

MEETING No 2 MINUTES

**Kyoto Energy Park
Kyoto Community Forum**

Location: Upper Hunter Shire Council Offices

Date: 17 February 2015

Time: 2:30pm

Attendees and Distribution:

Chair Daryl Dutton
Local Resident Judy Wheeler
Upper Hunter Shire Council Cr. Wayne Bedggood
Sean Constable
Chamber of Commerce Peter Hale
Proponent Mark Sydney

Observers

Office of Heritage Gordon Fraser
Upper Hunter Shire Council Matt Pringle

Copies sent to:

Project Website
Department of Planning (Bridge St)
Department of Planning (Compliance – Wayne Jones)
David Brain (Proponent)

Apology and Distribution

Meeting / Report Items	Comments prior to Meeting	Actions arising from Meeting No.2
1. Apologies / Structure		
<ul style="list-style-type: none"> In late January Ms Dunphy left the employ of Pamada and the project. David Brain and Mark Sydney will take over day to day matters with Mark Sydney being the key contact person. 		Noted.
<ul style="list-style-type: none"> Similarly Deborah Cameron advised in late January that due to factors beyond her control that she would not be able to sit as Chair. 		Noted.
<ul style="list-style-type: none"> Daryl Dutton will take up the Chair role. 		All agreed.
2. Declarations of Interests		
<ul style="list-style-type: none"> Ms Wheeler declared that whilst she is a Local Resident member of the Forum, Ms Wheeler is also a member of the Upper Hunter Landscape Guardians. 		Noted.
<ul style="list-style-type: none"> Daryl Dutton confirmed he does not receive any financial remuneration for his role. 		Noted.
3. Confirmation of previous Minutes		
3.1. Version 3 of the minutes of Meeting No.1, by reply emails from all had been accepted as a true record. (copy attached)		Noted

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4. Actions Arising from last meeting (Meeting No. 1)		
4.1. Ms Dunphy to send around a copy of the draft guidelines.	Complete	
4.2. It was agreed to have a public nomination for members. This is to be posted on the project website and advertised in the local newspaper. It was suggested that the advertisement was similar to the one that Union Fenosa had.	Complete As agreed, at meeting No. 1, public notification was made. There were no responses and no enquirees to join the KCF. Draft notices for the Scone Advocate were circulated prior to advertising for residents Interviews with Caitlan Andrews of the Advocate and Giselle Wakatama of ABC Newcastle ensured that the message regarding members on the KCF got out.	Pamada agreed to re-run an ad for public nominations. It was agreed to re-run the ad in both Scone Advocate & Hunter Valley News.
4.3. Can an Alternate be accepted if a person is unavailable for the meeting? It was agreed that generally this would not be accepted for an individual, but would be acceptable if the person was representing a group.	The opinion of the Chair would be sought for final ruling on an alternate for the forum.	No alternate for an individual is the position of the Forum.
4.4. Ms Wheeler would like to have her alternate be Gordon Halliday.	The Chair's ruling on an alternate is sought.	It was clarified at the meeting that Ms Wheeler is a Local Resident representative and also a member of the Upper Hunter Valley Landscape Guardians, for disclosure. If Mr. Halliday would wish to attend, it is suggested that he nominate himself.
4.5. Confirm with Chair who the main contact for the group is in terms of communication flow. In the interim, all communications through Ms Dunphy.		All communications through the Chair. (Except if otherwise agreed eg website Minutes, Newspaper ads).
4.6. Two weeks before the meeting any questions need to go to Chair and any agenda points for discussion.	Noted.	
4.7. The Chair would have the final determination on the frequency of meetings, however, it was noted that the draft Guidelines suggested meeting every 3-4 months with which all agreed would be appropriate.	Roughly every 4 month	with next meeting proposed as May 26.
4.8. Forum papers to be prepared in advance of each meeting.	Noted.	
4.9. Minutes would be circulated prior to them being finalised.	Complete	

