

BOWMANS CREEK WIND FARM COMMUNITY CONSULTATIVE COMMITTEE (CCC)

DATE: Wednesday, 16th December 2020

VENUE: Seminar Room, Muswellbrook Library, 126 Bridge Street, Muswellbrook

ATTENDEES:

Chairperson:	Dr W.E.J. Paradise AM	Chair
Community Members:	Catherine Ball	CB
	Brigitte Thomas	BT
	Nigel Wood	NW
	Nola Connor (Alternate)	NC
Council Representatives:	Cr Godfrey Adamthwaite (Singleton Council)	GA
	Dr Paul Smith (Upper Hunter Shire Council)	PS
Epuron Representatives:	Julian Kasby	JK
	Grant Alderton	GA
Minute Taker:	Kerri Garvie	

Meeting opened at 5:06pm

1. Welcome:

The Chair welcomed everyone present.

2. Apologies:

Martin Cousins

John Madden

Sue Sylvester

Peter York

Muswellbrook Council

Apologies accepted by the Chair.

3. Declaration of Pecuniary Interest by Committee Members:

- The Chair indicated that he was paid to Chair the Committee. All committee members had previously submitted their forms on pecuniary interests to the Chair. NW had been offered a Neighbour agreement, which he had rejected in writing. CB and NC had also received Neighbour agreements. NW also stated that PY had received an agreement as well.

4. Minutes from the last meeting:

- The minutes from the last meeting were circulated, comments received, changes made accordingly, and according to guidelines have been accepted.
- NW commented that minutes did not include all his questions. The Chair responded noting his previous response on confidentiality and stated that the issue of

confidentiality and its relationship to the questions asked would be address either during Business arising or when NW's next set of questions are addressed.

The minutes were declared as a record of the previous meeting.

Business arising:

- The chair asked NW if he would like to deal with his questions now or deal with them during questions/general business. NW was willing to deal with them later.

Project Update:

- JK stated that Epuron had sent around a brief update, as well as a newsletter. Epuron have had independent specialists doing various studies, which will be incorporated into the EIS. Some of the consultants have had to go back and do follow up studies for areas they were unable to access earlier due to COVID restrictions. Epuron have also been consulting with associated stakeholders and making refinements to the layout, in particular the ancillary infrastructure.
- NW asked JK his definition of 'soon' as the CCC members were told at the August meeting that the EIS would be submitted soon and it still had not been submitted.
- JK responded that they anticipate having the EIS on exhibition in early 2021.
- JK continued with the update, stating that the turbine layout had been revised from 72 turbines down to 60.
- GA asked if JK could break this down into Councils? JK said there were 3 in the Upper Hunter Shire, 13 in Singleton Shire and the balance (44) in the Muswellbrook Shire.
- NC asked about the follow up montages that were meant to have been given out and stated that the visual impact is what is upsetting most people. JK said he would follow this up. NC indicated that the visual impact was the big issue. JK agreed and said this was one of the reasons for removing 12 turbines from the layout.
- **Action: JK to follow up on the distribution of the photo montages.**
- CB stated that she did not like the turbines on the top of the hill and would do everything she could to have them removed. She is 1.7kms from turbines that are 220m and she is the closest person and doesn't like it.
- JK said it was Epuron's intention to lodge the project layout as is but it was still indicative and it could and most likely will change during the course.
- CB replied by saying that the 2 people making money off it should have the turbines as close as possible to their place instead of impacting people that are making nothing from them. CB was asked which turbines she was referring to and responded with the ones on top of Bowmans Creek Hill – underneath Yellow Rock. There are two she will see from her kitchen window plus another five. CB had brought her photos which were viewed later. She is also worried about the disturbance across Bowmans Creek Road and what it will mean and the traffic interruptions and how long will the disturbance be?
- JK said that once the layout refinements were done and the studies are updated, Epuron are looking to submit as soon as possible and as agreed at the last CCC meeting, once the dates are known a meeting would be scheduled for the first week of the exhibition of the EIS and Epuron would run through the studies, findings and recommendations of the EIS.
- NW asked who is responsible for the advertising of the EIS. JK advised that Epuron will be putting out a community update and contacting the mailing list but it is the responsibility of the DPIE to put ads in the papers as part of their process.

