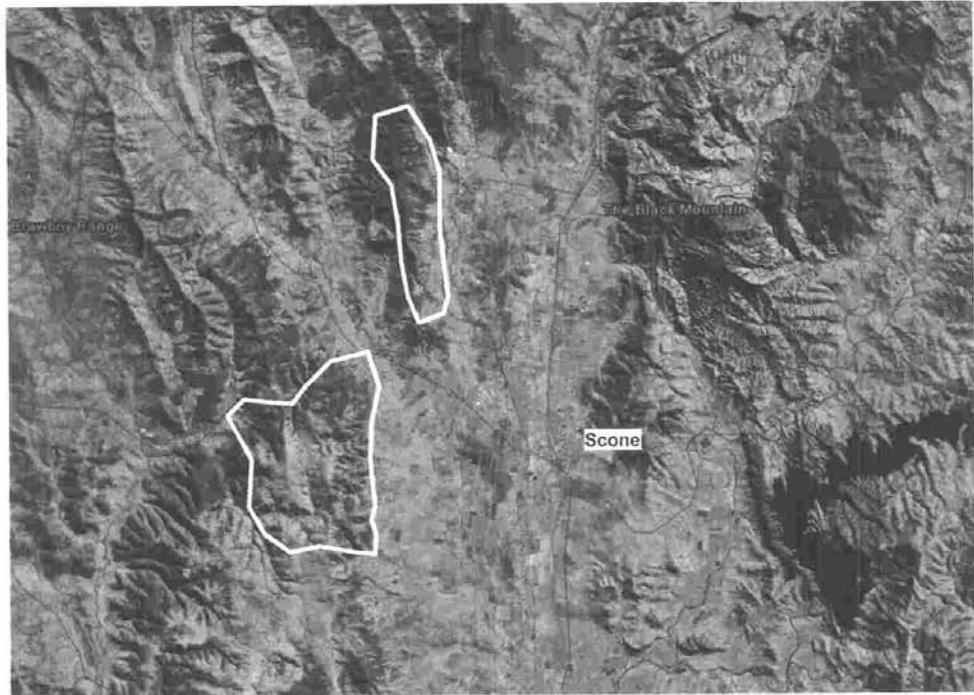


pamada



Kyoto Consultant Brief
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pamada Pty Limited
ABN 60 003 909 073

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MOSMAN NSW 2088 Australia

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(61 2) 9383 8321 Fax

www.pamada.com



14 December 2006

Our ref: RJC:LR/05213

Department of Planning
GPO Box 39
SYDNEY NSW 2000

Attention: Mr Neville Osborne, Team Leader – Water/Energy, Major Infrastructure Assessment

Dear Neville,

re: Kyoto Energy Park Project Land near Scone, Upper Hunter Shire

We write with reference to the above matter on behalf of Pamada Pty Ltd.

1. Introduction

You will recall that by letter dated 29 November 2005, we sought the Minister's opinion pursuant to Section 6 of State Environmental Planning Policy (Major Projects) 2005 ("the SEPP"), that the Kyoto Wind Farm project, with a value of approximately \$230 million, was development of a kind that is described in Schedule 1, Group 8 of the SEPP, and was, therefore, a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies.

By letter dated 9 March 2006, the Director-General of the Department of Planning as the delegate of the Minister for Planning, advised that the Minister had formed the opinion on 5 March 2006 that the Kyoto Wind Farm proposal was a project to which Part 3A of the *Environmental Planning and Assessment Act* applies. Attached to that letter was a record of the Minister's opinion within which is contained a schedule relating to the proposed Kyoto Wind Farm which notes that the proposal was for "a wind electricity-generating facility located within Upper Hunter Shire, with a likely installed generating capacity of up to 110MW, comprising up to 37 turbines, as generally described in the attached letter to the Department of Planning dated 29 November 2005" from this office, on behalf of the proponent.

Subsequent to the Department's letter of 9 March 2006, the Kyoto Wind Farm project has been the subject of further detailed planning and discussions with Upper Hunter Council. The outcome is a broadening of the sources of energy to be generated from the land to which the project application applies. That is, the Kyoto Wind Farm will form part of the Kyoto Energy Park incorporating wind, solar and hydro power generation. All of the different eco-generating works which are planned for the Kyoto Energy Park are now permissible with consent

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ABN 24 061 868 942



following the gazettal of Scone Local Environmental Plan 1986 (Amendment No. 64) on 8 December 2006. That amendment makes eco-generating works permissible on the subject land and defines eco-generating works to mean:-

"... a building, work or place used for the generation of energy using:

- (a) renewable resources, such as solar, wind or tidal energy and the like,
or*
- (b) resources such as methane gas produced from landfill operations."*

2. Purpose of this letter

Eco-generating works within the Kyoto Energy Park other than the wind farm are clearly not encompassed by the Department's letter dated 9 March 2006. The purpose of this letter is thus, to seek the Minister's opinion pursuant to Section 6 of State Environmental Planning Policy (Major Projects) 2005, that the elements of the Kyoto Energy Park other than those encompassed by the project application already lodged for the Kyoto Wind Farm, is development of a kind that is described in Schedule 1, Group 8 of the SEPP, and is, therefore, a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies. Those elements will have a capital investment value well in excess of \$30 million.

3. Major Projects – SEPP framework

Subsection 6(1) of the SEPP specifies that:-

"Development that in the opinion of the Minister is development of a kind:

- (a) that is described in Schedule 1 or 2 ... is declared to be a project to which Part 3A of the Act applies."*

Schedule 1 of the SEPP is entitled "Part 3A Projects – Classes of Development". Under the heading "Group 8: Transport, Energy and Water Infrastructure", the following types of projects are identified:-

"Development for the purpose of an electricity generation facility that:

- (a) has a capital investment value of more than \$30 million for gas or coal-fired generation, or co-generation, or bio-energy, bio-fuels, waste gas, bio-digestion or waste to energy generation, or hydro or wave power generation, or solar power generation, or wind generation, or*
- (b) ...*
- (c) is located in an environmentally sensitive area of state significance."*



4. Land to which the project application will relate

The project relates to the same property to which the Kyoto Wind Farm project relates, being two separate properties, both in the same ownership, which are around 10 kilometres west of Scone in the Upper Hunter (see attached map). Each of the two properties has an area of around 1,900 hectares and is predominantly used for agricultural purposes.

