

IN THE VICTORIAN CIVIL AND ADMINISTRATIVE APPEALS
TRIBUNAL
Planning and Environment List

No 2910 of 2012

BETWEEN

CHERRY TREE WIND FARM PTY LTD
Applicant

and

MITCHELL SHIRE COUNCIL
First Respondent

and

TRAWOOL VALLEY-WHITEHEADS CREEK LANDSCAPE GUARDIANS
INC
Second Respondent

and

ORS including the Waubra Foundation
Respondents

STATEMENT OF Andrew Robert Gardner

Filed by the Waubra Foundation

STATEMENT OF Andrew Robert Gardner

1. I am Andrew Robert Gardner of 457 Eckersleys Road, Penshurst. My telephone number is
2. I am a full time farmer, on a small sheep grazing property. I am sixty seven years old.
3. My wife Annie and I have lived and worked on our farm since March 1980.
4. Our home is situated 1.7 kms from the nearest turbines of the Macarthur wind development. We have an arc of about 7 turbines closest to our home, between 1.7 to 1.9 kms from our family home. The remaining 133 turbines of the Macarthur Wind Development lie in grid fashion immediately behind this arc to the south, south-east, south-west and to the east of our home.
5. We had been told by the wind developer that there would be no health impacts, and we did not expect to be affected. We were also told by the wind developer the noise would be no greater than that of an ordinary working farm.
6. In October 2012, the first 15 wind turbines started operating. My wife Annie was badly affected immediately.
7. After approximately six months I started to experience sleep disturbance and headaches.
8. In July 2013 when we were lambing I started to experience severe "bolts" of pressure, particularly while walking about checking our ewes and lambs in the paddocks.
9. I also noticed the same sensations occurring randomly, inside my home, and inside the farm sheds, as well as out in the paddocks.
10. I cannot see the wind turbines from inside my home.

11. I became particularly disturbed by the severity of intense pain caused by these “bolts” of pressure to the back of my head. It felt as if someone had chopped into the back of my head with an axe – a truly frightening and painful experience.
12. I have lived and worked on our farm for 33 years, and have never experienced anything like these sensations or “bolts” of pressure before. Nor do I feel them when I am away from home.
13. For a short period of time, between 16th July 2013 and 3rd August, Mr Les Huson, an independent acoustician, used our home to collect acoustic data, whilst trialling some new equipment for measuring infrasound and pressure changes. This particular data collection was part of some self funded investigative work Mr Huson was carrying out at Macarthur wind development. We were happy to make our home available to Mr Huson, as we are very keen to try and find out what is causing these new symptoms and the sleep disturbance.
14. We had previously employed Mr Huson to conduct pre and post construction noise monitoring, however this self funded investigative work by Mr Huson was separate.
15. I am unable to use a computer and had no way of knowing what frequencies and pressures were being measured by Mr Huson’s equipment at the time.
16. After telling Mr Huson about these symptoms and sensations of bolts of pressure, he suggested I keep a diary for the time he had his equipment in my home. I did so, and I made my diary available to Mr Huson so he could determine if there were any correlations between my symptoms and the data he had collected.
17. Due to the severity of the impacts on my wife, which have included nausea, palpitations, chest pain, and severe pressure sensations in her head, ear, teeth,

jaw, & nose, we have regularly left our home for two days and nights since October 2012. When we are away, neither of us feel the sensations and symptoms which we notice when we are home and the wind turbines are turning. We both sleep very well. When we return home, the symptoms return, unless the turbines are not turning.

18. On Tuesday 5th October, 2013 I experienced one of the worst episodes whilst riding my motor bike on the farm. We had just been away for three days and had only been back an hour. I felt a sudden bolt of pressure to the back of my neck, together with nausea and heart palpitations, and I felt very unwell. I am concerned that I could have a motor bike accident if this occurs again. At the time I was concerned I was having a heart attack because I felt so unwell.

Below is a list of episodes I recorded in my diary in the period when Mr Huson was conducting his monitoring.

DATE	TIME	DESCRIPTION
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16.7.2013

6 pm Felt pressure bolt in living room.

