



NSW GOVERNMENT  
**Department of Planning**

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Our ref: S07/0281-1

Mr Angus Holcombe  
Wind Energy Project Manager (Australia)  
Ben Lomond Wind Farm Pty Ltd  
Level 20 Gateway Building  
1 Macquarie Place  
SYDNEY NSW 2000

Dear Mr Holcombe

**Proposed Ben Lomond Wind Farm, Guyra and Glen Innes-Severn Local Government Areas (Application Reference: 08\_0012)**

I refer to your request for the Director-General's requirements for the preparation of an Environmental Assessment for the proposed Ben Lomond wind farm.

The Director-General's Environmental Assessment Requirements are attached, pursuant to section 75F (2) of the *Environmental Planning and Assessment Act 1979*. 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 Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

If your proposal contains any actions that are likely to significantly impact 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 is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of the Environment, Heritage, Water and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to significantly impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

You should ensure that you consult with 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;
- whether the proposal requires an approval under the EPBC Act and any assessment obligations under that Act;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

As you may know, the Department will review the Environmental Assessment in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, the Department would appreciate it if the documents submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on a suitable website with a link the Department's website.

It is also identified that the Project will require an Environmental Protection Licence from the Department of Environment and Climate Change for operational noise. The Department recommends that you contact the agency prior to undertaking this assessment to clarify that the proposed model is applicable for any future licence.

You should keep the contact officer for this project, Mark Turner ((02) 9228 6351), mark.turner@planning.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

 19.2.08

Chris Wilson  
**Executive Director**  
**Major Project Assessments**  
As delegate of the Director-General

## Director-General's Requirements

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

### PROPOSED BEN LOMOND WIND FARM (MP 08\_0012)

<b>Project</b>	Construction, operation and decommissioning of up to 100 wind turbines 2.1MW each. Associated infrastructure including an above ground transmission connection to the existing 132kV transmission system, underground cabling between turbines and substation, on site control room and equipment storage, temporary concrete batching plant(s), construction compounds and access roads
<b>Site</b>	"Emily Park", "Glencoe", "Silent Grove", "Glen Lomond", "Tarloon", "Highfields", "Banoole", "Yolanda", "Mt Emby", "Smithston", "Kanes" and "Kenlossie" properties, Guyra and Glen Innes-Severn Local Government Areas
<b>Proponent</b>	Ben Lomond Wind Farm Pty Ltd
<b>Date of Issue</b>	19 February 2008
<b>Date of Expiration</b>	19 February 2010
<b>General Requirements</b>	<p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> <li>• an executive summary and glossary;</li> <li>• a detailed description of the proposal, including construction, operation, decommissioning, detailed description of locations and dimensions of all project components (including coordinates and AHD heights for turbines), details of all cabling connections and infrastructure and a timeline which clearly identifies the proposed commencement of construction and operation of the project components, their envisaged lifespan and arrangements for decommissioning and staging;</li> <li>• consideration of any relevant statutory provisions and guidelines, including the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>;</li> <li>• consideration of Department's draft <i>NSW Wind Energy Environmental Impact Assessment Guidelines 2002</i> and Auswind's Best Practice Guidelines for Implementation of Wind Energy Projects in Australia (2006) or update;</li> <li>• an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below, and including a description of measures proposed to avoid, minimise, mitigate, offset, manage and/or monitor the impacts of the project ;</li> <li>• a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and</li> <li>• certification by the author of the EA that the information contained in the Assessment is neither false nor misleading.</li> </ul>
<b>Key Assessment Requirements</b>	<p>The EA must include assessment of the following key issues:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Justification</b> - the EA must: <ul style="list-style-type: none"> <li>→ include a strategic assessment of the need, scale, scope and location for the project in relation to predicted electricity demand, predicted transmission constraints and the strategic direction of the region and the State in relation to electricity supply, demand and electricity generation technologies;</li> <li>→ include a clear demonstration of quantified and substantiated greenhouse gas benefits, taking into consideration sources of electricity that could realistically be replaced and the extent of their replacement; and</li> <li>→ The EA must include strategic planning consideration of the project and an analysis of the suitability of the proposal with respect to potential land use conflicts with existing and future surrounding land uses.</li> </ul> </li> <li>• <b>Visual Impacts</b> - the EA must: <ul style="list-style-type: none"> <li>→ provide a comprehensive assessment of the landscape character/values of the areas potentially affected by the project. This should describe community and stakeholder values of the local and regional visual amenity and quality, and perceptions of the proposal based on surveys and consultation;</li> <li>→ assess the impact of shadow "flicker" and blade "glint" from the wind farm;</li> </ul> </li> </ul>

- identify the zone of visual influence and assess the visual impact of all project components on this landscape (including existing and approved dwellings and subdivisions) for a distance of at least 10 kilometres;
- have particular regard to the local communities of Ben Lomond and Glencoe and significant public areas;
- cumulative visual impacts of existing and approved wind farms must be assessed in the EA;
- include photomontages of the proposal taken from potentially affected residences/villages and significant public view points, and provide a clear description of proposed visual amenity mitigation and management measures;
- provide an assessment of the feasibility, effectiveness and reliability of proposed mitigation measures and any residual impacts after these measures have been implemented; and

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: National Assessment Framework* June 2007.