5. Development to which the project application will relate

The project comprises the design, installation and operation, in stages of eco-generating devices such as solar and hydro on each of the properties and the reticulation of power thereby generated into the grid. This project, along with the project for the wind farm, together will comprise the Kyoto Energy Park. The elements of the Kyoto Energy Park to which this project application relates will supplement the Kyoto Wind Farm for which a project application has already been lodged.

The project application will seek approval for all key additional elements of the Kyoto Energy Park, other than the wind farm, subsequent to which further approvals will be obtained as required. Part 3A provides the appropriate assessment and determination framework for this major project and will facilitate effective and efficient consideration of the associated and inter-related connection issues off the specific site.

6. Permissibility

The Upper Hunter Shire Council recognises the importance of encouraging and facilitating alternatives to fossil fuels as an energy source. In this regard, the Upper Hunter Shire Council has, in 2005, prepared an amendment to Scone LEP 1986 (Amendment No. 64) which sought to insert "eco-generating works" into the list of defined uses in the Scone LEP. Amendment No. 64 was gazetted in early December 2006 and eco-generating works are now permissible on the subject land. The elements of the Kyoto Energy Park to which this project application relates, are therefore permissible with consent.

7. Upper Hunter Shire Council

Representatives of the proponent have met with the Mayor and other councillors on the Upper Hunter Shire Council in relation to all elements of the Kyoto Energy Park. The proposal is one which is likely to be vigorously supported by the Council as it epitomises the shift to clean, non-fossil fuel energy sources which the Council so enthusiastically embraces. Council's General Manager has offered to meet with the Department to discuss the assessment process in due course.



8. Conclusion

The proponent, Pamada Pty Ltd, seeks the Minister's opinion that the elements of the Kyoto Energy Park project to which the project will relate (ie. those elements other than the wind farm) together comprise development to which Part 3A of the Act applies.

The proposal clearly satisfies the definition of a project to which Part 3A applies and we therefore seek the Minister's opinion to permit the making of a project application for approval. We would also request that consideration be given to the possible role of the Upper Hunter Shire Council in the processing and assessment of the project application.

Should you have any queries about this request, please contact the undersigned on 9211 4099 or Mr Mark Sydney of Pamada Pty Ltd on 9969 3608.

Yours sincerely

BBC Consulting Planners

A handwritten signature in blue ink, appearing to read 'Robert Chambers', followed by a long, horizontal, slightly wavy line extending to the right.

Robert Chambers
Director

Email bob.chambers@bbcplanners.com.au

Appendix C : Environmental Assessment Factors

Proposed Environmental Assessment factors for the concept approval stage, subsequent stages and ongoing.

Ref.	ENVIRONMENTAL ASSESSMENT FACTOR	PROJECT APPLICATION APPROVAL STAGE	SUBSEQUENT DETAILED DOCUMENTATION, PRIOR TO CONSTRUCTION	OTHER / IMPLEMENTATION
7.1	Overview	Ensure Environmental Assessment Factors are appropriate	Keep record	Keep record
7.2	Community Involvement	Identification of Commitments	Website	Provision to the community with the first right to participate in the company as an investment
		Creation of Community Plan and register of community activities		Provision of discount to all residential customers
			1300 number	
		Establishment of regular meetings with Upper Hunter Shire Council	Maintain regular meetings with Upper Hunter Shire Council	Maintain regular meetings with Upper Hunter Shire Council
		Direct consultation with community groups	Direct consultation with community groups	Direct consultation with community groups
		Open Information Office in main street Scone.	Retain Information Office in main street Scone.	Build Visitor Centre at Mountain Station
			Provide Information boards at Scone Council, the Information (Visitor) centres in Scone (2 off) and the two major Supermarkets	Maintain information at Council and Information Centre.
			Establish the Moobi Foundation as an independent group of community leaders who act as a steering committee for the Community Plan.	Seek to ensure Moobi Foundation remains viable, relevant and an efficient means to foster positive community outcomes.
			Naming competition and school participation programme	
			Letter Box drops	
			Press Advertising	

Ref.	ENVIRONMENTAL ASSESSMENT FACTOR	PROJECT APPLICATION APPROVAL STAGE	SUBSEQUENT DETAILED DOCUMENTATION, PRIOR TO CONSTRUCTION	OTHER / IMPLEMENTATION
7.3	Visual Assessment	Identification of zones of visual impact Assessment of the visual impact Consideration of alternative layouts to demonstrate the breadth of solutions	Assessment of the impact of the detailed proposal in comparison with the concept proposal More detail	
7.4	Acoustic Issues	Identification of all dwellings within 2km of any possible noise source Provision of a noise logging device at any dwelling within 1.5km of any possible noise source	Assessment of the impact of the detailed proposal in comparison with the concept proposal Report on actual noise as measured at each dwelling within 1.5km of noise sources	
7.5	Flora & Fauna	Desktop review of likely flora & fauna to be found on site. Eight part test Assessment of impact	Confirmation of desktop review with field monitoring Reconfirmation of eight part test. Reassessment of impact Proposed mitigation of impact if required	Ongoing Management (once Energy Park operational). Annual independent review of flora & fauna on site For first 5 years, then every second year. Copy provided to relevant State and local agencies. To be incorporated into Operations report.
7.6	Transport	Identification of equipment and plant to be brought to site. Preliminary Transport Plan	Final Transport Plan	
7.7	Electro magnetic	Identification of issue	Assessment of the impact of the detailed	

