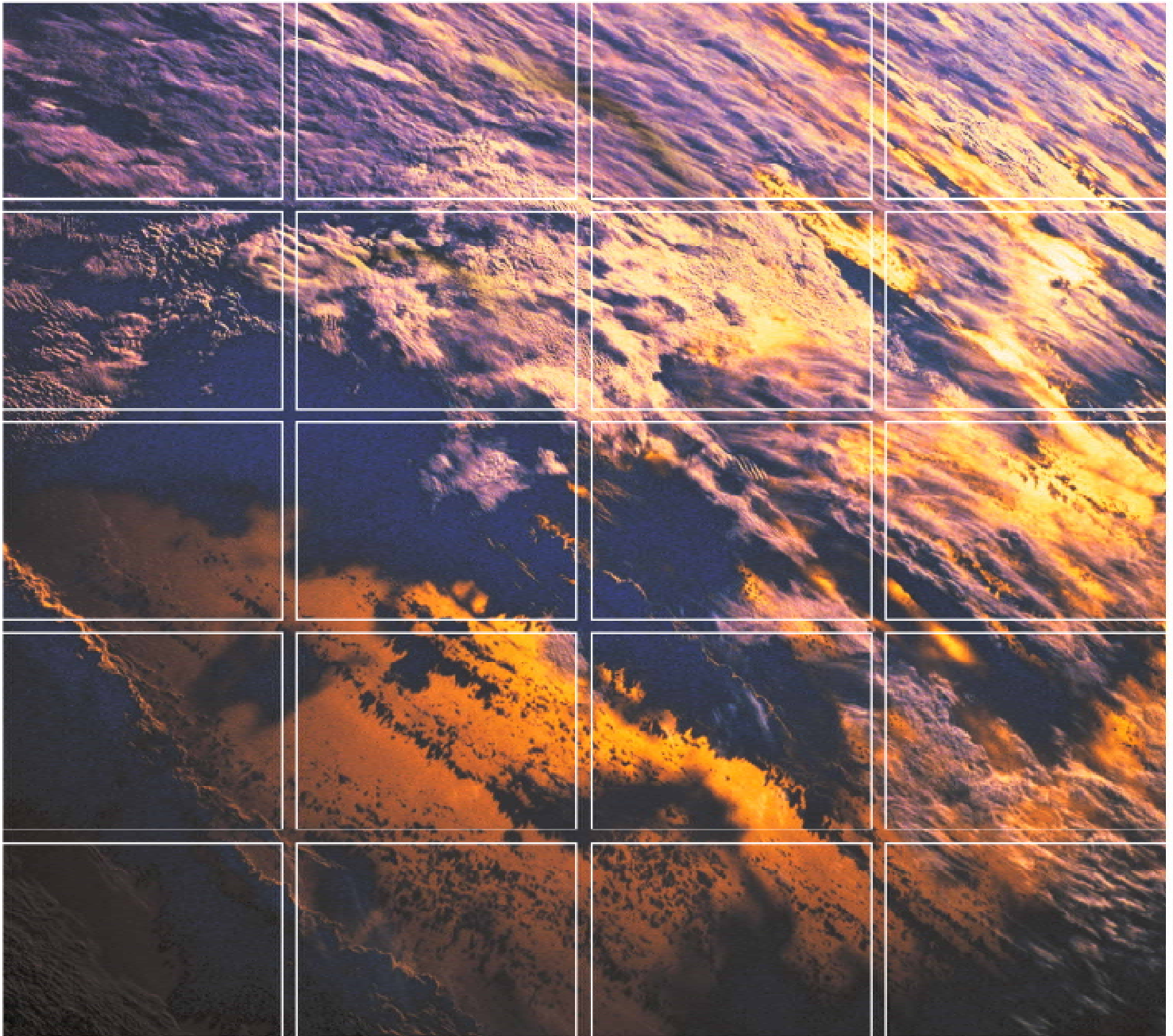




Biala Wind Farm

Request for Director General's Requirements

Preliminary Environmental Assessment

For Newtricity

July 2013

0178462RP01

www.erm.com

Biala Windfarm

Approved by:	<u>Adam Coburn</u>
Position:	Project Manager
Signed:	
Date:	<u>5 July, 2013</u>
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Position:	Partner Director
Signed:	
Date:	<u>5 July, 2013</u>

