm only getting three.'

895 The Hon. R.P. WORTLEY: Per turbine?

Mr DUNSTAN: Per turbine. Sorry, \$5,000 per turbine, and also it was \$5,000 at the beginning when you signed up, and then after five years you get another \$10,000 to sign up to renew it for whenever they were going to be there. Just looking back on the record, the Robertstown wind farm, if you believe those guys, should have been up—in 2009 it was going to be running.

896 The Hon. R.P. WORTLEY: Just on that money, are you talking about per turbine or total?

Mr DUNSTAN: Yes, in the case of my brother I think it was \$10,000 per turbine, but the lady just next to—

897 The Hon. R.P. WORTLEY: Per year?

Mr DUNSTAN: Per year. As far as I could understand, yes.

898 The Hon. R.P. WORTLEY: You mentioned that a while later more farmers signed up, that originally you had so many and then more.

Mr DUNSTAN: Yes.

899 The Hon. R.P. WORTLEY: Did these people still sign up after they knew the issues, that you believe you were misled? After they knew the fact that they were there for 25 years, they still signed up with this company?

Mr DUNSTAN: Yes, as far as I know there are three property owners out of all the people in Robertstown who still wanted them. We have actually gone around and talked to those people and asked, 'Do they understand?' We had a petition of 350 people (there's more now) who don't want them, just within the Robertstown area, and it didn't bother them.

900 The Hon. R.P. WORTLEY: They didn't want them, and they were prepared to forgo all this money because they were worried about what they had heard about the health issues; is that right?

Mr DUNSTAN: The three farmers that still wanted them didn't care; the rest of the farmers, yes. The company actually controls your farm. If I wanted to sell my farm at the moment, even though I don't want the wind farms and I haven't got any on my bit, I have to go through the wind farm company to hand it over to my son or to sell it. If they want to do anything, they can drive anywhere on my property, even though I don't want them and even though they've misled us and other people into thinking, 'Oh, we're just going to go along here, mate, that's alright.' If you look at the contract, they can go anywhere, they can take your water. They basically own your property in a way, and that's what has swayed a lot of the other farmers to say, 'Hang on, they never told us this.'

The only thing they ever really told them—which has changed; they have changed their tune—is that they are not noisy and everyone else in the district wants them. Everyone in the district at the time didn't even know that they were coming there in our immediate district. The masts were put up, not category 3 at the time; they should have been put up at category 3, which is another saga. So, the community has never had any say. When one mast was put up at category 2, that's like, 'What will happen tomorrow?' 'Same—you'll get more of what happened there.'

901 The Hon. R.P. WORTLEY: Do all farmers get the same, or are they all getting different amounts?

Mr DUNSTAN: From what I can understand, there is a lot of confidential stuff here, but they are not all getting the same amount of money.

902 The Hon. R.P. WORTLEY: So, the ones who hold off longer are enticed with more money or—

Mr DUNSTAN: Well, I can guarantee that the three guys who are hanging in there have had visitors from the wind farm, I would assume, on other discussions, that they would be getting more money.

903 The CHAIRPERSON: Just on the way down to the other end of the table, does that mean that if you wanted to sell your property the wind farm company would have a veto over that sale or you would actually have to get their approval to sell it?

Mr DUNSTAN: You have to get their approval. What I can understand of it is that if I were to sell my property to someone who wanted to make it into an environmental place to relax I don't think the wind farm company would let them have it, only because—well, bring it up tomorrow over the environmental issues.

904 The Hon. M. PARNELL: I've never seen one of these contracts, and it might be something that you could discuss with us later, whether or not you might be able to provide us with a copy maybe in confidence, and we can explore the potential for that and maybe talk to Leslie about that afterwards, but it sounds to me what you've described is an option to purchase. A classic example with a property developer would be that they would pay a farmer a certain amount of money and they would say, 'If the land gets rezoned for housing within five years, then we're going to buy it from you and this is the price.'

It sounds to me like the contract that you're talking about is that they have bought an option to lease bits of your property, put towers up on them, develop them and they've got some access rights as well for which they have paid money because it hasn't been built yet.

Mr DUNSTAN: No; it's still a proposal.

905 The Hon. M. PARNELL: Just so I have your main concern clear. You thought it was an option for five years.

Mr DUNSTAN: That's right.

906 The Hon. M. PARNELL: But when you go through the fine print it seems that they've got this over you for 25 years.

Mr DUNSTAN: Yes; and beyond, according to the lawyer—and beyond.

907 The Hon. M. PARNELL: I guess they would want to stop you doing a deal with rival wind farm companies.

Mr DUNSTAN: That's right; that's what they said. To all the people I spoke to, property owners that have signed the contract, they were all under the same understanding that: we're holding this land for five years for a possible wind farm, even though they've got masts up and even though it's obvious that one day, if they get there, there would be a wind farm.

908 The Hon. M. PARNELL: So, the problem is that you've got no exit strategy. There's no way that you can sort of say, 'Well, yes, we're happy for five years but we're not happy for indefinite', but you find that you're locked into indefinitely to give them the option to come on, and the contract presumably sets out what you'll get for it if they do build the wind farm.

Mr DUNSTAN: That's right. When they do come back to you, you just have to tell them—excuse the French—to bugger off because otherwise they will hound you. With one farmer, they've offered to pay for his property, he said, 'I've spent my whole life here—my grandparents.' He said, 'Go to buggery. Get out of here', and he hasn't had a problem with them ever since. We tried to deal with it in a more civil way but it's got to the stage now where the blokes that have signed on it are ignoring—they still send, they haven't sent me any because they know what I'm on about, but the other farmers just ignore it.

The only people who are in touch with the wind farm are the people who still want the money for the wind farm. The company's never said that wind farm—if you read any of their propaganda, they say, 'We're doing Stony Gap stage 2 of Robertstown', even though they know there are at least nine farmers who don't want it, who they have misled into the contract. They are still saying it's all hunky-dory, it's all good, and that's what the media gets. That's what the local community—'Well, the local farmers must think it's okay.'

If you write a letter to the *Northern Argus* or the local rag you can guarantee there will be another letter from the wind farm company saying that so many people in the community are for it. They haven't presented one list of people in our community who want a wind farm, except for the people who are getting money for the masts.

909 The CHAIRPERSON: If there aren't any more questions, thank you for that. We might talk to Leslie about the possibility of you giving us a copy of the contract. That is protected by parliamentary privilege. I'm not sure if that's possible, but I might get Leslie to talk to you to see whether it is possible. You may not wish to do that either.

Mr DUNSTAN: Me personally, but as long as I don't get all these other guys into trouble.

910 The CHAIRPERSON: That's right. We're aware of that and we don't want to put you or them at risk.

911 The Hon. M. PARNELL: We'll see if there's a way.

Mr DUNSTAN: Yes. I'm willing to give you a copy, no problems.

912 The CHAIRPERSON: We will see whether there is a way that we can do that. So, Mr Dunstan, thank you very much for your time, and we will see you again tomorrow.

THE WITNESS WITHDREW