



NSW GOVERNMENT

Department of Planning

Contact: Joanna Bakopanos
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Our ref: 9036690 and 06_0062
Your ref:

Mr Stephen McCall
Environmental Planner
Harper Somers O'Sullivan Pty Ltd
PO Box 428
HAMILTON NSW 2303

Dear Mr McCall

Director General's Requirements for the Environmental Assessment of the proposed Black Springs Wind Farm

The Department has received the application made by Wind Corporation Australia Limited for the proposed wind farm at Black Springs (Application Number: 06_0062).

I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment of the project. It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the *Environmental Planning and Assessment Act 1979* (the Act), the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

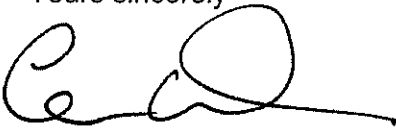
- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department will consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address those matters notified to the proponent. Once the Environmental Assessment has been accepted by the Director-General, it will be made publicly available for a minimum period of 30 days.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment and Heritage in Canberra ((02) 6274 1111 or <http://www.deh.gov.au>).

If you have any enquiries about these requirements, please contact Joanna Bakopanos on (02) 9228 6461.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. Wilson', with a large loop at the end.

F.S. a

Chris Wilson

A/ Executive Director

As delegate of the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	06_0062
Project	Black Springs Wind Farm
Location	"Winton Park" and "Daisy Bank", Black Springs, Oberon Local Government Area
Proponent	Wind Corporation Australia Limited
Date issued	4 May 2006
Expiry date	4 May 2008
General requirements	<p>The Environmental Assessment (EA) must include</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project including the: <ul style="list-style-type: none"> - need for the project; - alternatives considered; - various components and stages of the project, including a timeline which clearly identifies the proposed commencement of construction and operation of the farm, its envisaged life span and arrangements for decommissioning; and - details on grid connection. • consideration of any relevant statutory provisions and guidelines, including the Department's draft <i>NSW Wind Energy Environmental Impact Assessment Guidelines, 2002</i>; • an environmental risk analysis of the project which takes into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, which includes: <ul style="list-style-type: none"> - description of the existing environment; - an assessment of the potential impacts of the project; - a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; and • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key issues	<ul style="list-style-type: none"> • Project Justification – the Environmental Assessment must include a clear demonstration of quantified and substantiated greenhouse benefits, taking into consideration sources of electricity that could realistically be replaced and the extent of their replacement. <p>The Environmental Assessment must also identify the socio-economic benefits of the proposal, particularly any direct benefits for the local community arising from the proposal.</p> <ul style="list-style-type: none"> • Visual Impacts – the Environmental Assessment must: <ul style="list-style-type: none"> • provide a comprehensive assessment of the landscape

- character/ values of the areas potentially affected by the project;
- assess the visual impact of the proposal on this landscape (including existing and approved dwellings) for a distance of at least 2 kilometres from the turbines, taking into consideration the impact of blade "flicker" and blade "glint"; and
- include photomontages of the proposal taken from strategic vantage points, including potentially affected residences.

The visual impact assessment should be prepared with regard to the Australian Wind Energy Association and Australian Council of National Trust's *Wind farms and Landscape Values: Stage 1 Final Report - Identifying Issues, March 2005*, particularly Appendix B: *Wind Farms and Landscape Values: Final Issues Paper*.

- **Noise Impacts** – the Environmental Assessment must include a comprehensive assessment of the predicted noise impacts resulting from the operation of the proposal, including measures to manage and/ or mitigate any noise impacts. The noise assessment must be undertaken in accordance with the Department of Environment and Conservation's *Industrial Noise Policy* and with regard to the South Australian Environment Protection Authority's *Wind Farms – Environmental Noise Guidelines, 2003*. Consideration should also be given to the effect of temperature inversions and seasonal variations in background noise levels on the noise predictions.

If any noise agreements with residents are proposed for areas where noise criteria cannot be met, sufficient information must be provided to enable a clear understanding of what has been agreed and what criteria have been used to frame any such agreements.

- **Flora and Fauna** – the Environmental Assessment must address:
 - the impact of the proposal on critical habitats; threatened species, populations or ecological communities, or their habitats in accordance with section 5A of the *Environmental Planning and Assessment Act 1979*;
 - the impact of the proposal on birds and bats from strikes and alteration to movement patterns resulting from the turbines and transmission lines. An outline of an adaptive management program must be included. Consideration should be given to the Australian Wind Energy Association's *Assessing the Impacts on Birds – Protocols and Data Set Standards*; and
 - vegetation clearing during construction and maintenance, including details on its location, composition and quantity.

The flora and fauna assessment must be prepared in accordance with the Departments of Environment and Conservation and Primary Industries' draft *Guidelines for Threatened Species Assessment* and have regard to the Commonwealth Department of the Environment and Heritage's *Cumulative Risk for Threatened and Migratory Species, March 2006*.

- **Traffic and Transport** – the Environmental Assessment must assess the impact of traffic generated as a result of the proposal during construction and operation and must include: details on the nature/ mode of traffic generated; transport routes; traffic volumes and the potential impact of this on local and regional roads, bridges and intersections, including any proposed road upgrades. Details regarding site access, access tracks and parking must also be provided.

	<ul style="list-style-type: none"> • Indigenous Heritage – the Environmental Assessment must include an assessment of the potential impact on Aboriginal heritage values and items, in accordance with the Department of Environment and Conservation's draft <i>Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i>; • Services – the Environmental Assessment must assess the potential impact of the proposal on telecommunications and aircraft. In reference to aircraft, the assessment must consider the Civil Aviation Safety Authority's draft advisory circular AC 139-18(0) <i>Obstacle Marking and Lighting of Wind Farms</i>, December 2005. • Land Values/ Development Potential – the Environmental Assessment must assess the potential impact of the proposal on surrounding land values, including a prediction of the land value changes as a result of the proposal in both the short and long term. • Bushfire Risk – the Environmental Assessment must address the potential for wind farms to start/ influence the pattern of bushfires, and must include bushfire management strategies and measures, in consultation with the NSW Rural Fire Service and Oberon Council.
Consultation	<p>During the preparation of the Environmental Assessment, you must consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular you must consult with;</p> <ul style="list-style-type: none"> • Department of Environment and Conservation; • Roads and Traffic Authority; • Department of Primary Industries; • Department of Natural Resources; • Oberon Shire Council; • Country Energy; • NSW Rural Fire Service; • Civil Aviation Safety Authority (CASA); and • Pejar Local Aboriginal Land Council. <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
Deemed refusal period	<ul style="list-style-type: none"> • 120 days