- GA discussed the EIS process and the responsibilities of DPIE and the relationship between the questions which have been asked and the requirements of the Department for the development of the EIS.
- JK indicated that once the EIS is on exhibition there will be a meeting with the CCC and all the studies will be discussed.
- CB asked about how Epuron were going to deal with the endangered species that would be impacted in the EIS. JK responded by stating they have engaged a consultant who is doing the biodiversity assessment following methods prescribed by the Office of Environment and Heritage (OEH). The consultant is required to do on site surveys as well as literature searches about what is known to be in the area. This includes identifying vegetation and animal species.
- CB asked if this was taking into account the Powerful Owl roosting sites that are between 8 or 10 towers? CB asked if the consultant doesn't see something, they then assume it doesn't exist in the area? JK replied that he was of the understanding that the consultant had been in touch with someone to get a rough idea where these sites were and their methodology would be fully written up and could be checked. CB said she had heard that people had only driven up and down the road. JK advised that field surveys out of the vehicle were conducted. CB pointed out that this was in the driest 100 year period on record. JK indicated follow up surveys had been conducted this year.
- JK stated that Hanson Bailey was Epuron's principal consultant and that they subcontracted to specialists for particular aspects of the project. The Chair asked if there would be a presentation by Hanson and Bailey to the CCC. JK responded that such a presentation will take place.
- CB said that the maps need to be an appropriate scale. It is important to have a good understanding of what is going to be impacted and where. CB suggested Lincolns Creek, which will be pretty much wrecked, which is a creek that has never had human contact before and is one of the most pristine creeks in the Hunter Valley.
- The Chair responded that it is best to wait for the EIS to be released so that these issues can be checked. The Chair stated that because the CCC has been set up prior to the release of the EIS and that there isn't a project until the EIS is released. The Chair indicated he had been informed that for wind farm projects in the southern highlands there had not been CCC's established prior to the release of the EIS. It was his understanding the Nundle and Bowmans Creek were the first 2 wind farm projects which had established a CCC prior to the release of the EIS.
- GA reminded the committee that neither the CCC or the local councils were the consent authority for this project and that it was DPIE that was the consent authority.
- NW requested that the DPIE be asked to advise the CCC on the methods they plan to use for advertising the EIS exhibition period. He cited the advertisement of the last public meeting held by Epuron as being inadequate.
- **Action: DPIE to be contacted to advise the CCC on the methods to be used to advertise the EIS exhibition period. (Chair)**
- NW has asked JK if the CCC members could have a hard copy of the EIS. JK responded by saying that he was happy to take requests from the CCC members who would like a hard copy printed. CB, BT, NW, PY, NC & SS have asked for hard copies and GA said he didn't mind if it was hard copy or electronic.

