



Planning

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Mr David Griffin
Infigen Energy
Level 22, 56 Pitt Street
SYDNEY NSW 2000

File: 9036677-2

Dear Mr Griffin,

Woodlawn Wind Farm – Proposed Modification of Development Consent

I refer to your letter of 25 June 2010 seeking advice for the requirements for the preparation of a Statement of Environmental Effects (SEE) to support the modification application for the Woodlawn Wind Farm. Attachment A details those matters required to be addressed in your SEE.

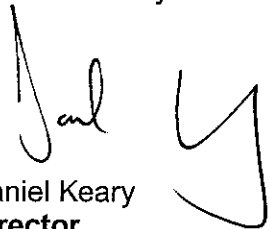
Any modification application must be accompanied by a completed modification application form (available from the Department's website, www.planning.nsw.gov.au), including landowners' consent, copies of a Statement of Environmental Effects addressing the matters specified in Attachment A to this letter and application fees determined in accordance with the *Environmental Planning and Assessment Regulation 2000*. The Statement of Environmental Effects will be publicly exhibited for comment.

It is recommended that you consult with the Department at least two weeks prior to the lodgement of the application to confirm:

- the appropriate statutory process;
- fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the SEEs that will be required.

Please do not hesitate to contact Tim Hogan on 9228 6236 or via email at timothy.hogan@planning.nsw.gov.au if you have any queries in relation to this matter.

Yours sincerely

 5/7/10
Daniel Keary
Director
Infrastructure Projects

ATTACHMENT A: REQUIREMENTS FOR THE PREPARATION OF THE MODIFICATION APPLICATION – WOODLAWN WIND FARM MODIFICATIONS

The SEE must include an assessment of the following issues:

General Requirements

- a detailed description of the original development as approved and the proposed changes to that approval, including figures which illustrate the footprint of the approved project and the proposed changes to the originally approved project;
- justification that the development, as modified, would be substantially the same as the approved development;
- justification of the proposed modification and consideration of alternatives;
- consideration of relevant Environmental Planning Instruments;
- identification of the conditions of consent that are required to be modified by this Application; and
- an assessment of all other potential environmental impacts of the proposed modification, by reference to the relevant matters in section 79C of the *Environmental Planning and Assessment Act, 1979*.

Visual

- a revised visual amenity assessment of the wind farm (focussing on the installation of the additional 3 turbines) and the associated road and hardstands, demonstrating that the proposed modification would not significantly change the visual amenity impacts from that predicted for the approved development. Clear illustration of this, for example, through use of photomontages or the like from sensitive receiver locations, particularly private residences, must also be provided;
- a revised shadow flicker assessment; and
- details of any further mitigation and management measures, where necessary.

Noise

- a revised noise assessment demonstrating that the proposed modification to the development would be capable of achieving the noise limits set under the conditions of consent for Woodlawn, dated 4 October 2005;
- an assessment of the cumulative noise impact of the proposed modification in conjunction with Capital Wind Farm; and
- details of any further mitigation and management measures, where necessary, to ensure compliance with the noise limits.

Flora and Fauna

- a revised assessment of the potential impact of the proposed modification (the three new turbine positions, associated roads, hardstands and underground reticulation) on flora and fauna, particularly avifauna and threatened species, populations or ecological communities, or their habitats. This must include the consideration of the potential effects of obstacle lighting if required; and
- details of any further mitigation and management measures, where necessary.

Heritage

- a revised assessment of the potential impact of the proposed modification (the three new turbine positions, associated roads, hardstands and underground reticulation) on Indigenous and contemporary heritage;

Hazards and Risk

- a revised assessment of the potential impact of the proposed modification on air safety.

Traffic and Transport

- an assessment of the capacity of the road network to handle proposed changes to traffic volumes and/ or vehicle types (for example, increased load or length) and an assessment of traffic safety issues associated with the proposed modification.

Telecommunications

- a revised assessment of the potential for telecommunications interference as a result of the proposed modification, including proposed mitigation measures where necessary.

Community and Agency Consultation

- a description of the consultation process with the local community likely to be impacted by the proposed modification and indicate the issues raised by these stakeholders and how these matters have been addressed; and
 - details and documentation of consultation undertaken with key government agencies concerning the proposed development, including Goulburn Mulwaree Council and Palerang Council, the Department of Environment, Climate Change and Water, Civil Aviation Safety Authority (CASA) and any other relevant local, State, and Commonwealth government authorities, and address any issues they may raise in the SEE.
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Reference locations for response to Director Generals Requirements