Request for Director General's Requirements
Preliminary Environmental Assessment

Newtricity

July 2013

Environmental Resources Management Australia Pty Ltd Quality System

0178462RP01

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Newtricity

Biala Wind Farm
*Request for Director General's
Requirements*

Preliminary Environmental Assessment

July 2013

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ACROYMNS AND ABBREVIATIONS

Abbreviation	Acronym
AHIMS	Aboriginal Heritage Information Management System
AUD	Australian Dollar
BWF	Biala Wind Farm
CASA	Civil Aviation Safety Authority
dB(A)	Decibel
DCP	Development Control Plan
DGRs	Director General Requirements
DP&I	NSW Department of Planning and Infrastructure
DSEWPaC	Department of Sustainability Environment Water Population and Communities
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement
EMF	Electromagnetic Field
EMI	Electromagnetic Interference
EP&A Act	<i>Environmental Planning and Assessment Act, 1979</i>
EPA	Environmental Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act, 1999</i>
ERM	Environmental Resources Management Australia Pty Ltd
ha	Hectare
km	Kilometre
LEP	Local Environment Plan
LGA	Local Government Area
MNES	Matters of National Environmental Significance
MP	Member of Parliament
NSW	New South Wales
OEH	NSW Office of Environment and Heritage
PAA	Project Application Area
RET	Renewable Energy Target
RFS	Rural Fire Service
RU2	Rural landscape land use zoning
SEPP	State Environmental Planning Policy
SIS	Species Impact Statement
SSD	State Significant Development
TSC Act	<i>Threatened Species Conservation Act 1995</i>
WTG	Wind Turbine Generator

1 INTRODUCTION

1.1 GENERAL

Newtricity is proposing to construct the Biala Wind Farm (BWF) comprising up to 40 wind turbines generators (WTGs), transmission lines and ancillary infrastructure located in the Southern Tablelands region of New South Wales (NSW) (the Project).

Given that the capital investment value will exceed \$30 Million AUD, the Project will be assessed as a State Significant Development (SSD) in accordance with clause 20 of schedule 1 the *State Environmental Planning Policy (State and Regional Development) 2011* and will be assessed under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Newtricity is requesting Director General Requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) to accompany the SSD application.

1.2 PURPOSE OF THE DOCUMENT

Environmental Resources Management Australia Pty Ltd (ERM) has been commissioned by Newtricity to commence preparation of the environmental assessments for the proposed wind farm including this request for DGRs to commence the EIS and development application process.

Specifically, this report has been prepared to:

- describe the key components of the Project;
- identify the planning provisions that apply to the Project Area;
- identify the potential environmental, social and economic implications associated with the Project;
- provide sufficient information for the relevant agencies to make an informed decision on the items to be addressed in the EIS; and
- obtain the DGRs to proceed with the development application process.

1.3 JUSTIFICATION

Currently, wind energy is the most cost effective large scale renewable energy technology and is seen as a driving force in:

- supporting the NSW Governments objective to achieve 20% mix of renewable energy by 2020 under the Renewable Energy Target (RET) Scheme;

- contributing the current energy mix to meet growing energy demand across NSW; and
- reducing greenhouse gas emissions.

Results from ongoing wind monitoring assessments and proximity of the project to an existing transmission line network has confirmed the overall viability of the proposed wind farm site.

1.4 *APPLICANT DETAILS*

The applicant is Newtricity, an Australian owned renewable energy company specialising in wind energy, solar energy and renewable combined heat and power solutions. Newtricity whilst based in Australia, also has a number of Directors within the company based in Ireland. Applicant contact details are outlined below.