Ref.	ENVIRONMENTAL ASSESSMENT FACTOR	PROJECT APPLICATION APPROVAL STAGE	SUBSEQUENT DETAILED DOCUMENTATION, PRIOR TO CONSTRUCTION	OTHER / IMPLEMENTATION
	interference	Assessment of impact	proposal in comparison with the concept proposal	
7.8	Geotechnical	Identification and discussion of issue identification	Assessment of the impact of the detailed proposal in comparison with the concept proposal	
7.9	Flicker Assessment	Identification of possible zones of impact Assessment of impact	Assessment of the impact of the detailed proposal in comparison with the concept proposal	
7.10	Archeological - Indigenous	Engagement with the Woonarua Land Council	Engagement with the Woonarua Land Council	Engagement with the Woonarua Land Council
7.10	Archeological - Western	Identification of Issues	Confirmation of issues / impacts	
7.11	Aviation	Identification of Issues	Confirmation of issues / impacts	

Appendix D : Land Owners' Consent

20th April, 2006

Middlebrook (Scone) Pty Ltd
Middlebrook Station
Via Scone NSW 2337

NSW Department of Planning
23-33 Bridge Street
Sydney NSW 2001
Email: information@dipnr.nsw.gov.au

Attn: Neville Osborne and Paul Wiener

Dear Sirs

KYOTO ENERGY PARK, via SCONE
PART 3a APPLICATION

We herewith give landowners consent to Pamada Pty Limited and Mark Sydney to make any application upon our land for the purpose of the Kyoto Energy Park.

Yours faithfully
Middlebrook (Scone) Pty Ltd



Cc: Mark Sydney, Pamada Pty Limited

20th April, 2006

Mr AA & SA Henderson
Middlebrook Station
Via Scone NSW 2337

NSW Department of Planning
23-33 Bridge Street
Sydney NSW 2001
Email: information@dipnr.nsw.gov.au

Attn: Neville Osborne and Paul Wiener

Dear Sirs

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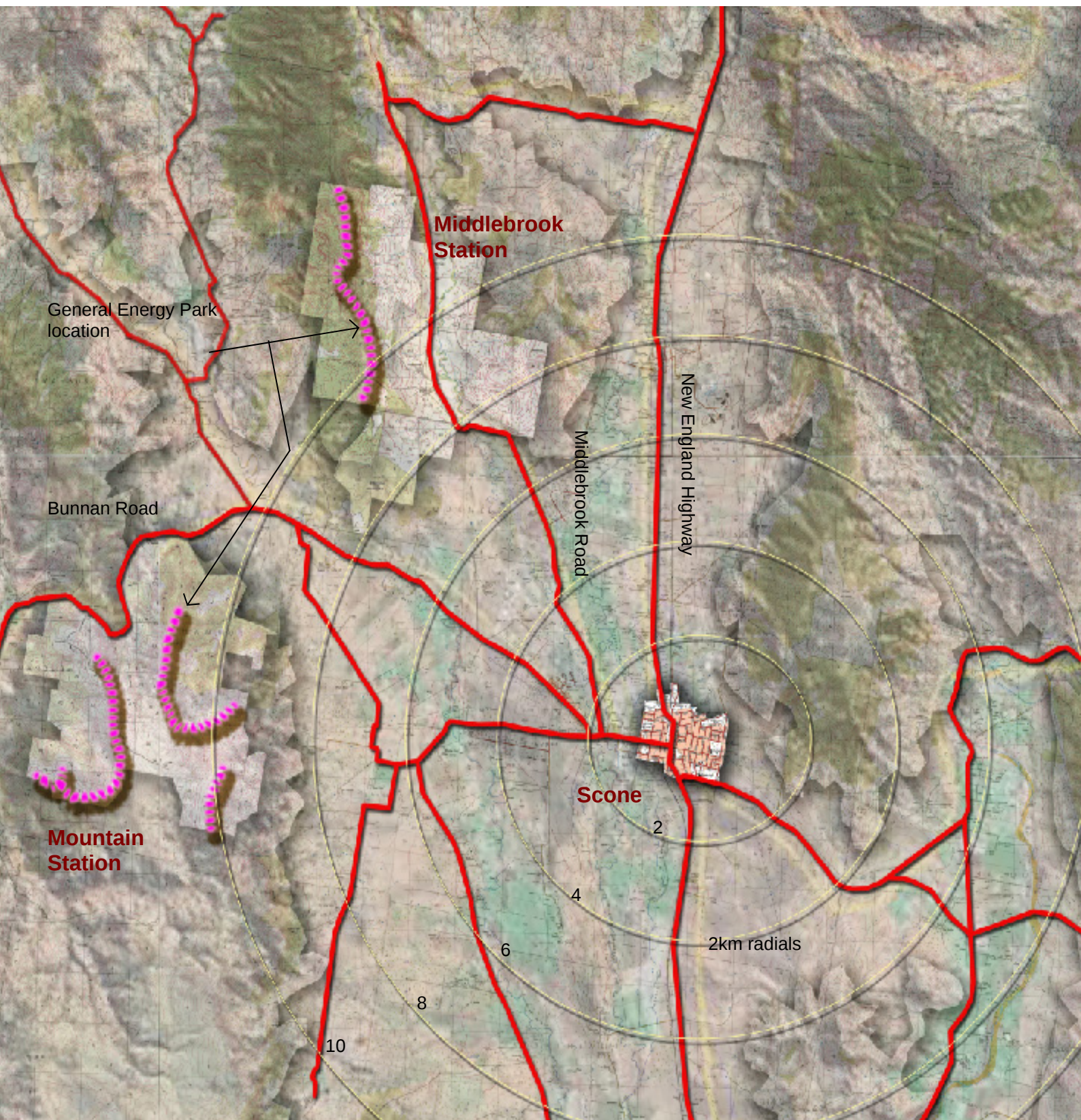


