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Lauren Clear
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Department of Planning, Housing and Infrastructure
PARRAMATTA NSW 2150

Via NSW Major Projects Portal

EPA Advice on Environment Impact Statement – Keri Keri Wind Farm – SSD-38358962

Dear Ms Clear

Thank you for the notification about Public Authority Consultation No. PAE-71111224 requesting advice from the NSW Environment Protection Authority (EPA) in relation to the Environmental Impact Statement (EIS) prepared for The Keri Keri Wind Farm (SSD-38358962) located 30km southeast of Balranald ("the proposal").

The EPA has reviewed the following documents and their appendices:

- Keri Keri Wind Farm Environmental Impact Statement, ERM Australia Pty Ltd – 17 April 2024; and
- Keri Keri Wind Farm Noise and Vibration Impact Assessment, ERM Australia Pty Ltd – 17 April 2024.

The EPA understands the proposal is to construct up to 155 wind turbine generators with a maximum height of 291.5m (vertical tip) over 574 hectares of land which will have an electricity generating capacity of 884 megawatts. Ancillary infrastructure would include internal access tracks, meteorological masts, operations and maintenance facilities, security huts, wash bays, cabling and substations, and temporary facilities such as concrete batching plants, a burrow pit, accommodation compounds and machinery laydown areas.

We note that the EIS does not predict any adverse environmental impacts on surrounding receptors not associated with the proposal.

Based on the information provided, if the proposal is granted development consent the premises will require an Environment Protection Licence (EPL) for (a) 'electricity generation' and (b) 'crushing, grinding or separating' activities pursuant to clause 17 and clause 16 of Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act), respectively.

The EPA has the following additional comments:

1. **Matters to be addressed prior to determination**

   No matters.

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2. **Matters to be addressed with conditions**

   Refer to Attachment ‘A’.

If you have any questions or concerns about this advice, please do not hesitate to contact me on (02) 6969 0704 or by email at info@epa.nsw.gov.au.

Yours sincerely,

NICK VAN LIJF
Unit Head – Regulatory Operations
NSW Environment Protection Authority

Attachment 'A'

The EPA recommends the following conditions be considered should development consent be granted for the proposal:

Wind Turbines

1. The Proponent must prepare a revised noise and vibration impact assessment, for the final chosen wind turbine generator model and layout, prior to installation of the wind turbine generators. The revised noise and vibration assessment must demonstrate, through appropriate modelling and in accordance with the '*Wind Energy: Noise Assessment Bulletin – For State significant wind energy development* (DPE/EPA, 2016)', that the final wind turbine generator models and layout can meet the limits developed consistent with the '*Wind Energy: Noise Assessment Bulletin – For State significant wind energy development* (DPE/EPA, 2016)'. The details of any 'curtailment' or requirements for wind turbine generators to operate in low noise mode (if required) must be fully presented in the revised noise and vibration impact assessment.

2. Prior to commissioning of the turbines, the Proponent must prepare and implement a Noise Management Plan to manage noise emissions from the operation of the project. The Plan must include, but not necessarily be limited to:
    a) compliance monitoring within one year of commissioning, in accordance with the '*Wind Energy: Noise Assessment Bulletin – For State significant wind energy development (DPE/EPA, 2016)'* procedures to certify noise;
    b) identification and implementation of best practice management techniques for minimisation of noise emissions where reasonable and feasible;
    c) if required, measures to be undertaken to rectify annoying characteristics resulting from the operation of the project such as excessive low frequency noise, excessive tonality or adverse mechanical noise from component failure; and
    d) if required, procedures and corrective actions to be undertaken if non-compliance is detected.

3. Noise generated from ancillary plant and equipment (e.g., electrical compound(s), substation(s), BESS and transmission lines) must not exceed a level of Leq,15minutes 35dB(A) at any residence not associated with the development.

4. The Proponent must submit a revised noise impact assessment, before construction commences, to the Planning Secretary for approval based on detailed design and final turbine selection demonstrating that the criteria in the Planning Bulletin can be met.

Construction Activities

5. All construction works at the premises must be conducted between 7am and 6pm Monday to Friday and between 8am and 1pm Saturdays and at no times on Sundays and public holidays.

6. Exceptions to construction hours – the following activities may be carried out outside the recommended construction hours:
    a) construction that causes $L_{Aeq(15minute)}$ noise levels that are

i. no more than 5dB above 'Rating Background Level' at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
ii. no more than the 'Noise Management Levels' specified in Table 3 of *the Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; or

b) for the delivery of materials required by the police or other authorities for safety reasons; or
c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
d) as approved through the process outlined in "Variation of construction hours" of this approval.

7. Variation of construction hours – the hours of construction activities specified under "Exceptions to construction hours" of this approval may be varied with the prior written approval of the Secretary. Any request to alter the hours of construction shall be:
    a) considered on a case-by-case or activity-specific basis;
    b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
    c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of relevant Council(s) (and other relevant agencies) has been and will be undertaken;
    d) all feasible and reasonable noise mitigation measures have been put in place; and
    e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECCW, 2009).

8. All feasible and reasonable noise mitigation measures be applied for construction activities to seek to achieve the 'Noise Management Levels' (NML) outlined in the *Interim Construction Noise Guideline* (DECC, 2009).

9. The proponent must prepare a Construction Noise and Vibration Management Plan for approval by the Secretary that describes how construction noise impacts will be minimised to the extent practicable. The plan should include a noise impact assessment that identifies and assesses noise impacts from the proposed location of construction compounds, internal haul roads, wind turbine generators [construction sites], concrete batching plants and mobile crushing and screening plants and the feasible and reasonable noise mitigation measures that will be applied to reduce construction noise impacts to the extent practicable.

10. If blasting is required for any reason during the construction or operational stage of the proposed development, blast impacts are to comply with the guidelines and criteria contained in '*Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration*' (ANZEC, 1990).