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David Way  
Senior Planning Officer  
Department of Planning, Housing and Infrastructure

By Major Projects Portal

**NSW EPA Advice on Environmental Impact Statement  
Mallee Wind Farm (SSD-53293710)**

Dear David

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Environmental Impact Statement (EIS) for the proposed Mallee Wind Farm (SSD-53293710) located at Arumpo Road, Mallee in the Southwest Renewable Energy Zone (REZ).

The EPA has reviewed the following documents:

- *Mallee Wind Farm Environmental Impact Statement* – Umwelt (Australia) Pty Ltd – November 2024.
- *Noise & Vibration Assessment (Appendix 10)* – Marshall Day Acoustics – 24 September 2024.
- *Water Resources Impact Assessment (Appendix 13)* – Umwelt (Australia) Pty Ltd – 20 September 2024.
- *Air Quality Impact Assessment (Appendix 15)* – Zephyr Environmental Pty Ltd – 1 October 2024.

The EPA understand the proposal is for:

- The construction, installation and commissioning of 76 three blade Wind Turbine Generators (WTG).
- Permanent ancillary infrastructure including internal access tracks, hardstands, main and collector substations, switchyards, operations and maintenance facilities, underground and overhead electricity transmission lines and poles, telecommunications facilities and utility services, permanent meteorological masts and water storage tanks.
- Temporary facilities including a temporary workforce accommodation (TWA) facility, site offices, amenities, construction compounds and laydown areas, concrete or asphalt

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NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future.  
Join us on our mission to protect tomorrow together.

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batching plants, minor 'work front' construction access tracks, environmental management and monitoring and signage.

- Off-site road works, involving upgrades to the proposed local transport route and establishment of site access points.

Based on the information provided, the proposal will be subject to an environment protection licence (EPL) under clause 17 of Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) - *electricity generation - electricity works (wind farms)*.

The EPA has reviewed the EIS and notes it does not provide the information required to allow us to complete our assessment. The following matters are to be resolved prior to determination.

#### **Chemical Storage - diesel and oil products**

The proposal will require onsite diesel generators and there is insufficient information available regarding the number of generators and the volume of diesel that will be stored at the premises.

The EPA recommends that the Department of Planning, Housing and Infrastructure (DPHI) requests the applicant provide the following information:

- a) the number of generators to be kept onsite and the number of run time hours (per annum) required for routine operation and maintenance.
- b) the volume of diesel stored onsite.
- c) The volume and types of any other petroleum products to be stored onsite.

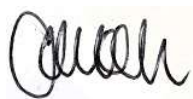
#### **Quarried construction materials**

The EIS refers to the excavation of materials to be used for constructing permanent ancillary infrastructure. The EPA recommends that DPHI requests further clarification regarding where the quarried material to be used in construction will be sourced from, specifically:

- a) If a quarry/borrow pit is proposed on site, and if environmental impacts from it were considered in the assessment.
- b) If the applicant is not proposing to develop an onsite quarry/borrow pit, confirmation should be provided of the location the quarried materials will be sourced from, and demonstration that the facility is able and permitted to supply the required volumes.

For all other matters, the EPA has reviewed the information provided and recommend the conditions of consent in **Attachment A** below if the application is approved. If you have any questions about this request, please contact Jenny Gustafson on 9585 6471 or via email at [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au).

Yours sincerely



**Christopher Marsh**  
**A/Unit Head – Environment Protection Planning**  
**Environment Protection Authority**

## ATTACHMENT A – Recommended Conditions of Consent for Mallee Wind Farm (SSD-53293710)

### Air Quality

1. The applicant must, as far as practicable, prevent or minimise the generation of air emissions, including dust generation, from the site.
2. Prior to the commencement of the construction activities, the applicant must develop and implement an Air Quality Management Plan (AQMP) to manage air quality emissions, including dust emissions from construction activities.

As a minimum, the AQMP must consider the following:

- a) Objectives
- b) Risk assessment
- c) Proactive and reactive mitigation strategies
- d) Key performance indicator(s) to evaluate the implementation of mitigation strategies
- e) Monitoring method(s)
- f) Location, frequency and duration of monitoring
- g) Record keeping
- h) System and performance review for continuous improvement

### Water

1. Unless otherwise authorised by an EPL, the applicant must ensure that none of the development stages will cause any water pollution, as defined under Section 120 of the Protection of the Environment Operations Act 1997.
2. Prior to the commencement of the construction activities, the applicant must develop and implement a Water Management Plan to manage surface water and groundwater. Consideration must be given but not necessarily limited to mitigation measures included in the Water Resources Impact Assessment (WRM, 2024).
3. The applicant must:
  - a) ensure that appropriate components of the asphalt/concrete batching plants and construction sites are suitably bunded.
  - b) ensure that all liquid waste captured on-site is classified, transported, and disposed of at a facility that can lawfully accept the waste.
  - c) minimise any spills of hazardous materials or hydrocarbons and clean up any spills as soon as possible after they occur.
4. Except as expressly provided for by the EPL, the applicant must not discharge any wastewater from the Concrete/Asphalt Batching Plant(s) or temporary accommodation camps associated with the project.