Cc: Mark Sydney, Pamada Pty Limited

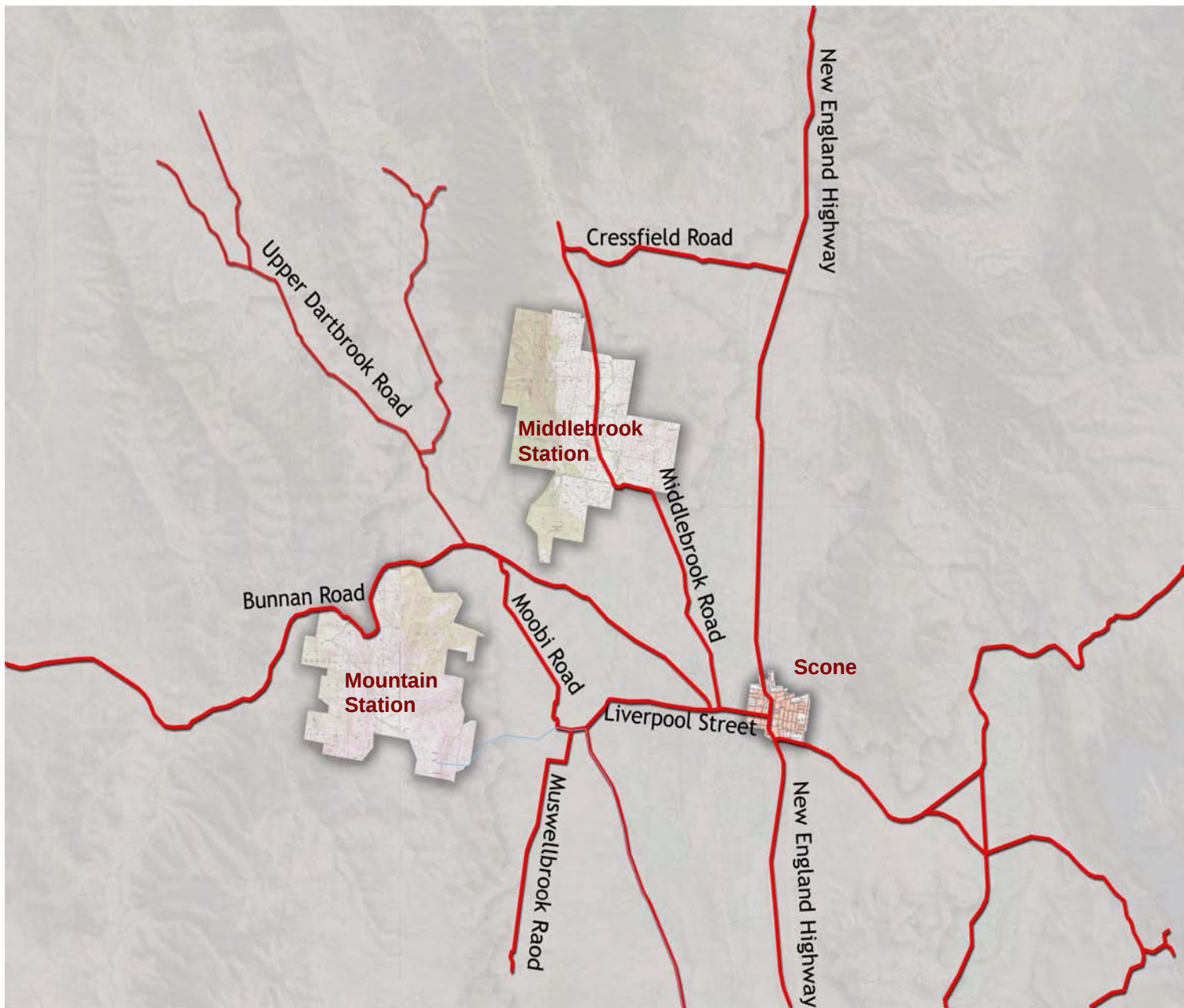
Appendix E : Maps and Drawings

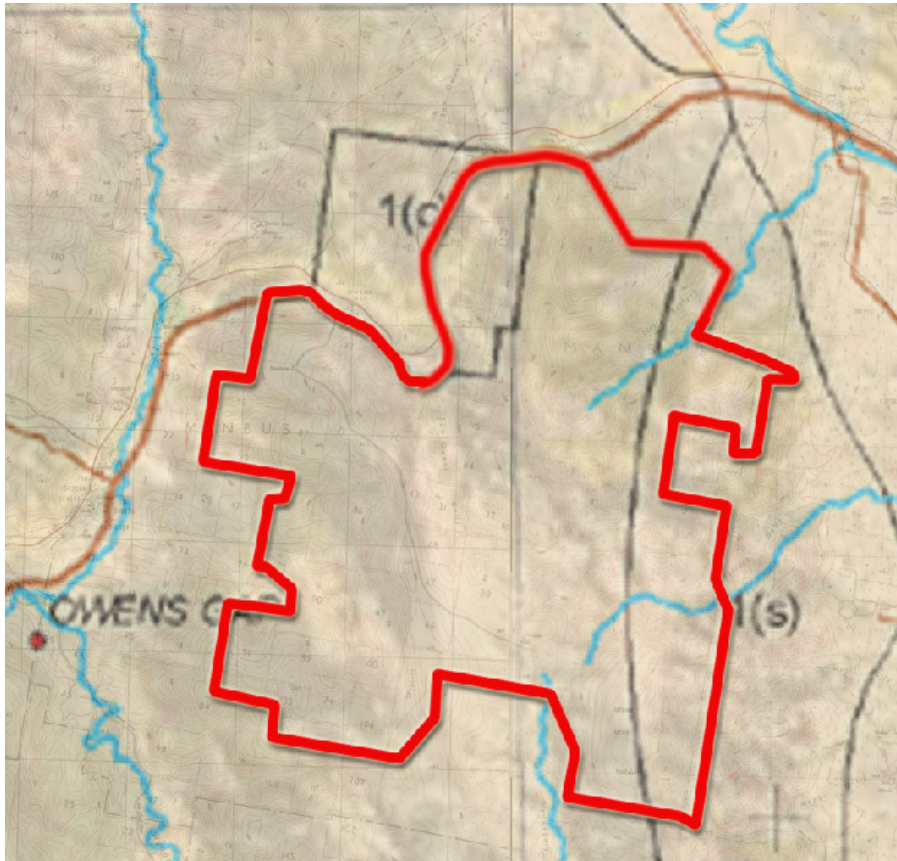
Overall Scone Area and Site Locations
Major Road Networks
Zoning Mountain Station
Zoning Middlebrook Station
Lot Descriptions Mountain Station
Lot Descriptions Middlebrook Station
Internal Site Arrangement Concept Mountain Station
Internal Site Arrangement Concept Middlebrook Station
Possible Grid Connections