8. Questions on notice:

- The Chair moved onto the questions put forward by PY & NW. The Chair indicated that many of PY's questions relate to the EIS and that they need to be dealt with once the EIS was on display. JK reiterated that the specific studies will form part of the EIS and they will be available with the release of the EIS.
- *Question 1 – a) How many meetings have Epuron or their representatives held with Michael Johnsen MP? And b) How many meetings have Epuron or their representatives held with the NSW Minister for Planning and Public Spaces or his predecessors OR the ministers or his predecessors' staff? When did these meetings take place?* NW had asked the question previously and had not received an answer from JK. NW stated these questions were from the community not just himself and PY. NW said a lot of people were not happy with Michael Johnson and people don't trust Epuron and don't believe they will answer the questions. JK responded by saying Epuron had commenced discussion with the relevant stakeholders including the Member for the Upper Hunter in May 2018 and have maintained regular contact to provide updates, such as their community updates. NW's issue is that Michael Johnsen MP refuses to meet with community members and indicated that he was aware of at least 9 people who had tried to have meetings with Michael Johnson to discuss the project. JK stated that he had met with Michael Johnsen 4-5 times to give updates.. JK stated that he had not met with the Minister for Planning but that he had met with DPIE staff.
- *Question 2 – Epuron have been involved in **nine** wind farm projects that have gained development approval, however on slide 2 presented at the August 2020 CCC meeting indicates that Epuron have, since 2003, had **7** projects successfully completed (4 constructed and operating). Epurons website also indicates 7 projects. 3. What is the correct number and How many wind farms have Epuron developed?* JK continued to answer the questions and stated that Epuron had been responsible for getting the planning approval for nine projects but two of these projects are not being actively developed nor on-sold. The remaining 7 have had four constructed and three are in pre-construction.
- BT asked if the Bowmans Creek project had been sold? JK's reply was that Epuron is the owner of this project and the proponent of this project. CB asked why didn't the two happen? JK indicated they were very old projects and doesn't know much about them. They were some of the first projects undertaken by Epuron. One was called Conroy's Gap and the other called Snowy Plains and they are not doing them now.
- JK stated that Epuron does not construct or operate wind farms. The construction is done by the company that acquires the project from Epuron. Epuron is described as a Project Developer. JK was asked at what time would Epuron sell the project and replied that it depends on market conditions and the specific project, but the typical time would be after approval.
- The next question was about Neighbour Agreements. The Chair again brought up the issue of confidentiality. The Chair had sought advice from the AICD (Australian Institute of Company Directors), the NSW Department of Planning and other Chairs. The Chair indicated that the guidelines are specific in terms of confidential information. If a committee member claims information is confidential, then the committee should respect that claim. NW stated that he has been on mining CCC's and that they had discussed parts of landholder Agreements at these meetings. The Chair then asked NW to provide information about the minutes of these meetings and the discussion on landholder agreements to assess how the confidential issues

had been handled. The Chair indicated that if neighbours wanted to compare notes on their agreements then this was their business but it was inappropriate for a committee under the jurisdiction of the NSW Department of Planning to report on matters which a member has claimed is confidential. There was discussion about the meaning and role of guidelines. NW discussed the delay around the release of the minutes and the potential impact it might have on the communities ability to input to the EIS if it had been released, particularly with a 28 day exhibition time frame. NW noted that Hills of Gold were given an extension but in the last CCC meeting the DPIE advised that the legislation required a minimum 28 day exhibition period. The Chair indicated he had been told that it might be a 40 day exhibition period. NW said that was just hearsay.

- **Action: NW to provide detail of minutes of CCCs in which landholder agreements are discussed.**
- CB asked if there would be a physical presentation that the public can view? The Chair advised that this would be up to the DPIE and Epuron. JK emphasized that it was up to DPIE to determine the process of exhibition. CB said that this could be an issue for some people who do not have internet access. The Chair indicated that this is what we would be asking the Department to consider.
- NW then reiterated that the neighbor agreement did not indicate that it was confidential when sent by JK. There was discussion around the fact that the content of the agreements were being discussed in public.
- The Chair reminded the committee that the CCC Chair and community members were appointed by the Department to participate in the CCC and that all members had signed a Code of Conduct and that it would be inappropriate for such a committee to be circulating information which a member of the committee has indicated is confidential. The Chair suggested to the Committee that it is in the best interests of the committee members to abide by the code of conduct.
- GA indicated that the Council committees he was on all had terms of reference. He acknowledged that Chair had advised that this was the role of the Guidelines. The Chair again emphasized the role of the guidelines but acknowledged that the Departmental guidelines need to be reviewed with these issues in mind.
- NW said he would not raise the neighbour agreement issue again but would put it in his submission and response to the EIS
- Due to the confidentiality issue questions 5 through to 12 would not be discussed or recorded in the minutes.
- *Question 13 – In the light of the continuous attacks by the Chinese Government, can Epuron guarantee if the proposed Bowmans Creek wind farm is approved it will not be sold to overseas interests, especially the Chinese?* JK stated that Epuron do not provide guarantees as to who may acquire any of its projects. JK indicated that as the electricity sector has been privatised in NSW private companies, including foreign companies, can purchase such assets. The eligibility for a foreign company to operate an energy asset in Australia is regulated by the Australian Government. The Chair indicated that we would not want to run that rule (implied in the question) over the mining industry. NW stated that 50% of the Epuron projects are owned by Goldwind, which is a Chinese company. [REDACTED]