8.10 pm Mild impact in living room.

9.15 pm Extreme head pressure bolt (between temples). Annie also felt it.

17.7.2013

9.45 am Bolt of head pressure at back gate. Headiness continued all morning while checking lambing ewes on bike. Quite hazardous.

4.20 pm Impact from pressure bolt at back of house by workshop. ENE wind.

4.50 pm Impact from pressure bolt in front of house.

18.7.2013

10.40 – Continuous pressure bolts, outside garage and in living room.
11.15 am

11.35 am Another bolt in chair in living room.
Affected ALL day in paddocks, and also in bed at night.

19.7.2013

early morning Affected early morning in bed before I got up.

9.30 am Felt bolt in side of head between house and workshop.

Away till 22.7.2013

23.7.2013

1.30 pm Bolt of pressure up laneway.

3.30 pm Ears popping checking Dyson's paddock.

10.30 pm Sinus head pressure in living room.

11.30 pm Pressure bolt to head in bedroom.

24.7.2013

11.30 am Bolt of pressure checking lambs in paddocks.

25.7.2013

2.00 pm Head pressure bolt by lambing pens.

6.00 pm Head pressure bolt by big hay shed.

8.30 pm Pressure bolt to head, in living room. North wind.

26.7.2013

6.30 am Head pressure bolt in bedroom. North wind.

8.00 am Pressure bolt to head in chook yard.

10.00 -
12.00 midday Constant head pressure all the time checking lambs.

27.7.2013

5.50 am Head pressure bolt in bedroom.

7.15 -

7.40 am North wind. Severe head pressure in bedroom.

9.00 am Severe head pressure all around yard.

9.10 am Head pressure bolt in kitchen.

Head pressure all morning going around lambing ewes.

11.15 am Pressure bolt to head in living room.

11.50 am Another pressure bolt to head in living room.

Away overnight.

28.7.2013

2.50 pm Felt head pressure onwards for rest of day. North-east wind.

29.7.2013

8.00 -

10.30 am Impact from severe pressure all the time around ewes and lambs.

10.30 am Pressure bolt to head by sheep shed double gates.

10.35 am Pressure bolt to head at back door.

7.00 pm Head pressure bolt at sheep shed double gates.

10.00 pm Bolt in house at back door/toilet. North-west wind. Raining.

10.15 pm Impacted in bathroom and shower.

10.30 pm Impacted in bedroom. Had to take panadol for headache (pressure).

30.7.2013

Bad night's sleep. Westerly wind.

3.00 am Woke up. Could not get to sleep for 3 hours.

Woke feeling impacted.

9.00 -

10.00 am Badly impacted by several bolts near double gates by sheep shed.

Mustering green tag M/S for drenching. Impacted along laneway.

5.30 -

5.45 pm Putting sheep back, hit by pressure bolt.

6.50 pm Pressure bolt to head in top shed.

7.00 -

7.15 pm Impacted by head pressure bolts in living room.

31.7.2013

Disturbed night. North wind.

8.30 am Impact head pressure bolt in sheep shed.

9.35 am Impact head pressure bolt in kitchen.

5.00 pm Head pressure bolt impact back gate.

8.10 pm Annie impacted in house.

1.8.2013

8.50 am North wind. Pressure bolt to head back gate.

9.50 am Head pressure bolt going around ewes.

2.50 pm Head pressure bolt back porch.

3.25 pm North side sheep shed. Head pressure bolt. Massive impact.

3.45 pm Triple "whammy" severe bolt south of sheep shed.

3.55 pm Big impact head pressure bolt by two tanks back of house.

7.10 pm Impacted in living room.

10.30 pm Ears popping near shed.

10.35 pm Head pressure bolt in living room chair.

2.8.2013


4.10 am Head pressure bolt - impacted in bedroom. Took 2 Panadol.

11.25 am Impact, head pressure bolt blue living room chair.

1.15 pm Head pressure bolt, impact on back path between house/workshop.

1.45 pm Head pressure bolt in blue living room chair.

Signed by the abovenamed
Andrew Gardner



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Date: 16th October, 2013