• **Noise Impacts** - the EA must:

- include a comprehensive assessment of the predicted noise impacts resulting from all phases and components of the project;
- identify noise sensitive locations, describe baseline conditions based on monitoring results, determine noise criteria and determine noise impacts of the project (levels and character) under operating meteorological conditions (ie. wind speeds from cut in to rated power), which may include impacts under meteorological conditions that exacerbate impacts. The probability of such occurrences must be quantified;
- if any noise agreements with residents are proposed for areas where noise criteria cannot be met, provide sufficient information to enable a clear understanding of what has been agreed and what criteria have been used to frame any such agreements;
- clearly outline the noise mitigation, monitoring and management measures the Proponent intends to apply to the project. This must include an assessment of the feasibility, effectiveness and reliability of proposed measures and any residual impacts after these measures have been incorporated; and
- include contingency measures that provide for additional noise attenuation should higher noise levels than those predicted result following commissioning;

The assessment must be undertaken in accordance with the following guidelines (or as otherwise agreed with the DECC):

- Wind Turbines - the South Australian Environment Protection Authority's *Wind Farms - Environmental Noise Guidelines*, 2003; (consideration should also be given to *Wind Farms - Environmental Noise Guidelines (interim)*, 2007 on advice from DECC who are currently reviewing their appropriateness for NSW); and
- Site Establishment and Construction - undertaken in accordance with the *Environmental Noise Control Manual* (EPA, 2004).

• **Flora and Fauna** - the EA 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*. Specific reference is made to White Box, Yellow Box, Blakely's Red Gum Grassy Woodland and Ribbon, Mountain and Snow Gum communities. Threatened species and endangered communities under Commonwealth legislation must also be addressed;
- the impact of the proposal on birds and bats from strikes and alteration to movement patterns resulting from the turbines and transmission lines;
- weed management during both construction and maintenance;
- vegetation clearing during construction and maintenance, including details on the location, composition and quantity and likelihood of disturbance; and
- measures to avoid, mitigate or compensate (in accordance with DECC's vegetation off-set principles) impacts on flora and fauna aiming to achieve the principle of "improve or maintain environmental outcomes".

The flora and fauna assessment, including field surveys, must be prepared in accordance with the *Draft Guidelines for Threatened Species Assessment* (DEC & DPI, 2005), and have regard to the Commonwealth Department of Environment and

	<p>Heritage's <i>Cumulative Risk for Threatened and Migratory Species</i>, March 2006, Auswind's <i>Wind Farms and Birds: Interim Standards for Risk Assessment</i>, July 2005 and the Australian Wind Energy Association's <i>Assessing the Impacts on Birds – Protocols and Data Set Standards</i>.</p> <ul style="list-style-type: none"> <li>• <b>Non Indigenous Heritage</b> - the EA must include an assessment of the potential impact and mitigation measures on non indigenous heritage values/items and proposed mitigation measures in accordance with the updated guidelines in the NSW <i>Heritage Manual</i>.</li> <li>• <b>Hazard/Risks</b>– including potential impacts (and mitigation measures) on aviation (and with reference to the Civil Aviation Safety Authority's Advisory Circular AC 139-18(0) <i>Obstacle Marking and Lighting of Wind Farms</i>, July, 2007 (or as updated)), bushfires, communication systems and electric and magnetic fields.</li> <li>• <b>Traffic and Transport</b> – the EA must assess the impact of construction traffic generated by the proposal and include: <ul style="list-style-type: none"> <li>→ details of the nature of traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads, bridges and intersections, including any proposed road upgrades and repairs; and</li> <li>→ provide site access and parking details.</li> </ul> </li> <li>• <b>General Environmental Risk Analysis</b> –notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the project, proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impact(s) must be included in the EA.</li> </ul>
<b>Consultation Requirements</b>	<p>The Proponent must undertake an appropriate and justified level of consultation with the following parties during the preparation of the EA:</p> <ul style="list-style-type: none"> <li>• Department of Environment and Climate Change;</li> <li>• Department of Water and Energy;</li> <li>• Department of Primary Industries;</li> <li>• Glen Innes-Severn and Guyra Councils;</li> <li>• Civil Aviation Safety Authority (CASA) and Airservices Australia;</li> <li>• Department of Defence;</li> <li>• Department of Planning (Heritage office)</li> <li>• Roads and Traffic Authority;</li> <li>• the local community.</li> </ul> <p>The EA must clearly describe the consultation process and indicate the issues raised by stakeholders during consultation and how these matters have been addressed.</p>
<b>Deemed refusal period</b>	60 days