## Erosion and sediment control

1. An Erosion and Sediment Control Plan (ESCP) must be prepared for all aspects of the construction phase of the development and must be implemented. Implementation of the scheme must avoid or minimise the impacts of stormwater runoff from and within the premises during construction. The Stormwater Management Plan should be consistent with the practices and principles contained in Managing Urban Stormwater – Soils and Construction, Volumes 1 and 2 (Landcom, 2004; DECC, 2008).
2. The applicant must prepare and implement a Soil and Water Management Plan to address all proposed activities and potential impacts associated with the project. The Plan must set out the procedures for investigating, and if necessary, mitigating surface water, erosion and /or sedimentation impacts of the project.

## Waste

1. Waste generated during construction, operation, upgrading and decommissioning must be dealt with in accordance with the following priorities:
  - a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced.
  - b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered.
  - c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.
2. The importation of waste and storage, treatment, processing, reprocessing or disposal of such waste must comply with the Protection of the Environment Operations Act 1997, the Protection of the Environment Operations (Waste) Regulation 2014, and orders or exemptions under the regulation.
3. Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the Protection of the Environment Operations (Waste) Regulation 2014, or to any other place that can lawfully accept such waste.
4. All waste that is removed from site must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.
5. The applicant must prepare and implement a Waste and Resource Recovery Management Plan for the project prior to the commencement of operation. This program must:
  - a) be prepared in consultation with the EPA and Wentworth Council.
  - b) be approved by the Planning Secretary prior to commencement of operation

- c) include in the plan:
  - i. details of the quantity, type and source of waste received
  - ii. details of the quantity, type and quality of the waste produced and their intended fate
  - iii. details of the intended fates of all other waste and materials received/produced on site which are not suitable for re-use
  - iv. details of any materials produced which will require a specific Resource Recovery Order
  - v. details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order
  - vi. details of any testing/monitoring procedures
  - vii. details of how materials segregation will be achieved, particularly the segregation of contaminated soils and resource recovery materials
  - viii. the capability of the selected waste management facilities to accept the volumes of waste predicted to be deposited and any associated approvals required to create and/or expand waste storage or disposal facilities
  - ix. Any infrastructure that may be required at any waste facilities that are proposed to be created and/or expanded to receive additional volumes of waste from the project.

## Noise

1. Noise emissions from the operation of the project must satisfy the noise criteria stipulated in the Wind Energy: Noise Assessment Bulletin – For State significant wind energy development, NSW Government 2016 (Planning Bulletin), meaning:

*“The predicted equivalent noise level (LAeq,10 minute) determined in accordance with ‘Wind farms – environmental noise guidelines, SA Environmental Protection Authority, (2009)’, adjusted for tonality and low frequency noise in accordance with the Planning Bulletin, should not exceed 35 dB(A) or the background noise (LA90(10 minute)) by more than 5 dB(A), whichever is the greater, at all the relevant receivers for wind speed from cut-in to rated power of the wind turbine generator and each integer wind speed in between.”*

2. A condition requiring that ancillary plant and equipment (e.g. switching station, battery energy storage facility, substations and transmission lines) do not exceed a noise level at any residence not associated with the development of:
  - a)  $L_{eq,15minutes}$  40dB(A) during the day period; and
  - b)  $L_{eq,15minutes}$  35dB(A) during the evening and night periods.

Note: Day, evening and night periods apply as defined in the Noise Policy for Industry (EPA, 2017).

3. That the applicant is required to 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. The details of any ‘curtailment’ or requirements for turbines to operate in low noise mode (if required) must be fully presented in the revised noise impact assessment.

4. Prior to commissioning of the turbines, the applicant 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
  - d) if required, procedures and corrective actions to be undertaken if non-compliance is detected.
  - e) A condition requiring that ancillary plant and equipment (e.g. electrical compound(s), substation(s) and BESS) do not exceed a level of  $L_{eq,15minutes}$  40dB(A) during the day period and  $L_{eq,15minutes}$  35dB(A) during the evening and night periods at any residence not associated with the development.

#### 5. Hours of construction

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

#### Exceptions to construction hours

The following activities may be carried out outside the recommended construction hours:

- a) construction that causes  $L_{Aeq,15minutes}$  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.

### Variation of construction hours

The hours of construction activities specified under “Exceptions to construction hours” d) 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
  - e) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC, 2009).
6. 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).
7. The applicant be required to prepare and implement 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 roads, wind turbine generators [construction sites], batching plants and quarrying / 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.