- *Question 14 – In light of the pressures on the Australian economy, can Epuron guarantee if the proposed Bowmans Creek wind farm is approved all (100%) of the components required for the project will be manufactured in Australia?* JK responded that once the project has been sold, Epuron has no influence on the commercial decisions that are made and that the components are supplied on a competitive tender basis. Some components are not made in Australia at present (blades) while other parts such as tails are.

Question 15 - Why aren't the CCC guidelines adhered to in relation to the timing of the minutes being put onto Epuron's website? – The Chair indicated that the role of the guidelines had been discussed previously. JK said he would endeavor to have the minutes uploaded as soon as they are available to do so.

- **Action: JK to endeavour to have minutes uploaded to the website as soon as they were available.**
- *Question 16 – Why are the CCC minutes published on Epuron's website under downloads? And not under the tab CCC meetings?* – A lot of community members have indicated they cannot find the minutes following the logic of the website. BT said that a lot of the community cannot find these on the website. NW said he had taken many phone calls from people trying to find the minutes. NW stated that there was a "CCC meeting" tab and that would be the logical place to have them, but they were found under the 'downloads' tab. JK had discussed this with the person responsible for managing the website who indicated that under their contact management system this is where the minutes have been allocated and how they have done it across all their projects.
- *Questions 17-22 relates how much energy/power MW/hr will Epuron guarantee the Proposed Bowmans Creek wind farm will deliver; how will wind droughts be managed; what is the efficiency of pumped hydro/battery storage; how much power is consumed moving the energy along the transmission lines to the backup supplies; how long will the back up last; how much do the backup supplies cost; what is the operational life of back up batteries?* JK said it was a straight forward answer but wanted to provide a bit of context. He discussed the National Electricity Market (the Grid) that runs from the top of Queensland, down to Tasmania and over to Adelaide but does not include Northern Territory and Western Australia. There are many generators on this grid and not all have to be running 24/7, just have to have enough generators operating to cover demand. The organization that manages this is AEMO (Australian Energy Market Operator). The Bowmans Creek Wind Farm would feed directly into the grid due to its proximity to a very strong part of the network. Epuron's estimation of megawatts produced per year is 1,059,000 megawatt hours per year. There will be no storage on the Bowmans Creek Project and Epuron do not undertake electricity storage in any of their projects so JK was not aware of any of the efficiency statistics for such storage systems. JK stated if there is a surplus of wind power, the wholesale electricity price goes down.
- *Question 23 – How will prolonged wind droughts be managed?* JK responded that this is something that the operators will be looking at and in the short term will be met by coal and gas in the long term will be met with solar and hydro as indicated by the modelling done by AMEO.
- *Question 24 – What are the top three causes of significant failure of wind turbines?* JK has stated that there is a large emphasis on preemptive maintenance and that

failures are very rare, but the 3 main issues would be the blades (cracks), the gearbox and the generator. They are now using drones to check the blades. NW asked if blade throw was a myth – he indicated the internet shows many examples. JK responded that he was aware of 2 such incidents. JK also indicated the gearbox and generator which has many moving parts needs preventive maintenance.