Director Generals Requirements	Addressed
General Requirements	Various
A detailed description of the original development as approved and the proposed changes to that approval, including figures which illustrate the footprint of the approved and the proposed changes to the originally approved project	Chapters 1 and 3
Justification that the development, as modified, would be substantially the same as the approved development	Chapter 3 and 11
Justification of the proposed modifications and consideration of the alternatives	Chapters 11
Consideration of the relevant Environmental Planning Instruments	Chapter 4
Identification of the conditions of consent that are required to be modified by this application	Chapter 10
An assessment of all the other potential environmental impacts of the proposed modification, by reference to the relevant matters in Section 79C of the EP&A Act.	Chapter 5 to 9 and Appendices E to H and table below
Visual	Chapter 5
A revised visual amenity assessment of the wind farm (focussing on the installation of the additional three turbines) and associated road and hardstands, demonstrating the proposed modification would not significantly change the visual amenity impacts from the predicted approved development. Clear illustration of this, for example, through the use of photomontages or the like from sensitive receiver locations, particularly private residences, must also be provided.	Chapter 5 and associated Figures and Plates
A revised shadow flicker assessment	Section 5.12
Details of any further mitigation and management measures where necessary	Section 5.14
Noise	Chapter 6
A revised noise assessment demonstrating that the proposed modification to the development would be capable of achieving the noise limits set under the condition of consent for Woodlawn Wind Farm, dated 4 October 2005	6.4 – noise criteria 6.5 – assessment 6.7 – construction
An assessment of the cumulative noise impact of the proposed modification in conjunction with Capital Wind Farm	6.6 – cumulative
Details of any further mitigation and management measures, where necessary to ensure compliance with the noise limits	Section 6.8
Flora and Fauna	Chapter 7
A revised assessment of the potential impact of the proposed modification (the three new turbines positions, associated roads, hardstands and underground reticulation) on flora and fauna, particularly avifauna and threatened species, populations or ecological communities, or their habitats. This must include the consideration of the potential effects of obstacle lighting if required.	7.2 – flora 7.3 – fauna 7.4 – conservation 7.5 – potential impacts
Details of any further mitigation and management measures, where necessary	Section 7.6
Heritage	Chapter 8
A revised assessment of the potential impact of the proposed modification (the three new turbines positions, associated roads, hardstands and underground reticulation) on indigenous and contemporary heritage	Chapter 8

Director Generals Requirements	Addressed
Hazard and risk	Chapter 9
A revised assessment of the potential impact of the proposed modification on air safety	Chapter 9.4
Traffic and transport	Chapter 9
An assessment of the capacity of the road network to handle proposed changes to traffic volumes and/or vehicle types (for example, increase load or length) and an assessment of traffic safety issues associated with the proposed modification	Chapter 9.2
Telecommunications	Chapter 9
A revised assessment of the potential for telecommunication interference as a result of the proposed modification, including proposed mitigation measures where necessary	Chapter 9.3
Community and agency consultation	Chapter 4
A description of the consultation process with the local community likely to be impacted by the proposed modification and indicate the issues raised by these stakeholders and how these matters have been addressed	Section 4.9
Details and documentation of consultation undertaken with key government agencies concerning the proposed development, including Goulburn Mulwaree Council, Palerang Council, the Department of Environment, Climate Change and Water (DECCW), Civil Aviation Safety Authority (CASA) and any other relevant local, State and Commonwealth government authorities and address any issues they may raise in the SEE.	Chapter 4 and Appendix B

Applicability of Clause 79C (1)

Clause	Relevance
79C (1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a) the provisions of:	
(i) any environmental planning instrument, and	Goulburn Mulwaree LEP
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	- Mulwaree LEP (applicable to the additional turbines) - Yarrowlumla LEP - SEPP No. 44 – Koala Habitat Protection, - Drinking Water Catchments Regional Environmental Plan No 1 - Infrastructure SEPP
(iii) any development control plan, and	Goulburn Mulwaree DCP – Wind Farms fall under special development types. (Refer Table C7).
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	Not applicable
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates	Broad requirement
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Likely impacts on noise, heritage (Aboriginal and non-Aboriginal), flora and fauna, telecommunications, social impacts etc have been addressed for the wind farm site in the 2004 EIS and the January 2010 SEE. Additional assessment have been undertaken to consider the locations of the proposed additional three turbines. Mitigation measures have been provided to ensure that potential impacts are kept to a minimum
(c) the suitability of the site for the development,	While the project is within a rural area on private property it is also in the vicinity of an industrial facility, the Woodlawn Bioreactor and a mining operation. Rural residential settlement is set back from the development
(d) any submissions made in accordance with this Act or the regulations,	The Department is requested to review and consider all submissions it receives following notification and exhibition of the SEE and modification application
(e) the public interest.	The expanded project will deliver 48 MW of renewable energy. Such developments where appropriately sited are generally consistent with national state and local planning objectives
Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.	
Note. If a biobanking statement has been issued in respect of a development under Part 7A of the Threatened Species Conservation Act 1995 , the consent authority is not required to take into consideration the likely impact of the development on biodiversity values. No biobanking statement has been issued	