Primary Contact Annmaree Lavery
Address 1 Raven Street, Gladesville
 NSW, 2111, Australia
Phone 02 9802 1713
Email newtricity@optusnet.com.au

1.5 *REPORT STRUCTURE*

This report is structured as follows:

Chapter 1 Introduction - Provides background information about the Project, the proponent and this report;

Chapter 2 Project Description - Describes the activities for which approval is sought;

Chapter 3 Statutory Considerations - Describes the planning context, including the approvals required;

Chapter 4 Environmental Issues and Management – Identifies potential risks the Project may impose on the environment;

Chapter 5 Summary of Proposed Survey and Assessments – Outlines the proposed technical studies and surveys to effectively management potential environmental and social impacts;

Chapter 6 Stakeholder Engagement - Outlines the proposed stakeholder and community engagement strategy having regard to relevant guidelines; and

Chapter 7 Conclusion - provides concluding statements with respect to the preliminary assessment outcomes.

This Chapter provides an overview of the proposed wind farm layout, site location and the anticipated timeframe of the Project. This information has been provided to assist in the assessment of potential impacts associated with the development of the proposed BWF.

2.1**PROJECT OVERVIEW**

The Project would involve the construction, operation and maintenance of up to 40 WTGs and associated infrastructure across two proposed wind farm precincts, collectively referred to as the Project Application Area (PAA). Currently, three WTG layout options are being considered which are based on differing turbine types. The proposed indicative areas to host the WTGs are shown in *Figure 2.1*).

Two transmission line corridors have been identified as potential options to host a transmission line route to connect the Project to an existing electricity network (refer *Figure 2.2*). These transmission line corridors include:

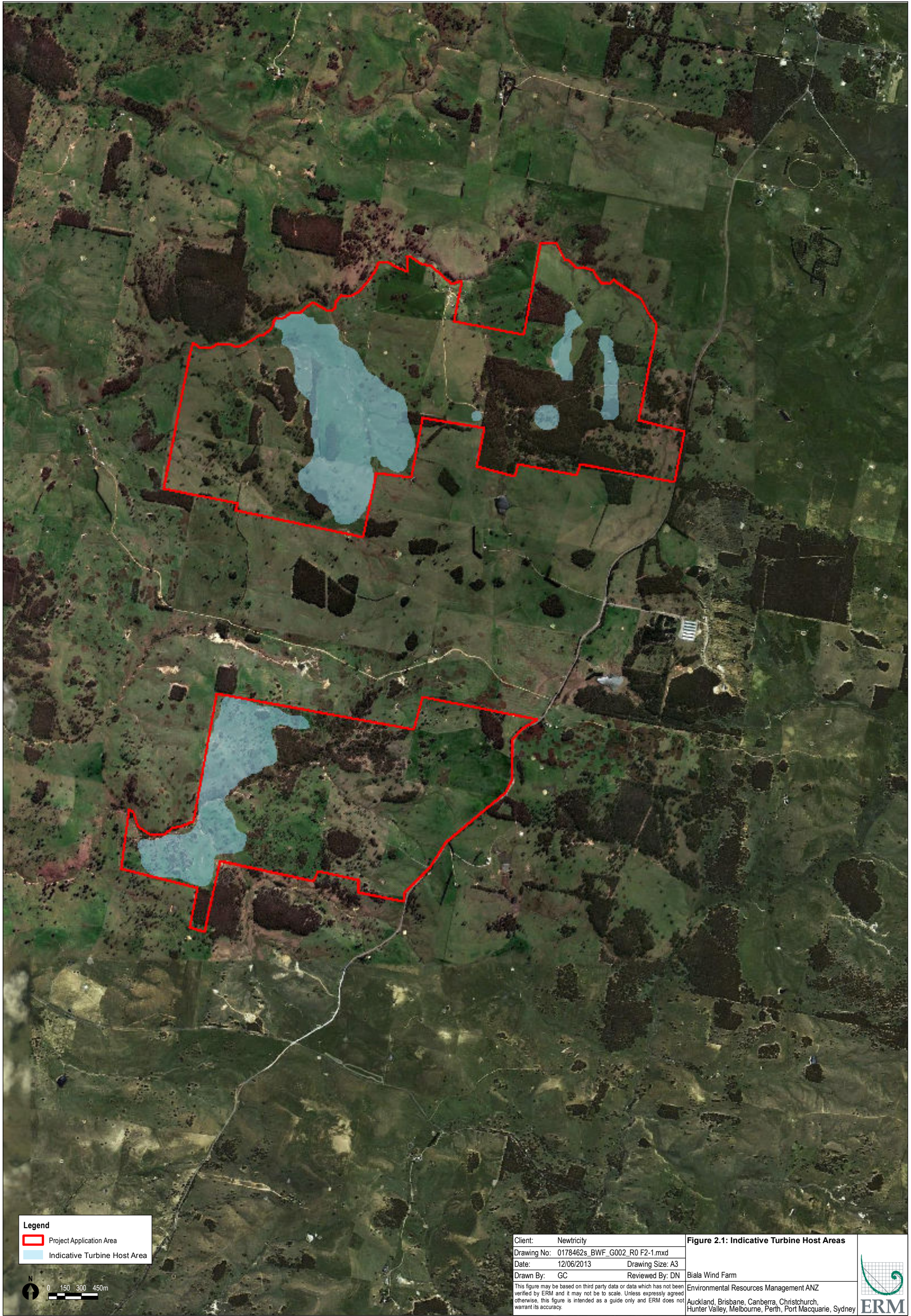
- corridor running south from the PAA (Biala route) to connect to the existing Goulburn to Yass 132 kV transmission line; and
- corridor running east from the PAA to connect to the existing 132 kV transmission line utilised by the Gullen Range wind farm development, operated by Goldwind.