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4.10. Pamada will be responsible to take minutes and send out a draft within 7 days of the meeting. The minutes would not be released to public or on website until the forum approves. Pamada commits to release draft minutes for comment within 7 days.	Meeting No.1 Minutes complete	
4.11. Pamada will put minutes on the project website.	Complete, once accepted.	Minutes No.1 on website
4.12. At the next meeting to finalise (with the Chair) a procedure about who is able to speak to media on behalf of the Forum.	Pamada confirmed they will still be contact point for the project items outside of the group related items.	Any comments are to come from the Chair.
4.13. There needs to be a release of information to the public now – advertise in the Advocate, write a story, and update the website.	Complete.	
4.14. It was noted there was a lack of information available on the project website. Pamada commits to update the project website with more detail on the nature of construction of stage one with a diagram of the plan and update the office address.	Complete and ongoing	Pamada to also address further stages. Ongoing
4.15. Ms Wheeler suggested Stage One be clearly outlined on the website with a map.	Pending, but agreed.	Pamada agreed to update and make clearer
4.16. Pamada's personnel to be updated. (on Pamada website)	Pending	Pending
4.17. Pamada's office address to be added on the website.	Complete	
4.18. It would be good to have a slide show of wind farm 101. Ms Wheeler will send a sheet Frequently Asked Questions.	Ms Wheeler's questions provided and answered	Wind 101 to be created
4.19. Pamada offered to put a presentation together for the next meeting.	Pending	Pending
5. Correspondance		
5.1. General Public – No requests for project information		Noted.
5.2. General Public – Approximately 5 requests for information pertaining to work opportunities with the project (except one, all		Noted.

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local)		
5.3. General Public – No correspondence from the community relating to the advertisement seeking community members for the Kyoto Community Forum.		Noted. As stated above, Pamada to re-run the ad.
5.4. Government Generally – requests from some quasi government research organisations collecting information regarding job opportunities and construction information		Noted.
5.5. KCF Committee Members <ul style="list-style-type: none"> Numerous email requests for information from Ms Wheeler to Ms Dunphy and Mr Sydney (comments and questions all incorporated into this report) 	See below	
5.6. Department of Planning and Environment – community committee <ul style="list-style-type: none"> Letter received from the Department on about 28 January 2015 that the Department seeks to restart the KCF process under its (DoP) control. At a meeting with the Department, Pamada advised it would not restart the process and would reply in writing to the Department that the Proponent is in compliance with the Conditions of the Approval with regard to the formation and running of a CCC or similar and such restart is not required. 	Pamada is waiting until the second KCF meeting for discussion with the KCF members before replying to the Department formally.	The Forum agreed that Pamada should write to the Department stating that it will continue with the Kyoto Community Forum as structured and it has not agreed to have the Department run the process.
5.7. Department of Planning and Environment – compliance and audit	Pamada noted that the Department had contracted Pamada to arrange an inspection of the site to be assured that work had commenced so to confirm: <ul style="list-style-type: none"> That the work under the Approval had commenced If there are any compliance matters needed to be addressed. So that the Department can write to the landscape Guardians confirming that we had commenced work under the Approval (and that the consent would not lapse at end of January 	Pamada further confirmed that the site inspection with Wayne Jones from DOPE Singleton had occurred and if any follow up matters would be required that the Department would write to Pamada. Ms Wheeler confirmed that the landscape Guardians had received a letter from the Department confirming that work under the Approval had commenced. Pamada asked for a copy and Ms Wheeler commented that she would request it of the Landscape Guardians.

