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From Mary Morris

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Submission re Draft Building Regulations 2019

1. Who should be notified of proposed wind farm developments?

On page 27 of his 2017 Annual Report¹, the National Wind farm Commissioner identifies that residents within 5 km or more of a wind farm and its associated infrastructure may be impacted by the development and recommends that these persons should be included in the consultation process.

"2.2. Recommendations

2.2.1. Developers of wind energy projects should, where practical, proactively identify all potential neighbours at the commencement of the development activity and implement an effective, ongoing consultation program with all contactable neighbours throughout the project's development. While it may vary by project and geography, neighbours affected may include residents that live in a proximity range of 0.0 km to 5.0 km from potential turbine locations as well as residents in close proximity to other wind farm related infrastructure, such as power transmission or supply infrastructure. This indicative distance range for consultation may need be greater in situations where, for instance, turbines are proposed to be erected on a ridge." (underlining added)

Recommendation: Public notification of wind farm Development Applications should be made to residents and property owners likely to be impacted by the development within a minimum radius of 5 km.

¹ Office of the National Wind Farm Commissioner: 2017 Annual Report Page 27
<https://www.nwfc.gov.au/sites/default/files/nwfc-annual-report-2017.pdf?v=1523425280>

2. Placing a Notice on the subject land

In the case of large developments covering tens or hundreds of hectares of land such as renewable energy facilities, a public notice can be an insufficient form of notification.

This is particularly the case where the subject land is on a back road away from main public access and people affected by the development may not travel down that road.

Response: Public notification for wind farms should comprise several notices in prominent locations as well as notification by mail of residents and property owners within 5 km (as recommended by the National Wind Farm Commissioner).²

3. The period for notification should take into account real world delays in postage.

The Guide to the Draft Regulations says “*The period of notification commences from the day when letters to adjacent land owners/occupiers are expected to be received (allowing 3 business days for postage) or when the notice has been erected on the subject land (whichever is the later).*”³

Response:

Allowing 3 days may be sufficient for postal deliveries in the Metropolitan area but is now insufficient for rural postal deliveries since changes were made to AUSPOST delivery timeframes in recent years.

Realistically current AUSPOST delivery times in rural areas can be 4-6 days for normal delivery⁴.

In our area there is only Regular Delivery – there is no Priority or Express Post Service.

Even when the “as the crow flies” distance is short (Burra to Brady Creek) the delivery of the item goes via Adelaide and can take 5-6 days because mail delivery via Road side delivery (RSD) or Roadside mail delivery (RMD) is typically delivered only 3 days per week (not every day).

² Office of the National Wind Farm Commissioner: 2017 Annual Report Page 27
<https://www.nwfc.gov.au/sites/default/files/nwfc-annual-report-2017.pdf?v=1523425280>

³ <http://auspost.com.au/parcels-mail/calculate-postage-delivery-times/> and
<https://auspost.com.au/business/shipping/domestic-shipping/delivery-speeds-and-coverage>

⁴ pers comm AUSPOST February 2019

Robertstown RSD delivery days are Monday, Thursday and Friday. If a letter takes 3-4 days to get from Burra to Robertstown Post Office arriving Tuesday, it will not be delivered until Thursday.

Recommendation: Increase the period of notification to allow for up to 6 days postal delivery to rural areas.

4. Increase the amount of time for public to access, consider and respond to complex Development Applications.

Where Development Applications contain detailed expert technical reports such as Environmental Noise Assessments, Geology/Hydrology and Flora and Fauna studies, public notification periods must be increased to allow sufficient time for scrutiny and peer review by independent consultants.

Assessment of impacts by Consultants routinely financially bound to the interests of developers can effectively constitute self-assessment by the Developer.

Additional time is necessary to allow the checks and balances applied by public scrutiny and independent peer review to be applied.

Recommendation : 40 - 50 business days public notification period for complex high impact developments (eg wind farms) to allow for expert technical peer review.

5. Viewing of plans on the SA Planning Portal

Where a set of Development Application (DA) documents runs into hundreds or thousands of pages with a large number of separate consultant reports, it is unreasonable to provide this information as enormous poorly identified bulk files.

