

**Crookwell 2 & 3 Wind Farms**  
**Minutes, 2<sup>nd</sup> Meeting of Community Consultative Committee 01/02/13**

Action:

**Project:** Crookwell 2 and Crookwell 3 Wind Farm projects

**Meeting No:** #2

**Date:** Friday 1 February 2013

**Venue and Time:** Crookwell CWA Rooms, 2:30pm to 3:45pm

**Documents:**

- Agenda dated 1 February 2013
- Minutes, 1<sup>st</sup> Meeting of Community Consultative Committee 12/12/12
- Email from Maurice Newman on the 10<sup>th</sup> of January 2013
- Draft NSW Wind Farm Guidelines

**Attendees:**

Chair: Don Elder (DE)

Secretary: Lucia Calvo (LC) (Union Fenosa/Crookwell Development Pty Ltd)

Union Fenosa/Crookwell Development Pty Ltd representative members:

- Shaq Mohajerani (Project Development Manager) (SQ)
- Thomas Mitchell (Legal Manager) (TM)

Community representative members:

- Chris Croker (CC)
- Jean Dooley (JD)
- Maurice Newman (MN)
- Jamie Buck (JB)
- Steve Ward (SW)

Council representative members:

- Cr Malcolm Barlow (Upper Lachlan Shire Council)(MB)

Observers in attendance:

- Cr Paul Culhane (Upper Lachlan Shire Council, alternate) (PC)
- Chris MacKenzie Davey (OEH Representative)(OEH)
- Humphrey Price-Jones (President of the NSW Landscape Guardians Inc)(HP)

<b>Agenda Item 1: Apologies</b>  Apologies:	Action:
<b>Agenda Item 2: Observers</b> <ul style="list-style-type: none"> <li>• Cr Paul Culhane (Upper Lachlan Shire Council, alternate) (PC)</li> <li>• Chris MacKenzie Davey (OEH Representative)(OEH)</li> <li>• Humphrey Price-Jones (President of the NSW Landscape Guardians Inc)</li> </ul>	
<b>Agenda Item 3: Introduction by Committee members, who were not at the first meeting, of themselves and their hopes for the Committee</b>  DE: Invited the Committee members who were not at the first meeting to introduce themselves and describe their hopes for what the CCC will achieve.  JD: Owns property Rainmore, located between Crookwell 2 wind farm and Crookwell 3 South wind farm. Has worked in Banking and Real Estate. Family has been in the district since the early 1800s.  JB: Lives in Middle Arm Road and is part of the Fire Brigade. He wants to represent residents in the area affected by the wind farm. He is a public servant.  MN: Resident in Roslyn. Wants to make sure wind farms are appropriately situated. Has a financial services background.  SW: He is an electrician and moved to Crookwell 10 years ago. He wants to ensure everyone gets a fair go, especially non-host neighbours.	Action:
<b>Agenda Item 4: Declaration of pecuniary interests</b>  DE: clarified that Shaq and Tom are the company representatives, and Lucia is the secretary.	
<b>Agenda Item 5: Minutes of meeting held 12/12/12</b>  MN: Compensation of the chairman should be clear and transparent  DE: Clarified that he needs consent from UFWA to disclose compensation, and hopes that none is suggesting that he is being bought. With UFWA's consent he disclosed that he is getting paid \$500 AUD per meeting.  MB: Suggested one amendment to the minutes.  DE: Confirmed amendment after consulting the committee. The committee had no additional amendments. Minutes signed.	Action: <i>Minutes signed</i>
<b>Agenda Item 6: Business arising from the minutes</b>  DE: Sought members' comments arising from the minutes.  CC: Questioned Malcolm's impartiality in the CCC, based on his past public statements, and advised that, as foreshadowed in the previous meeting, he had	Action: <i>New Quorum rule to require at least 2 company</i>

contacted John Bell (Upper Lachlan Shire Council's General Manager) to raise the matter. John Bell requested that a letter from the Chairman would be the most appropriate way to raise a question regarding MB's impartiality, so he contacted Tom to request that the Chairman be requested to write a letter. He asked about the outcome of that letter.