Overall Scone Area and Site Locations

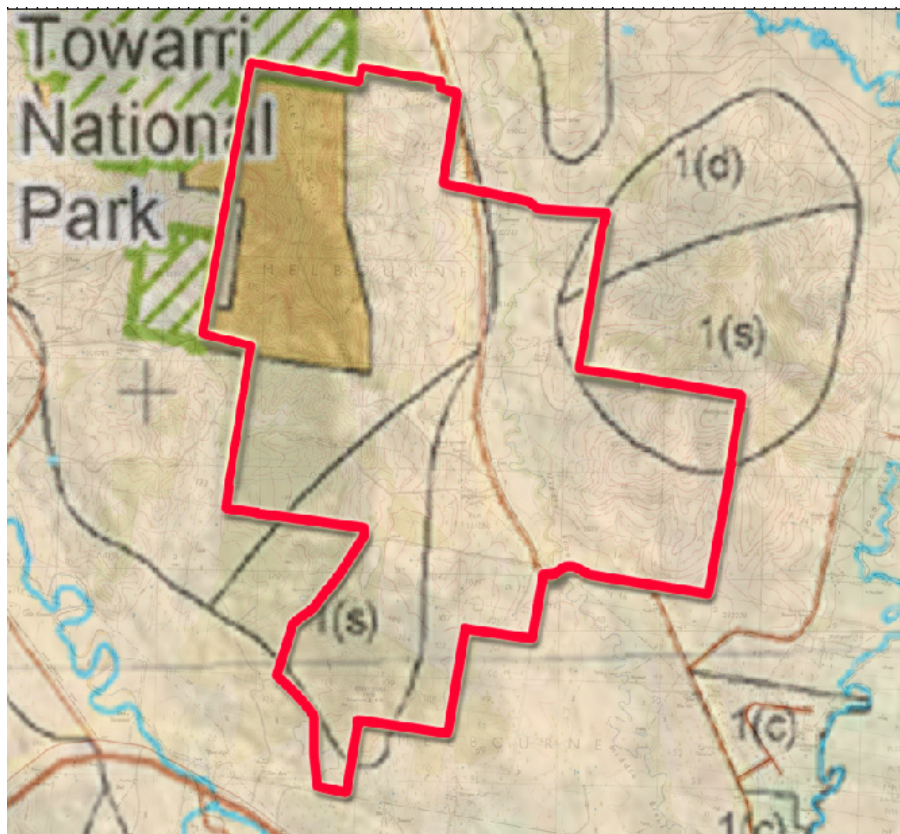


Major Road Networks



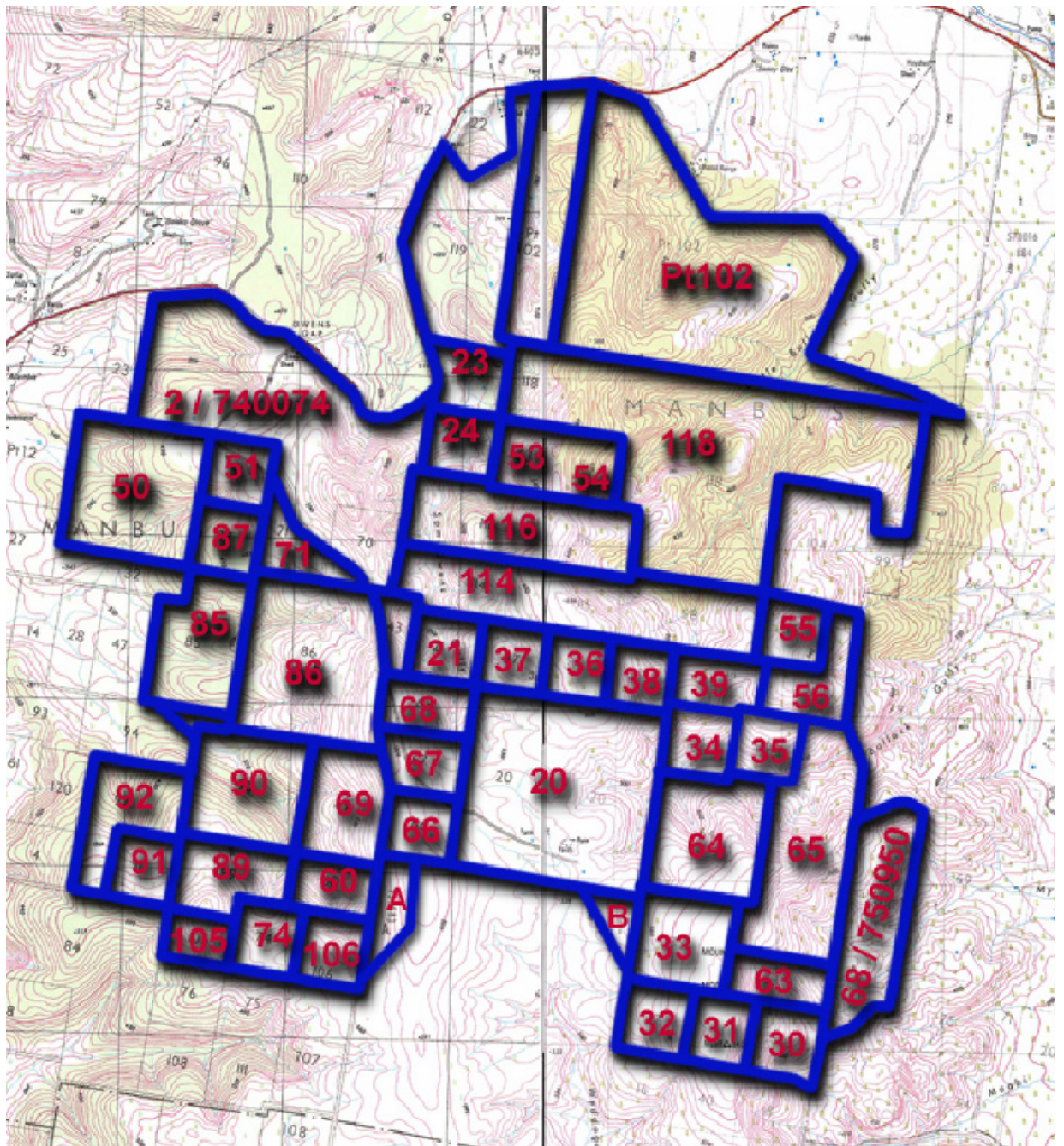


Mountain Station, Bunnan Road - ZONING

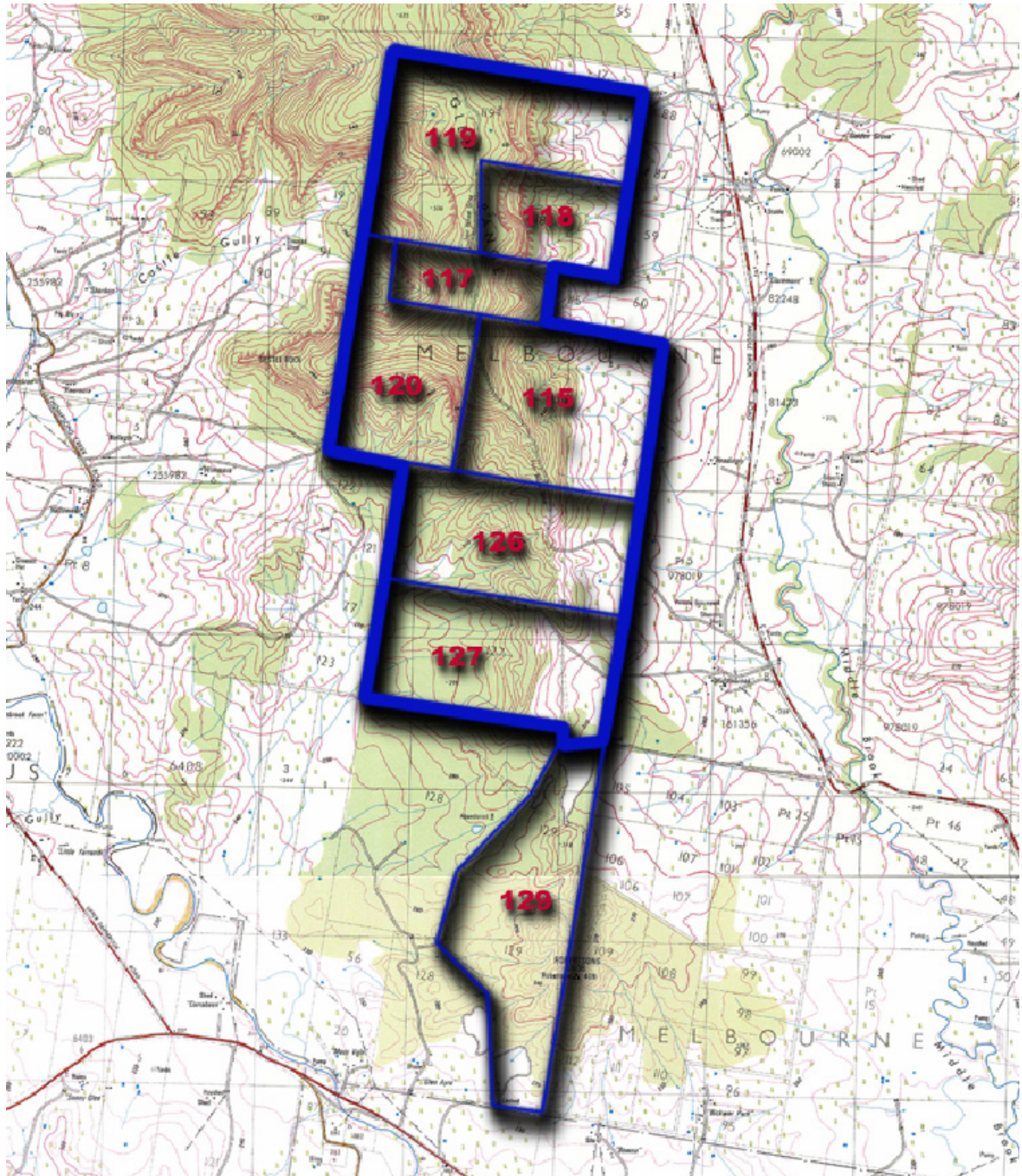


Middlebrook Station, Middlebrook Road - ZONING