For example – currently on the SCAP public notices webpage the public access to 544/V001/13 V3 [Application documents \(PDF, 102641 KB\)](#) for the Variation to the Yorke Peninsula wind farm consists of a single 102 MB file.⁵

544/V001/13 V3 Application documents (PDF, 102641 KB)	Yorke Peninsula Wind Farm Project Pty Ltd	Various land holdings - Yorke Peninsula (refer to development application) Variation to current development authorisation - change to number of turbines, maximum tip height of turbines, and generation capacity of turbines.	22 March 2019
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⁵ https://www.saplanningcommission.sa.gov.au/scap/public_notices accessed 1/3/2019

This file contains multiple individual planner and consultant reports which could have been separated into individually identified files and links for more efficient access scrutiny by the public.

Similarly, the SCAP list of links below for the first round of Public Notification for the Twin Creek wind farm in 2017 comprised thousands of pages in 7 bulk files labelled parts 1 -7 and it is unnecessarily laborious to sort through and find specific documents,

https://www.saplanningcommission.sa.gov.au/scap/public_notices

Part 1

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0004/439285/Application_documents_part_1_-_Twin_Creek.pdf

Part 2

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0007/439288/Application_documents_part_2_-_Twin_Creek.pdf

Part 3

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0008/439289/Application_documents_part_3_-_Twin_Creek.pdf

Part 4

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0009/439290/Application_documents_part_4_-_Twin_Creek.pdf

Part 5

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0011/439292/Application_documents_part_5_-_Twin_Creek.pdf

Part 6

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0003/439293/Application_documents_part_6_-_Twin_Creek.pdf

Part 7

https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0004/439294/Application_documents_Part_7_-_Twin_Creek.pdf

(see Appendix A for number of pages and a list of documents within each of the 7 parts)

In a second round of Public Notification for Twin Creek wind farm in 2018, the DA documents were provided in the following configuration which should be adopted as a minimum standard to assist proper scrutiny.

[Application documents and Project Summary \(PDF, 3691 KB\)](#)

[2a - Consultation Report \(PDF, 4915 KB\)](#)

[2b - Flora and Fauna \(PDF, 15025 KB\)](#)

[2c - Visual Effect Assessment \(PDF, 4657 KB\)](#)

[2d - Visual Effect Assessment Appendices \(PDF, 4404 KB\)](#)

[2e - Cultural Heritage \(PDF, 1773 KB\)](#)

[2f - Bushfire Management \(PDF, 4756 KB\)](#)

[2g - Shadow Flicker and Blade Glint \(PDF, 2514 KB\)](#)

[2h - EMI Assessment \(PDF, 12029 KB\)](#)

[2i - Aviation Impact \(PDF, 5915 KB\)](#)

[2j - Traffic Impact \(PDF, 37595 KB\)](#)

[2k - Civil, Geology and Hydrology \(PDF, 5931 KB\)](#)

[2l - Socio Economic Impact \(PDF, 1454 KB\)](#)

[2m - Development Plan Assessment Report \(PDF, 20924 KB\)](#)

[3a - Figures and Photomontages \(PDF, 13607 KB\)](#)

[3b - Figures and Photomontages \(PDF, 37991 KB\)](#)

[4 - Draft CEMP \(PDF, 1811 KB\)](#)

[5 - Addendum - 22 01 2018 \(PDF, 61300 KB\)](#)

Recommendation: Ensure that Development Application documents and links on the SCAP Public Notices website are provided in an easily accessible format by breaking down large amalgamated documents into smaller manageable sized files which can be emailed for consideration and peer review. File names should accurately reflect the subject of each document eg Noise Assessment, Traffic Assessment, EMI Assessment, Bushfire Assessment.

Appendix A Draft Regulations 2019 Submission

SCAP needs to ensure that DA documents and links are provided in a format which clearly identifies each document and is easily accessible and transmissible for peer review.

Below are 3 Examples of recent links to DA documents on the SCAP website.