- CB asked a question about the colour of the blade and whether it can help with birds not being killed. JK had heard that painting about a third of the blade may deter bird strikes. These studies are Onslow based and would have to be replicated in Australia. There was a substantial amount of discussion about birds and bird strike.
- CB is concerned about the impact of the wind project on wedge tailed eagles and biodiversity and she also asked if the turbines will have lights on them at night. JK stated that they did not propose to put lights on the turbines but it would be up to CASA and the Aviation Association to assess as part of the EIS process. NW advised that CASA requires lights on the turbines. There was a substantial amount of discussion on the impact of flashing lights. JK responded that there are lots of wind farms that don't have lights.
- *Question 25 – When will Epuron have an office in the Hunter Valley?* JK stated that once the project was approved for construction and construction had started there would be a site office built by the project owner, not Epuron. CB suggested this office might be located on farmers land and JK agreed.
- *Question 26 – Can Epuron guarantee if the proposed Bowmans Creek wind farm is approved it will not be subject to modifications of the approval?*– JK said that there would be no guarantee that there would be no modifications applied for after the project was approved. Modifications were not unusual but usually made to improve the overall efficiency. If any modifications were to be approved, the owner would have to go back to the Department of Planning, submit and EIS and gain approval. NW wanted it stated in the minutes that there was no guarantee that the towers would stay at 220 meters. JK reiterated that this application was for 220 meters and that if the owners wanted to make any such modifications, they would have to go through the EIS process again. A new owner could not unilaterally increase the height of the towers.
- *Question 27 – Does this mean the wind turbines have been moved and will be no closer than 6klm from a family home (Epuron refer the them as dwellings)?* CB said that the first montage had the blades hidden. She would like an updated photomontage – JK agreed to this. Discussion was then about the clearing of the trees on road reserves. CB claimed that land owners could do nothing about it. There was further discussion around the exact locations of the turbines in relation to homes.
- **Action: JK to provide CB with an updated photo montage.**
- CB is concerned about the clearing of vegetation on her road reserve. There was discussion around who would be responsible for monitoring this process.
- There was also discussion concerning the accuracy and the scale of the photo montages.
- CB stated that she still doesn't understand the noise information that Epuron provided her. There was then various discussion had on the noise that will occur and the decibel levels that will be acceptable. JK referred to the DPIE guidelines for acceptable noise levels.
- JK said the 35dBA or background + 5dBA was the levels that the DPIE had set and would be adhered to, to the best of Epuron's ability.

- NW claimed that you can exceed the 35dBA limit and there is a get-out of jail clause – it is 35dBA for so much of an hour – it can be 40dBA and nothing happens. There is no 35dBA 100% of the time and there is no recourse. NW indicated that he might be wrong.
- CB said she could hear a mobile phone going off 5km away from where the turbines are going to be located.
- JK indicated the guidelines have specific wording about choosing a suitable noise level for a non-involved neighbouring residence next to a windfarm. These concerns were taken into account when coming up with the guidelines.

10. General Business:

- GA asked how many sets of minutes he should have? There are two previous sets of minutes.
- GA requested that in the next week Epuron send out a map of the whole site to an appropriate grid size, with all of the residences marked, the roads clearly marked and an indication of whether or not these houses are associated or non-associated with the turbines. JK indicated that this information will be provided when the EIS is available for public exhibition. There are still changes to being made to layout and ancillary services (not turbines) so the point in time when the EIS is lodged all the detail requested by GA will be provided.
- NW would like an electronic map that can be zoomed into with a level of detail that allows for seeing each of the houses. JK indicated that the map will be a pdf map. JK indicated that the necessary level of detail will be provided in the maps in the EIS.
- CB asked about aboriginal consultation. JK indicated that this has been done by Oz Ark.

11. Next Meeting:

- To be in the first week of the exhibition of the EIS. NW also suggested that the meeting not be limited to 2 hours.

12. Meeting Close:

The meeting closed at 6.44pm