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	2015).	
5.8. Press – Communications <ul style="list-style-type: none"> • 2 interviews with Caitlin Andrews of the Scone Advocate (and resultant articles) • 1 interview with Giselle Wakatama of ABC Newcastle 		Noted
5.9. Press – General <ul style="list-style-type: none"> • Letter to Editor in Scone Advocate from Mr and Mrs Marshall 		Noted
5.10. Website <ul style="list-style-type: none"> • Website has been updated up until 20 January • Following KCF Meeting No.2, a further update will be posted 	Pamada to update	Pamada to update
6. Project Report		
6.1. Progress of the project – assessment or operational issues <ul style="list-style-type: none"> • Work under the Approval has commenced. (And therefore the Approval does not lapse.) • The access works into the site (required Works) were designed, approved and completed. • All local labour was used in the construction. • All reports, schedules, agreements that are required to have been submitted to the Department have been submitted and await final acceptance. • Commentary to the submitted documents from the Department progresses. • It is anticipated the fine tuning of the documents required by the Department will take another month-ish. • Once the Construction Environment and Management Plan is approved and other required conditions satisfied, the construction of Stage 1 will commence. (estimated April 2015) and cannot commence prior. • Generally no changes to the project, nor project timing, however the Solar component is progressing more swiftly than expected, with significant resources going into resolving 	Noted.	<p>The website will be have the following updated over the next two weeks:</p> <ul style="list-style-type: none"> • New Updates; • Minutes of the Kyoto Community Forum Meeting No.2; and • The NHMRC findings; <p>The website will be have the following updated over the next two months:</p> <ul style="list-style-type: none"> • Summary of Approval Compliance Schedule; and • Uploading of Approval required documents <p>Pamada will be developing the FAQ's and apologise this hadn't been started during the last period.</p>

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<p>some financial hurdles.</p> <p>The Schedule for tracking of compliance is being used with the Department.</p>		
6.2. Issues arising from site inspections		
<ul style="list-style-type: none"> A site inspection by a Compliance Officer of the DoP occurred 11 February 2015 No follow-up correspondence has been received at the time of writing. Onsite meeting was positive and constructive. 	See 5.7 above.	Noted
6.3. Monitoring and performance		
<ul style="list-style-type: none"> Nothing to report at this time 		Noted.
6.4. Community complaints and response		
<ul style="list-style-type: none"> None received to the project We understand the Department has received a letter which in part was the basis for the inspection. No further detail was provided by the Department Scone Advocate Letter to Editor (from Mr and Mrs Marshall). 	Noted.	Noted.
6.5. Information provided to the community and any feedback		
<ul style="list-style-type: none"> As noted above, to all of the communiqués, no responses other than from Ms Wheeler. Scone Letter to Editor comments on the previous week's article in the Scone Advocate 	Noted.	Noted.
<ul style="list-style-type: none"> Other relevant Information 		
<ul style="list-style-type: none"> The National Health and Medical Research Council have issued their long awaited investigation into the health effects of Wind Turbines. A copy of report is attached to this report 	Noted.	Noted.
7. General Business / Other		
<ul style="list-style-type: none"> None proposed 	Noted.	Noted.
8. Next Meeting		
	Suggested June 2, 2015 at 2.30pm?	Suggested Date agreed was May 26, 2015.

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9. Other		
Commentary to questions raised during the last period by Ms Wheeler (no intention to remove some of Ms Wheeler's commentary, but for brevity have left the basic questions only)		
<ul style="list-style-type: none"> The position of the sub station - originally planned for Bunnan Road side and according to Mark now in the middle of the site or at the Mt Moobi end. Obviously if not on Bunnan Road side this means that the bund wall that would have had to be built won't be required in relation to noise to Clifton Hills estate. But will there be a need for any noise abatement if the sub station shifts position? 	<p>The position of the substation will be most likely moved well away from Bunnan Rd and closer to the Mt Moobi plateau. We see no need for the bund wall and when the final detailed location is set, we will update the location.</p> <p>.</p>	Noted
<ul style="list-style-type: none"> Plus confirmation that if the 3 turbines on Middlebrook side are built exactly where will the power line run for those? Originally it was coming down the quarry access road (the access to my property) which is on Middlebrook Station and then connecting in with the line that was to run down Bunnan Road (assuming the substation was to be on the Bunnan Road side) but a previous project manager mentioned that they may just be able to connect them in directly onto Middlebrook Road. Please confirm. It is understood that these 3 turbines are still subject to aircraft issues so an update on that is required as well. 	<p>The mico-siting for the 3 turbines at Middlebrook Station has not occurred and the power line serving them has not been finalised. (In fact over the last year, little work has progressed theses turbines, albeit we do still plan on their development at a time in the future)</p> <p>We will look at all options for the power line route.</p>	Noted
<ul style="list-style-type: none"> Power route - I realise Mark indicated that you may have a final answer by early December. This item is of major interest to the community. We need to understand where it will run and at what stage of construction it can be expected to be built and the final height/size of the poles, whether they will be concrete or timber etc. There was a request in Council's submission to consider underground power if it goes through the Bill Rose playing fields and near the golf club. Then there is the new issue of the By Pass that is currently 	<p>Unfortunately the route remains confidential and will unlikely be public information for some months.</p>	Noted