Two are unsatisfactory and one is more acceptable, but nonetheless contains a serious error/omission.

1. Twin Creek wind farm (TCWF) 2018 Public Notice Round 1 29 March -13 April 2018.

Format was **UNSATISFACTORY**

https://www.saplanningcommission.sa.gov.au/scap/public_notices

Part 1
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0004/439285/Application_documents_part_1_-_Twin_Creek.pdf

Part 2
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0007/439288/Application_documents_part_2_-_Twin_Creek.pdf

Part 3
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0008/439289/Application_documents_part_3_-_Twin_Creek.pdf

Part 4
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0009/439290/Application_documents_part_4_-_Twin_Creek.pdf

Part 5
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0011/439292/Application_documents_part_5_-_Twin_Creek.pdf

Part 6
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0003/439293/Application_documents_part_6_-_Twin_Creek.pdf

Part 7
https://www.saplanningcommission.sa.gov.au/_data/assets/pdf_file/0004/439294/Application_documents_Part_7_-_Twin_Creek.pdf

Documents were provided in 7 bulk files labelled parts 1-7.

There is no identification of what reports or information are in each link/file.

Each file is too big to email to other interested parties or for peer review.

The number of pages in each file is:

Part 1 467

Part 2 49

Part 3 309

Part 4 82

Part 5 341

Part 6 212

Part 7 11

TOTAL 1471 PAGES - total time frame for public to respond was **10 business days** is inadequate considering the volume of pages, complexity and technical detail.

First round of TCWF Public Notification - what each file actually contained:

The following boxes provide a breakdown of the Twin Creek wind farm Application Documents containing multiple technical reports AS INDEXED by Hansborough and Districts Residents Group. Report titles and number of pages for each link are shown.

Part 1

467 pages
Representor form for making a submission to SCAP page 2
Development Application project description page 3 -194
EBS ECOLOGY REPORT. pages 195 - 393
WAX visual/ LANDSCAPE report pages 394 - 467

Part 2

49 pages
Landscape Character and Probable Visual Effect Assessment: Appendices pp 1-49
Appendix A Maps of theoretical visual influence and viewpoints Pages 1 – 12
Appendix B Photographic Methodology (produced by Convergen) Pages 13 - 14
Appendix C Photomontages and Turbine Locations referred to in sections 5.2 – 5.9 of the Landscape Character and Probable Visual Effect Report (Viewpoint 8 is missing) Pages 15 – 27
Appendix D Supplementary Photomontages with Substations and Transmission Line Title page Page 28 .
Additional photomontages produced to discuss the probable visual effect of the associated infrastructure and referred to in sections 5.11 – 5.16 of the Landscape Character and Probable Visual Effect Report (**images are not there – are included with Appendix C pages 25-27**)
Page 29 – 41 Appendix E GrimKe Assessment Matrix
Page 42 – 43 Appendix F Glossary₂
(Visual Analysis of Windfarms Good Practice Guidance, Scottish Natural Heritage (2005))
Page 44 – 47 Appendix G Relevant Experience
Page 48-49 Appendix H Endnotes

Part 3

SONUS noise report pp1 - 54
EBS CULTURAL HERITAGE pp 55-86
Bushfire management plan pp 56 -126
Shadow flicker report pp127 - 155
Electro Magnetic Interference EMI assessment pp 156. - 240
Aviation assessment pp 241 - 309

Part 4

Traffic Impact report Pages 1 - 47
Appendix A Vestas 3MW Product brochure Page 48 - 64
Appendix B Turn Path drawings Pages 65 - 82

Part 5

Civil, geology and hydrology AECOM pp 1 - 27
Civil Appendix A Preliminary Civil Design plans Page 28-29
Socio economic impact report Hudson Howell pp 30 - 99
Development Assessment report MASTERPLAN pp 100 - 306
Volume 3 RES Figures and Montages pages 307- 341