*representatives and 2 community representatives.*

*Agreed: In addition to quorum rules, there must be at least 2 company representatives and 2 community representatives provided the Chairman has been given no less than 48 hours of who will be the alternate.*

TM: Clarified that he did not ask the Chairman to write the letter as he did not think it was appropriate for an independent Chair to be involved in this matter. Tom wrote a letter to Council expressing CC's specific concern regarding MB's impartiality, the letter was tabled to Council, and Council resolved to confirm MB as representative. John Bell responded to him in a letter advising Tom of Council's resolution.

MB: He believes it is a matter for the council to decide who the representative is. He believes community members should have been selected by Director General. He will use the CCC to defend council's DCP and defend the community's views.

SW: Questioned why, between Information Day and this meeting, no additional consultation had been done as they had been told.

SQ: Clarified that this was due to the holidays and that TM will be coming with a term sheet to be included in an agreement in approximately a fortnight.

TM: Not interested in putting money figures to neighbours for Neighbours Agreements until exhibition period is finished, as we want everyone to make a submission freely without the money issue prejudicing their decisions.

MB: Someone had approached him and confirmed that he had been made an offer by CDPL.

TM: Confirmed that no written offer had been made to anyone. Three community members have had initial discussions with Tom regarding appropriate benefit, to gauge community expectation.

MN: Asked for honesty, disclosure and avoiding the use of smart words in order to try and go forward. As members of the CCC he believes everyone should be full and frank.

SQ: Agreed with MN and suggested that knowing who MB is talking about would help elaborate with details on what was discussed with individual landholders.

MB: Suggested that people felt threatened, and did not want their names disclosed.

DE: MB should only disclose names when given permission to do so.

SQ: Would like to include an additional rule for quorum. 2 company representatives must be present for quorum, as the CCC is intended to provide information to the community.

Resolved: In addition to existing quorum rules, there must be at least 2 company representatives at each meeting, provided the Chairman has been given no less than 48 hours' notice of who will be the representatives.

<p>MB: Suggested that there should also be at least 2 community members</p> <p>DE: Confirmed that everyone has the right to send an alternate provided 48 hours notice is given.</p> <p>SW: Asked if there will be neighbours agreements for Crookwell 2 wind farm.</p> <p>TM: No neighbours agreements for Crookwell 2 wind farm, as the draft guidelines do not apply.</p> <p>SW: What about noise agreements?</p> <p>SQ: There are 2 at the moment. Clarified that all the agreements are subject to approval of the wind farm.</p> <p>MN: Enquired about what is a noise agreement, and what is contained in a noise agreement.</p> <p>SQ: Explained that a noise agreement is a landowner agreement where there is a theoretical exceeding of the NSW noise standard, where that excess may not exceed the World Health Organisation (WHO) limit.</p> <p>MN: Enquired about how the resident knows about the excess.</p> <p>SQ: Explained that during the Information Day people were able to talk to the noise consultant regarding the theoretical noise values at their properties. Explained that there can be an agreement in place, or the wind farm can be 'sector managed' to avoid an excess.</p> <p>JD: Questioned why there was no consultation done for Crookwell 2 Wind Farm.</p> <p>SQ: Clarified that it all happened before his time and that Gamesa (previous owner of the project) had its own processes, and that the Planning process was not as strict back then. He could not speak for the previous owner developer of the project.</p> <p>MB: Asked if the noise was only being measured in dBA</p> <p>SQ: Clarified that, as part of the new draft NSW guidelines, the noise consultant had also performed the modelling in dBC and that all the neighbouring properties complied with the limits.</p> <p>MB: Enquired about where the noise monitoring was done, inside or outside the house.</p> <p>SQ: Confirmed it was done outside the property.</p> <p>MB: Commented that noise monitoring should be done from inside the house.</p> <p>OEH: (requested chair permission) announced that OEH was preparing a study on low noise and infrasound, and that it will be available in the first half of this year.</p> <p>CC: Read from "The wind energy fact sheet" from OEH (former DECCW) saying that <i>"Scientific and health authorities have found that low level of infrasound emitted by wind turbines pose no health risks."</i></p> <p>MB: Said that he had a lot of documentation/papers stating the opposite; they</p>	
--	--