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being planned. So information about all that is of great interest and no doubt you will need to have further negotiation with Council. There was some discussion in relation to the By Pass that the golf club house may be moved to another location and that it would become a club house for multiple sports clubs. I don't know if that is still the case but if it is to be a new club house then the position of the power route in relation to that is of importance.		
<ul style="list-style-type: none"> Transport route for heavy vehicles and machinery - my last discussion with Mark in August indicated that the turbine blades are too long to get under the Muswellbrook rail bridge. I mentioned that if the Liverpool Ranges WF gets approval they plan to take out some of the bends in the Golden Highway and perhaps KEP could use that route as well. There maybe an issue coming through Merriwa but I think the rest of the route down through Bunnan would be OK. If Yarrandi Rd or the back Muswellbrook Road (Nandara Rd) are to be used then please advise. Nandara Rd has quite a few dips for flood drains that would need to be filled. And Yarrandi Rd has 3 90degree bends that would need to be fixed. I think the turbine blades are the main issue as I assume there would be no problem with solar components. So we want to know what route will be use for what components. 	<p>The blades are in fact not too long to fit under the Muswellbrook Bridge (although it was a concern). We will review possible alternative routes as the Stage 4 works become closer.</p> <p>There will not be any impact with regard to the route and will obtain the relevant authority signoffs.</p>	Noted
<ul style="list-style-type: none"> Has the road dilapidation survey been done yet and if not when will it be done? Condition 2.20 (c). Or perhaps you have reached an arrangement with the various authorities that due to the nature of Stage 1 you may be able to defer the larger route survey. Please confirm. 	Relevant Dilapidation Surveys will occur prior to relevant stages of construction.	Noted
<ul style="list-style-type: none"> Turbine lighting: this is another concern as it can be very disconcerting driving along the 	Consultation is ongoing, however, final advice relating to the wind turbines relates to	Noted

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New England Highway and have your eyes forced away looking at a stream of red flashing lights. Same coming up Bunnan and Moobi Roads. Condition 2.23 discusses the requirements for this prior to construction. Over the years there has been discussion with various project managers and suggestions ranged from lights only to outline the wind farm eg. not on every turbine. Even perhaps ground up lighting rather than flashing lights on turbines. A decision and information about this is needed.	Stage 4.	
<ul style="list-style-type: none"> Bird & Bat Monitoring – Condition 3.3. The plan has to be done prior to construction commencement. Is it possible to put that up on the website plus the results of the monitoring? 	The approval of the Plan is ongoing and not final at the time of writing. The Plan, once approved, shall be placed on the website.	Noted
<ul style="list-style-type: none"> Flora & Fauna Impacts: Condition 2.18. Has the compensatory habitat package been agreed and where is it to be implemented? Supposed to be done prior to construction. Could an indication be put on the map of where that is to be. 	The approval of the Plan is ongoing and not final at the time of writing. The Plan, once approved, shall be placed on the website.	Noted.
<ul style="list-style-type: none"> Turbines on Mountain Station: As Mark mentioned the use of larger turbine blades that will be required to be spaced further apart from the current locations that were submitted for the approval and hence the possible reduction of turbines to say 26-27. We need ASAP a new map of how many and where those turbines are now likely to be and what impacts, if any, there will be on residences. Eg. will some now be closer and some further away? Clearly you will need to do some more noise assessments to ensure that the new locations will not introduce any noise increase from the assessments as submitted in the application and not require noise mitigation measures or property acquisition. 	<p>For the foreseeable future we will not prepare any layouts other than the Approved layouts for 34 turbines. Technology may still change yet again to make possible the project more efficiently.</p> <p>It is likely that the total number of turbines reduce, but not certain at this time.</p> <p>Should the number reduce, it is highly likely, distances from neighbours will remain generally similar, but more than likely they will be slightly further away.</p>	Noted.
<ul style="list-style-type: none"> Solar or Turbines first? If you decide to put the solar in first 	Even if solar is first, which is possible, it is highly unlikely to	Noted.