Part 6

Additional viewpoint photomontages 11 pages

Part 7

Number of pages 212
ALTERATIONS TO PART 1
ie LATER (JAN 18) UPDATED INFORMATION, SUPPLEMENTARY, AMENDED AND REPLACEMENT
PAGES AND DIAGRAMS
Development Application Addendum JANUARY 2018
Draft construction management plan pp 1- 57
Pages 35 - Appendix 1 – Land description and Legal titles
Replacement pages, statement of commitments, legal description of project
DA Addendum dated January 2018 pp 58 - 67
Additional EBS REPORT pp 68 - 80
Additional later Landscape /Visual report dated Jan 2018 pp 81 -202
Replacement figures 203-231 various maps, visual impact and photo montages updated from part 1
Pages 209-210 land titles/landowner maps wind farm and powerline
Page 212 Powerline route
(Viewpoint 8 missing)

2. Twin Creek wind farm (TCWF) 2017 Public Notification Round 2 10 - 23 May 2018.

Format was generally **SATISFACTORY** as individual reports were provided on individual links.

Except that arguably one of the most important reports “**SONUS Environmental noise report**” was **omitted from the list of named links.**

The Sonus report was however provided as a **link incorrectly named:** 2d. Visual Effect Appendices.

TCWF Links as they appeared on the SCAP website 10 – 23 May 2018:


[Twin Creek wind farm - Development Application 422/E003/17](#)

[Application documents and Project Summary \(PDF, 3691 KB\)](#)

[2a - Consultation Report \(PDF, 4915 KB\)](#)

[2b - Flora and Fauna \(PDF, 15025 KB\)](#)

[2c - Visual Effect Assessment \(PDF, 4657 KB\)](#)

 [2d - Visual Effect Assessment Appendices \(PDF, 4404 KB\)](#)

SONUS Noise report
mislabelled as Visual
Effect Assessment
Appendices

[2e - Cultural Heritage \(PDF, 1773 KB\)](#)

[2f - Bushfire Management \(PDF, 4756 KB\)](#)

[2g - Shadow Flicker and Blade Glint \(PDF, 2514 KB\)](#)

[2h - EMI Assessment \(PDF, 12029 KB\)](#)

[2i - Aviation Impact \(PDF, 5915 KB\)](#)

[2j - Traffic Impact \(PDF, 37595 KB\)](#)

[2k - Civil, Geology and Hydrology \(PDF, 5931 KB\)](#)

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[3b - Figures and Photomontages \(PDF, 37991 KB\)](#)

[4 - Draft CEMP \(PDF, 1811 KB\)](#)

[5 - Addendum - 22 01 2018 \(PDF, 61300 KB\)](#)

Again, 10 business days public notification period is insufficient time for interested parties to access, seek technical advice and respond to the >1400 pages.

3. Yorke Peninsula wind farm (YPWF) 2018 Public Notice 20 February - 22 March 2019.

UNSATISFACTORY

All reports have been provided in one bulk file of 102 MB – need to provide clearly labelled separate links to individual reports or groups of reports

544/V001/13 V3 Application documents (PDF, 102641 KB)	Yorke Peninsula Wind Farm Project Pty Ltd	Various land holdings - Yorke Peninsula (refer to development application) Variation to current development authorisation - change to number of turbines, maximum tip height of turbines, and generation capacity of turbines.	22 March 2019
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List of Documents and reports below which have been provided within the 102 MB single link, but should be provided as much smaller files to assist downloading, storage, navigation, sharing and review.

Public notification letter

Public notice

Representor Form

Development Application form

Page 5- URPS Development Application report

Page 41 Appendix E Site and Elevation Plans

Page 49 Appendix F Photomontages

Page 60 Appendix G Shadow Flicker Report

Page 102 Appendix H Noise Assessment

Page 135 Appendix I Electromagnetic Interference Assessment

Page 199 Appendix A Proposed Ceres wind farm layout

Page 203 Appendix J Fauna Risk Assessment

Page 226 Appendix K Traffic and Transport Assessment

Page 250 Appendix L Aviation Impact Assessment

Page 273 Correspondence with SA EPA – additional acoustics information Servion and Marshall Day Acoustics