have an impact on human health.	
<p><b>Agenda Item 7: Correspondence</b></p> <p>DE: Sought comments/answers to email sent by Maurice Newman on the 10 January 2013, and clarified that any future correspondence should be forwarded to the secretary LC.</p> <p>MN: First and second point on his email had been dealt with, but would like to know what the legal status of the Committee is. If the community members have indemnities from Union Fenosa for any damage that may result from decisions taken by the Committee, as Union Fenosa and the Upper Lachlan Council will not insure those who are not employees.</p> <p>TM: As the CCC does not have any planning power, it cannot make decisions any legal action would go against DP&amp;I as the consent authority.</p> <p>MN: Would like to get independent legal advice or if there is no risk, why not include an indemnity?</p> <p>TM: Enquired about what the guidelines say in this regard.</p> <p>DE: (Read from guidelines) <i>"Responsibility for oversight of the wind farm's compliance with the project approval and all other government approvals remains with the relevant consent authority"</i>.</p> <p>MB: Raised committee members' insurance topic again.</p> <p>DE: Pointed out that this was agreed in the previous meeting. Explained the situation, to the members that were not present in the previous meeting, and they confirmed that they were not concerned with not being insured by the company.</p> <p>CC: Raised the question of whether the company will restrict the use of heavy machinery on school bus routes during school bus times?</p> <p>SQ: This has been done in Victoria; CDPL will request from Upper Lachlan Shire to provide the school bus routes and timetables.</p> <p>JB: Believes this is important as he has attended several accidents involving heavy vehicles.</p> <p>DE: Agreed that CDPL will take steps to confirm school bus routes and times.</p> <p>MB: Approximately 10km of Crookwell Road, from Woodhouselee intersection towards Goulburn, has no passing lane.</p> <p>CC: Enquire if speed limit will be reduced in Woodhouselee Road during construction.</p> <p>SQ: We are proposing to have reduced speed limits of 60km/h during the construction phase on the sections affected by construction activities on Woodhouselee Road.</p>	<p><i>Action: CDPL will request from Upper Lachlan Shire to provide information regarding school bus routes and times.</i></p>
<b>Agenda Item 8: Company report, with questions</b>	Action:

<p>SQ: Due to Christmas public holidays since previous meeting, not much has happened in the last month. Road upgrades for Crookwell 2 were finalised and consultancy firm GHD is currently performing a Road Safety Audit that will be sent to the Roads and Maritime Services (RMS) for approval of road upgrades. Crookwell 3 wind farm public exhibition period will finish on the 6<sup>th</sup> of February, all the submissions will be forward by the department for CDPL to response, and a decision will be taken based on the EA and the submissions.</p>	
<p><b>Agenda Item 9: General Business</b></p> <p>MN: Would like Fire fighting and risk of fire to be included in the agenda for next meeting. Bushfires in the month of January would have not been stopped if it wasn't for aerial water bombing, this will not be available if the wind farm goes ahead.</p> <p>MB: Noted that the guidelines specify that the DG will appoint the CCC community members and would like to know why the members were appointed by the company instead.</p> <p>SQ: Clarified that CDPL contacted DP&amp;I regarding the CCC and were advised that as the guidelines were still in draft format and it was not legislated, they would not be appointing the members of the committee and that it was the company's responsibility.</p> <p>HP: (requested Chairs permission) He had contacted someone in DP&amp;I who had agreed that he was qualified to be in the CCC.</p> <p>TM: CDPL has been told to have regards to the guidelines and that DP&amp;I will not be involved in appointing the members. CDPL has tried to form a balanced committee.</p> <p>MN: Agreed the CCC is balanced.</p> <p>SQ: Suggested we go back to DP&amp;I to confirm the selected members of the CCC once the new planning system is put in place and the guidelines confirmed.</p> <p>DE: Noted and agreed that if the draft guidelines ever become official CDPL will contact DP&amp;I regarding the members.</p>	<p><i>Agreed: if the draft guidelines ever become official CDPL will contact DP&amp;I to confirm the members of the CCC.</i></p>
<p><b>Agenda Item 10: Next meeting</b></p> <p>DE: requested members ideas on when would be an appropriate date for the next CCC meeting</p> <p>TM: Suggested May for next meeting.</p> <p>DE: Friday 10 May, 2:30pm in CWA hall unless unavailable.</p> <p>All: Friday 10 May agreed.</p> <p>DE: Thanked everyone for their attendance and declared the meeting closed at 3:45pm</p>	<p>Action:</p> <p><i>Next meeting scheduled for 2.30pm, 10 May 2013. In CWA hall unless unavailable.</i></p>