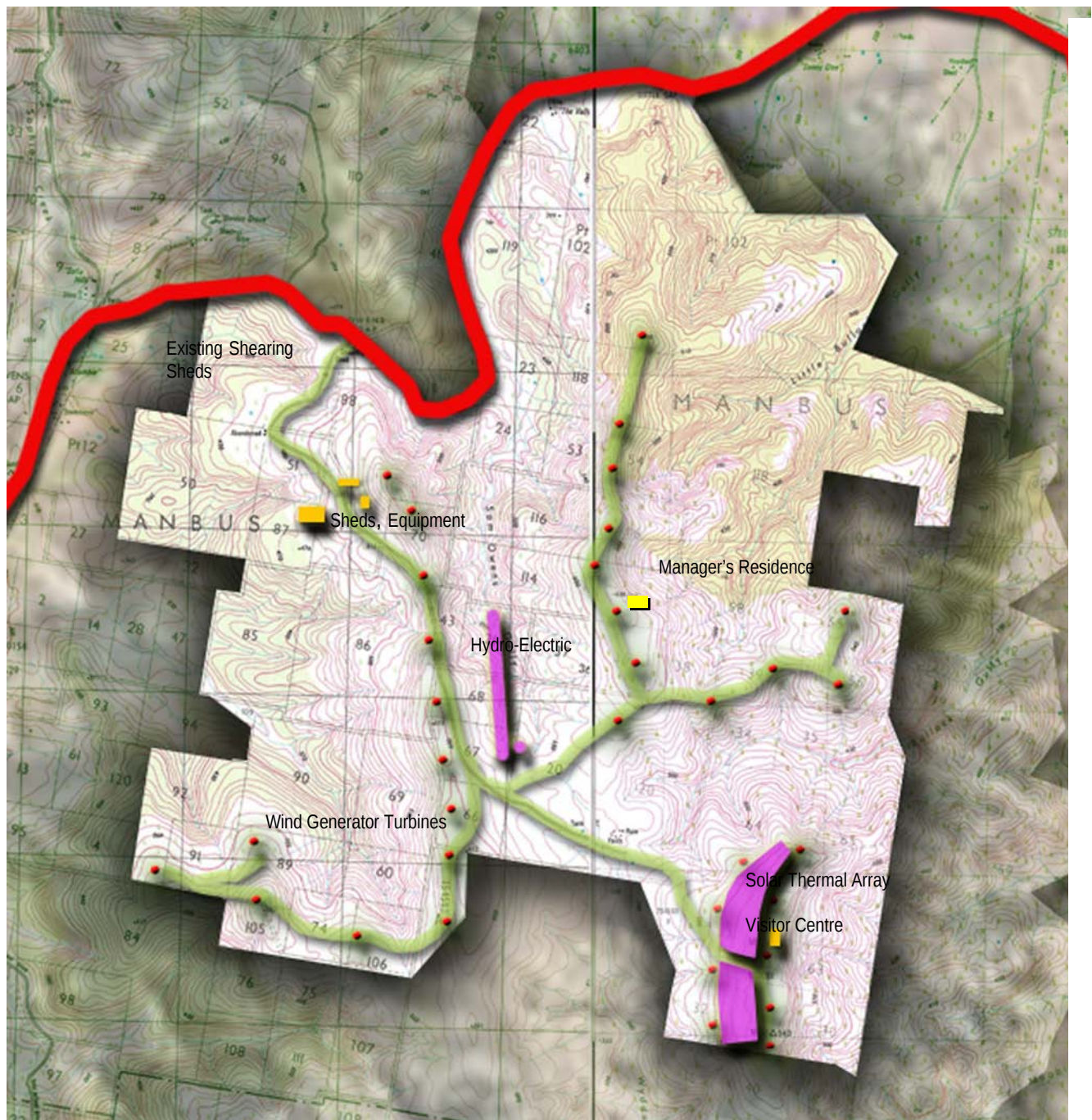
Lot Descriptions Mountain Station



Lot Descriptions Middlebrook Station

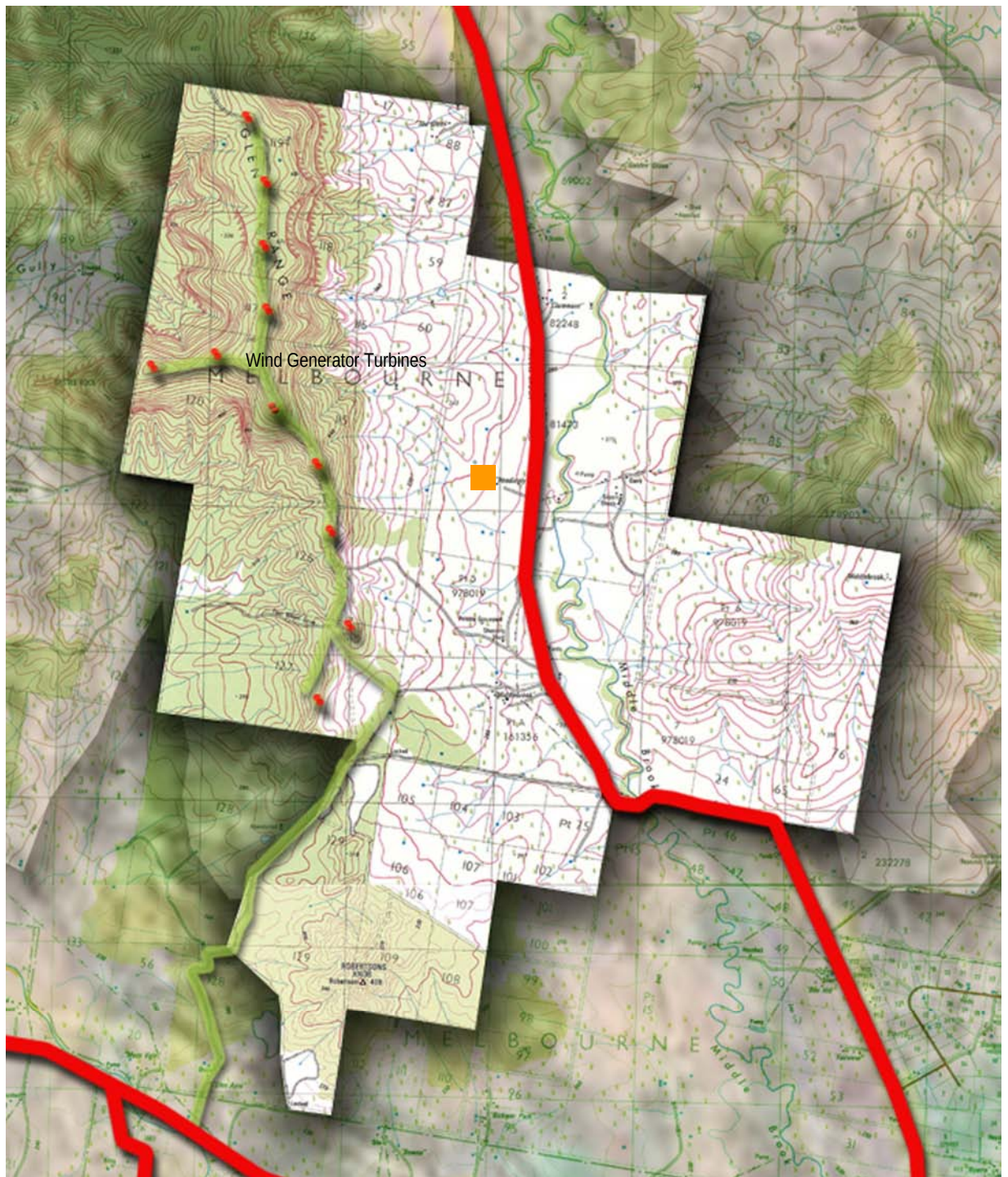


Internal Site Arrangement Concept Mountain Station



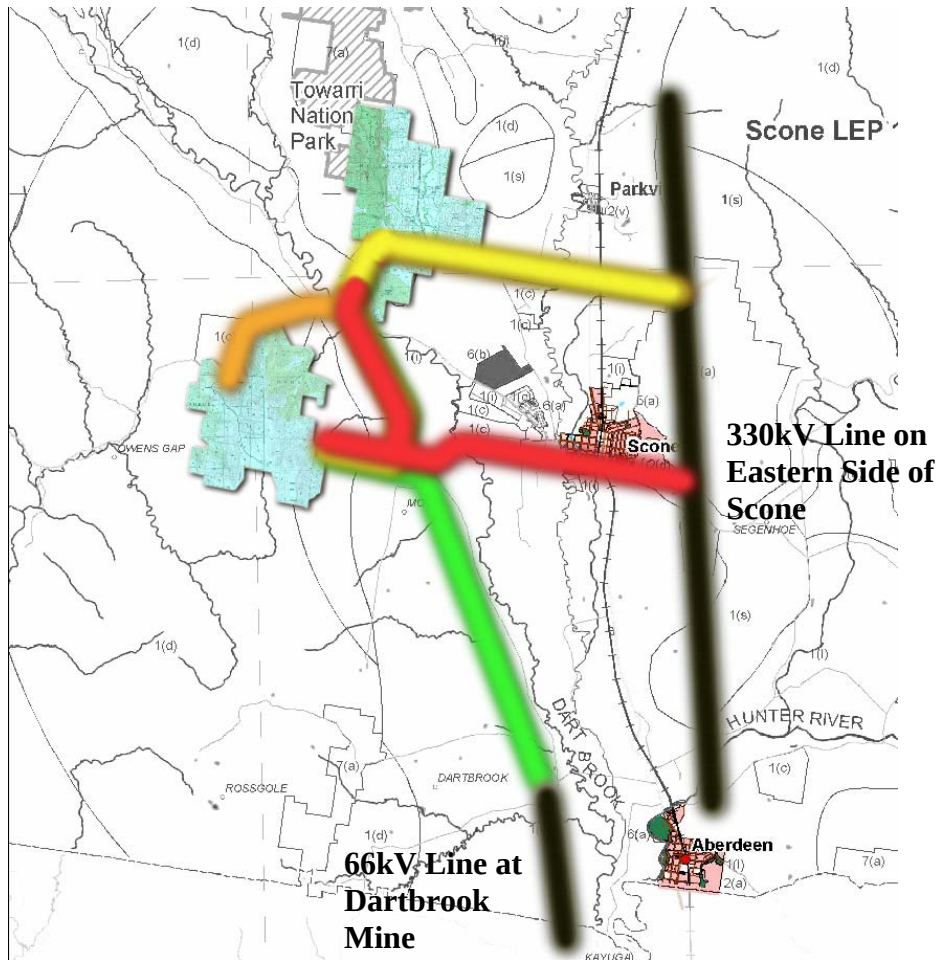
