



1 November 2011

Project Application - Capital II Wind Farm (MP10_0135)

The proposal

The proposal seeks approval for the installation and operation of the Capital II Wind Farm comprising of 41 wind turbines. Each of the proposed turbines will have a capacity of up to 3 megawatts, enabling the project to generate a total capacity of approximately 100 megawatts.

The proposal intends to utilise the existing Capital I Wind Farm 330 kilovolt grid connection and substation infrastructure. The proposed turbines are located both north and south of the existing Capital I wind turbines.

Delegation to the Commission

The Planning Assessment Commission (Commission) is required to determine the application under the Minister's delegation on 14 September 2011.

The Commission consisted of Mr Garry Payne AM (chair) and Mr Lindsay Kelly. The Commission is familiar with the area.

The proposal was placed on public exhibition from 15 December 2010 until the 7 February 2011. The Department received a total of nine submissions during the exhibition period comprising of five submissions from public authorities and four submissions from the general public. A further three submissions were received after the exhibition period, comprising of two from public authorities and one from the general public.

Director-General's Assessment Report

The Director General's Assessment Report (DG's report) identified the following key issues:

- Noise impacts associated with the construction and operation of the proposal,
- Flora and Fauna impacts associated with the construction phase,
- Fauna impacts relating to the operation of the proposal,
- Heritage impacts associated with the construction phase,
- Agricultural land impacts,
- Crown Land,
- Mineral resource,
- Community benefits and contributions, and
- Health impacts

The Department is satisfied with the construction and operational environmental management measures proposed in order to address impacts relating to noise, flora and fauna, heritage, health and agricultural land. The DG's report states that the proposal is in the public interest, as it helps to meet predicted electricity demand through the production of renewable electricity. The Department has found that the project is consistent with the NSW State Plan and the Federal Government targets for reducing greenhouse gas emissions.

The Department has recommended approval of the project application, subject to conditions that seek to avoid significant impacts and ensure adequate management of residual impacts, during construction and operation. The conditions regulate the hours of construction, the preparation of a revised operational noise assessment and implement a Bird and Bat Adaptive Management Plan, landscaping treatments and buffers between residential receivers and project infrastructure.

Meeting with the Department of Planning and Infrastructure

On 1 November 2011, the Commission met with staff from the Department of Planning and Infrastructure for a briefing on the project application.

The issues discussed at the meeting concerning the proposal included:

- construction and operational noise impacts of the wind farm to landowners;
- location of the turbines in relation to surrounding residential dwellings;
- visual impact to the surrounding agricultural landscape and Lake George;
- the regularity and rate in which the turbines operate;
- community impacts and benefits in wind farming as a source of renewable energy;
- Health impacts, including impact of 'flickering' and sleep disturbance;
- Land leasing arrangements; and
- De-commissioning the infrastructure at the projects completion.

At the briefing, the Department advised the Commission that a standard condition regularly applied by the Department in the assessment of wind farm project applications had not been included within the draft Instrument. This condition is provided below and relates to the costs associated with aerial agricultural spraying:

B21 Aviation Obstacles and Hazards

Should increases to the costs of aerial agricultural spraying on any non-associated property surrounding the site be attributable to the operation of the project, the Proponent shall fully fund to the affected landowner, the cost difference between current aerial agricultural spraying and the increased cost.

The Commission supports the inclusion of this condition in order to address any future issue relating to the cost of aerial agricultural spraying on any non-associated property and that this cost be liable to the proponent.

Commission's determination

The Commission has carefully considered the DG's assessment report, all associated documents and submissions received.

The Commission is satisfied with the Department's assessment and has determined to approve the proposal subject to the conditions recommended by the Department including condition B21.



Mr Garry Payne AM
Chairperson, PAC Member



Mr Lindsay Kelly
PAC Member