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<p>(and I hope you do) then this again could mean different turbine technology when the time comes.</p> <ul style="list-style-type: none"> I still think it reasonable to provide information on the expected reduction in turbines and their locations as the turbines are the major concern for residents in close proximity. So please indicate in the staged plans which of the technologies will be done first. Likewise if you decide to put in another DA or a modification to increase the solar then this is a very positive thing and the community should be updated. 	<p>have an impact on the wind turbine technology.</p> <p>The correct position at this point in time, is that nothing has changed.</p>	
<ul style="list-style-type: none"> The Environmental Rep. When approved by DoPI can you announce that on your website please. His/her job is a large one and I am hoping that in accordance with Condition 5 that all the monitoring and compliance reports will be made available on the website. 	<p>Noted. We believe the ER is approved, however await written advice.</p> <p>Details of the outcomes of compliance reviews and audits of the project will be on the website.</p>	<p>The nominated ER is Aurecon.</p> <p>Noted.</p>
<ul style="list-style-type: none"> In relation to the various stages of construction and to be fair considering the financial situation, the RET etc. if you don't want to put a definite date on each stage then I guess that would be OK. Perhaps an indicative date. It can always be updated later. I guess the most important thing is to get the above answers to the questions covered and the general plan as to what each stage would comprise of. 	<p>Stage 1 Early – Mid 2015</p> <p>Stage 2 (Sub) linked to Stage 4</p> <p>Stage 3 (Solar) hopefully late 2015 – Mid 2016</p> <p>Stage 4 (Wind) Hoping Soon more RET dependant</p>	<p>Noted.</p>
<ul style="list-style-type: none"> Also I thought there was mention of putting up on the website contact details (names and email) for the committee members. This has been done for some other sites and others have put it in the meeting minutes. That way the community knows who they can talk to. Not sure if we came to an agreement about that or not at the meeting. If not then it should be on the next agenda. 		<p>Pamada and the project are to be the contact for the project.</p>

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<ul style="list-style-type: none"> Also with the agenda there will be followup items from the last meeting which need to be addressed. Plus of course if you received any response to the add for more CCC members. 	<p>Agree</p> <p>No responses to add KCF members.</p>	<p>As stated above Pamada to re-run ad.</p>
<ul style="list-style-type: none"> Also I just noticed that the Department has added a form to your DA for application to the CCC. This was done Friday just gone I think or earlier in the week as I don't recall seeing it before then. What does this mean? Do we have to now complete this form and lodge with DoP? That had better go on the agenda as well with clarification from DoP. 	<p>For discussion at the meeting</p> <p>Refer to 5.6 above.</p>	<p>The KCF as structured to continue.</p>
<ul style="list-style-type: none"> It is noted that the construction of the hydro component of the KEP and the manager's residence has not been mentioned in the 4 construction stages. Please advise if these are going ahead and at what stage they intend to be constructed. 	<p>You are correct and this is being corrected. Both are likely Stage 4 works.</p> <p>Hydro has had a change (for the better) in optimism this year.</p>	<p>Noted.</p>
<ul style="list-style-type: none"> If the rest of the Forum is interested I think a site visit of Mountain Station would be worthwhile after Stage 1 has completed. The visit will need to be in 4WD vehicles and show the location of the proposed sub-station, solar, hydro, manager's residence and in general terms the turbines (not visit every turbine position). 	<p>For discussion at the meeting.</p>	<p>Agreed, it would be more beneficial after completion of Stage 1 and Pamada to arrange at that time.</p>
<ul style="list-style-type: none"> Status of revamped website and the placing of consent condition documents on it eg. Bird & Bat Monitoring Plan, Community Enhancement Fund Agreement etc. including approval letters by DoP approving the plans, (More extensive list to be made up from the Conditions of Consent). This falls within Condition 5.2. 	<p>As noted above, as these documents are approved, subject to some confidentiality these will be placed on the website.</p> <p>The exact date is not determined.</p>	<p>Noted</p>
<ul style="list-style-type: none"> Set meeting dates for the balance of 2015. That would be May, August, November as we agreed at the last meeting to every 3 months. A suggestion might be the first Friday of each of those months. That then leaves plenty 	<p>Propose May 26, September 1, December 1 2015 – for discussion.</p>	<p>Noted</p>