A final transmission line route will be finalised upon completion of further assessments undertaken within each corridor and pending lease agreements with involved landowners.

A summary of key Project components is outlined below:

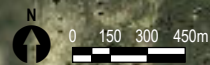
- construction of up to 40 wind turbines;
- construction of a substation and transmission connection to an existing 132kV transmission network;
- electrical connections between wind turbines and the onsite substation via an underground/overhead 33kV cable network;
- construction of onsite control buildings and equipment storage facilities;
- temporary concrete batching facilities to supply concrete for turbine footings and substation construction works;

- construction of access tracks for each turbine and other onsite structures and upgrades to existing roads/tracks as required; and
- construction of monitoring masts for wind speed verification and monitoring.



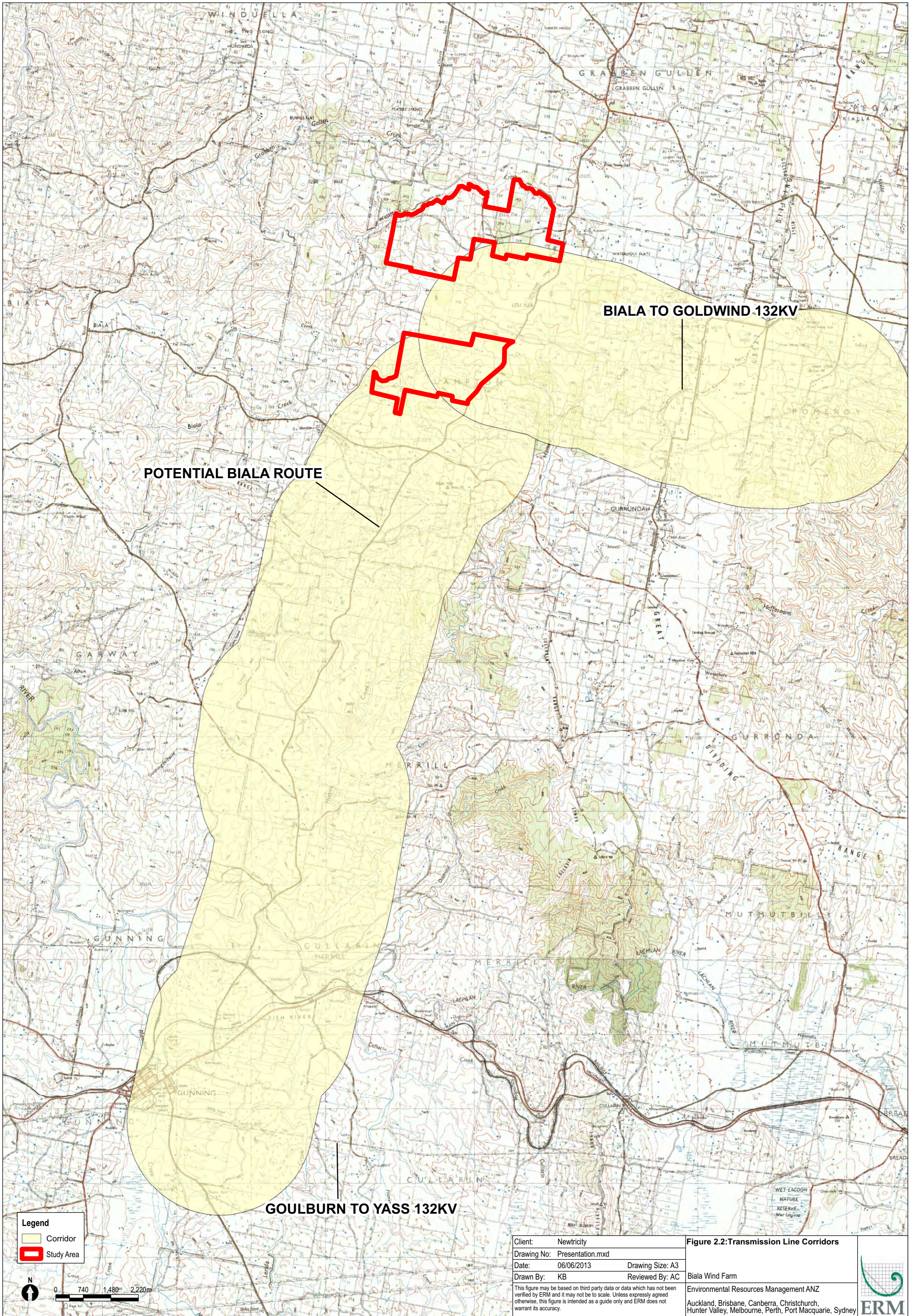
Legend

- Project Application Area
- Indicative Turbine Host Area



Client: Newtricity		Figure 2.1: Indicative Turbine Host Areas
Drawing No: 0178462s_BWF_G002_R0 F2-1.mxd		
Date: 12/06/2013	Drawing Size: A3	
Drawn By: GC	Reviewed By: DN	
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.		
Biala Wind Farm		Environmental Resources Management ANZ Auckland, Brisbane, Canberra, Christchurch, Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney





Client: Newtricity	
Drawing No: Presentation.mxd	
Date: 06/06/2013	Drawing Size: A3
Drawn By: KB	Reviewed By: AC
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.	