Mountain Station

Internal Site Arrangement Concept Middlebrook Station

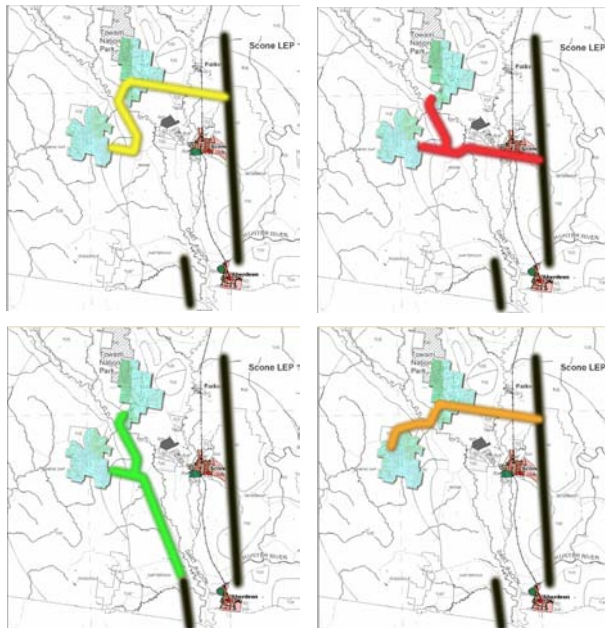


Middlebrook Station

Possible Grid Connections



Energy Australia has commenced planning on system upgrades. Two amongst numerous options exist: a 330kV across Scone, or the 66kV at Dartbrook Mine. Other alternatives exist with the grid planning.



Various configurations exist for the connection of the Kyoto Energy Park to the grid infrastructure

Appendix F : Aquacell Technology

Brief Brochure