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of time for action items between meetings. Those dates are also away from most of the public holidays. The advance meeting room bookings could also be made with Council once we agree the dates.		
<ul style="list-style-type: none"> Solar - as this is scheduled for Stage 3 can you advise if you plan to only install the amount which was approved with this current development consent (3Mw - 10Mw) or are you planning to lodge either a new DA or a modification to this one to increase solar capacity? (Mark mentioned to me August last year that he wanted to increase the solar and we had a chat about DAs at that time). I know the site has potential for a lot more. 	<p>We are looking at all options with regard – existing location, modified location, and additional locations</p> <p>We hope to know before the next meeting and at the time of writing the existing proposed location and 10MW is likely.</p>	Noted.
<ul style="list-style-type: none"> And one of the follow-ups from last meeting re the Power Route. At the November meeting Mark indicated he should have an answer by early December but when I followed that up with you that information was not available. Can you please provided an update at the Feb meeting. 	See above	Noted.
<ul style="list-style-type: none"> In relation to the Dept of Planning. Over and above the completion of the new access some of the items on the approval prior to construction list needed to be submitted and approved one month at least before construction start. As 'reasonable' construction must start before January 31 it sounds like things are being cut pretty fine so to speak. eg. I would not expect that a bit of fencing would be considered 'reasonable' construction start. More like evidence of internal roads and perhaps footings or equivalent for the maintenance office. 	<p>Commencement of the Works under the Approval needed to have occurred prior to January 31, 2015. This has occurred.</p> <p>Construction matters that are subject of the CEMP can only occur after the CEMP and other conditions are satisfied, however the project does have 'Commencement'.</p> <p>There is no required test in the Approval for 'reasonable construction', only 'commencement of the works' This is without ambiguity that we have commenced and the approval did, therefore not lapse. We progress, as we have advised in the press and to the Forum to making the Kyoto Energy Park a reality.</p>	Noted.
<ul style="list-style-type: none"> Some of the pre-construction 	You are correct.	Noted.

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<p>items are pretty involved hence my queries about exactly what the Department has agreed to do considering the development is to be done in stages (condition 1.5). Logic would say that DoP would allow staggered meeting of some of those pre-construction requirements ie. Bird & Bat Monitoring plan & Aviation Obstacles and Hazards which relate specifically to the turbines and the Construction Environmental Management Plan which is not dependent on the turbines and has to be done in conjunction with Upper Hunter Shire Council.</p>		
<ul style="list-style-type: none"> I would have expected that your Compliance person (or whoever is doing the Compliance Tracking Program) should have had all this on a list with appropriate submission and approval dates. By the way who is your Compliance person to prepare the program as per condition 4.1?. All of these things should already be in that program which was to be approved by the DG one month prior to construction start. Assume construction start now January 31 then this should have been approved by DoP on or before January 1 and should have nothing to do the holiday period. For a project of this magnitude I would have expected the Compliance Plan to have been in operation for several months. 	<p>Laura Dunphy had prepared the detailed Compliance Tracking programme and will be taken over by another staff member (not determined at the time of writing)</p> <p>The Compliance Tracking Program is an ongoing document and with DoP. The final form, for placement on the website is not finalised.</p>	<p>Pamada to develop a more detailed document for the next meeting.</p>

**Appendix 1: Copy of Scone Advocate Ad
Copy of NHMRC Report**