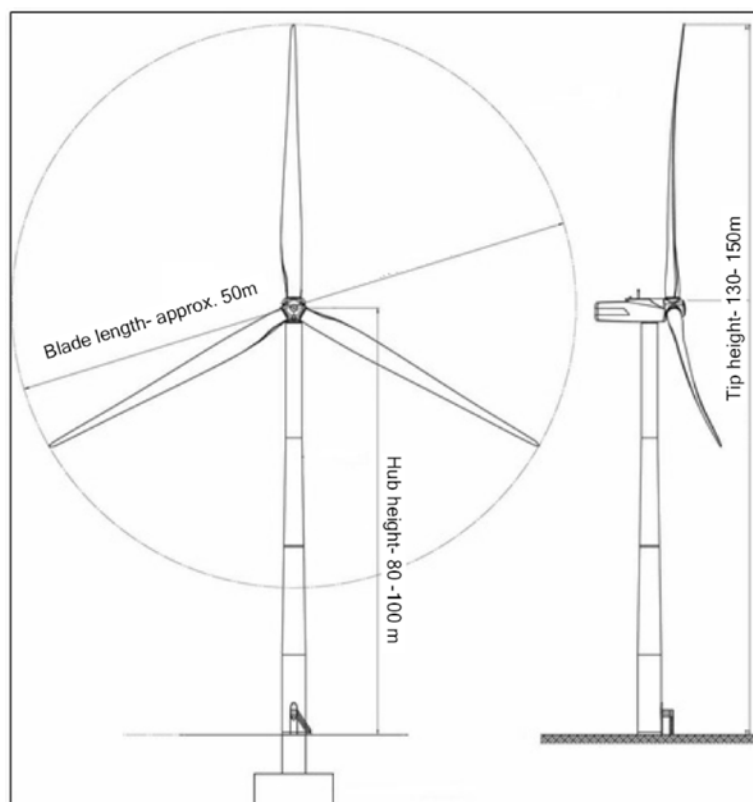
Figure 2.2: Transmission Line Corridors	
Biala Wind Farm	
Environmental Resources Management ANZ	
Auckland, Brisbane, Canberra, Christchurch, Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney	



2.2 WIND TURBINE GENERATOR DESIGN

Each turbine will have a height of approximately 130- 150 m above the ground level at the highest blade tip and have an approximate maximum generating capacity of 2.3- 4 MW depending on the selected model. An indicative WTG design schematic is shown *Figure 2.3*.

Figure 2.3 WTG Schematic



2.3 SITE LOCATION AND ENVIRONMENTAL SETTING

The PAA is located approximately 8 kilometres (km) to the east of the township of Biala and approximately 14.5 km to the south west of the township of Crookwell within the Southern Tablelands region of NSW (the Project locality is shown as *Figure 2.4*).

The PAA is approximately 961 hectares (ha) in size and located wholly within the Upper Lachlan Local Government Area (LGA). Currently the Project spans over 29 rural agricultural lots, which form part of two separate privately owned land holdings. Cadastre details within the PAA are outlined in *Table 2.1*.

Table 2.1 *Cadastre Details of the PAA*

Lot Numbers	DP Number
10, 11, 12	1117737
20, 114, 217, 255, 258, 286, 287, 301, 302, 329, 334, 335, 336, 340, 350, 351, 151, 192, 256, 257, 259, 299, 131, 7	754126
17,18	878997

At this stage, two Project involved landowners will host WTGs and ancillary infrastructure within the PAA. All other dwellings in the vicinity of the PAA are located in excess of 2 km from the proposed wind turbine locations, in accordance with the *Draft NSW Planning Guidelines: Wind Farms, December 2011* (refer Figure 2.5).

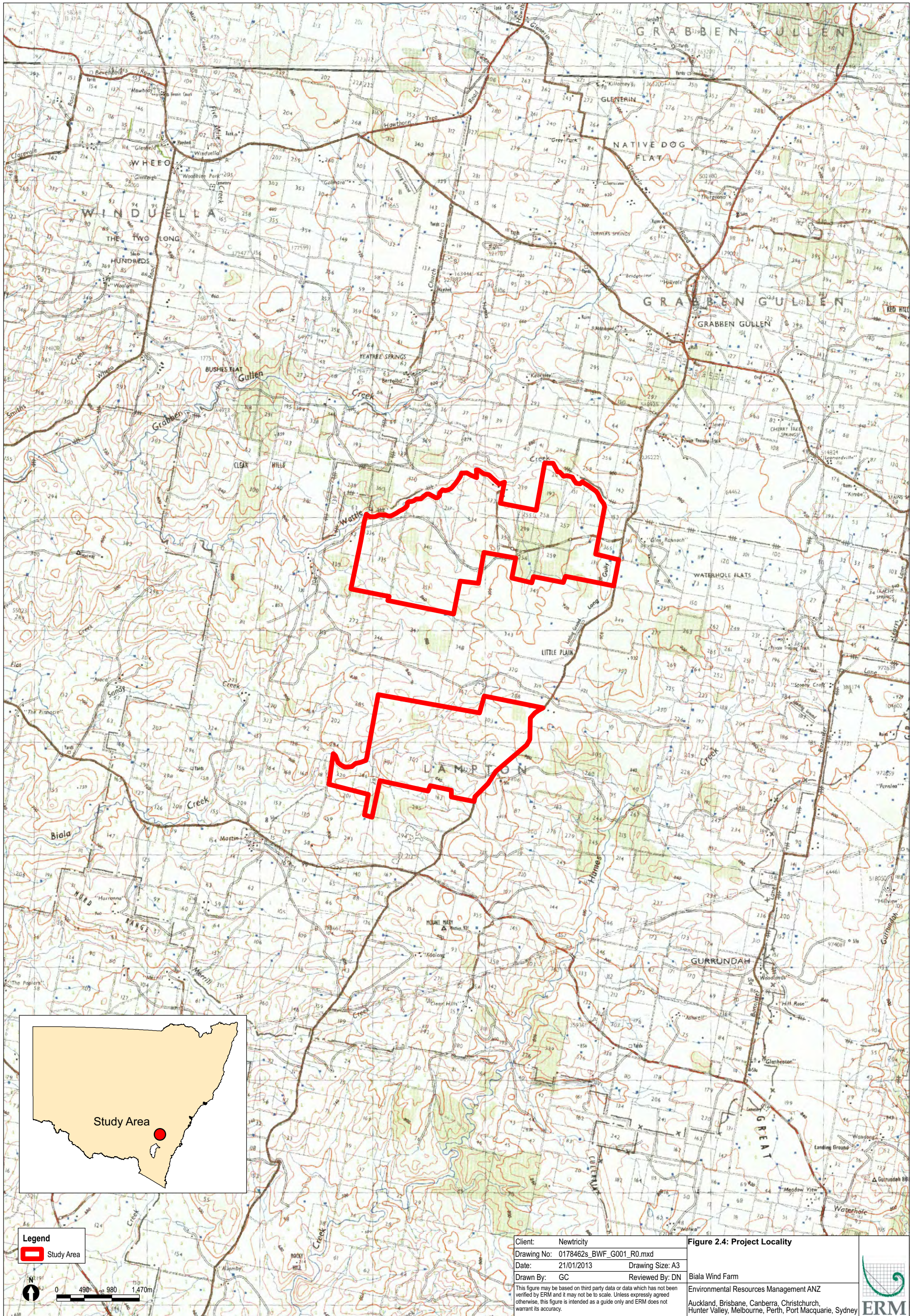
2.4 *PROJECT TIMEFRAME*

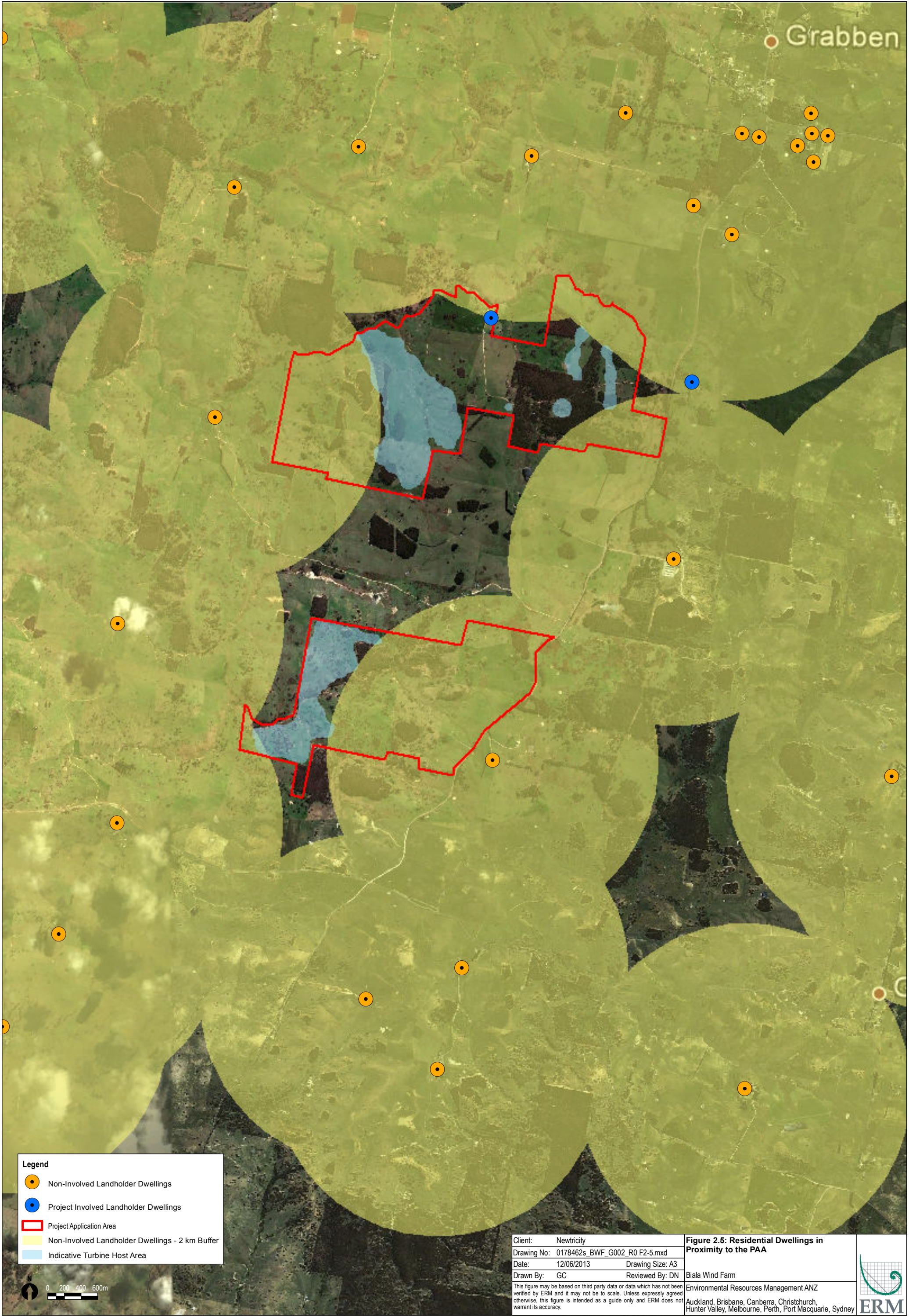
As discussed, this request for DGRs is provided to enable the SSD process to proceed and for works to commence on the preparation of an EIS. Assuming that DGRs can be issued in July/August 2013, Newtricity anticipate that lodgement of the EIS would occur in the first quarter of 2014. Assuming Project approval is granted in the second quarter of 2014, construction works would likely commence during the first half of 2015.

The anticipated project timeframe is provided in Table 2.2.

Table 2.2 *Anticipated Project Timeframe*

Project Stage	Duration	Completion
Request for DGRs issued	1 month	July/August 2013
Preparation and submission of the EIS (development application)	10-12- months	Quarter 1 2014
Consent authority review and approval	6 months	Quarter 2 2014
Pre-construction approvals and management plans	3 months	Q4 2014
Construction commences	2 years	Q1 2015-2017
Operation	20 years	2037
Decommissioning or Project renewal	1 year	2038





3 STATUTORY CONSIDERATIONS

3.1 STATE LEGISLATION

3.1.1 *Environmental Planning and Assessment Act 1979*

The relevant State planning legislation for major projects in NSW is the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the DP&I.

Approval for the Project is sought under the State Significant Development provisions (Division 4.1) of Part 4 of the EP&A Act. SSD projects are identified either in:

- State Environmental Planning Policy (State and Regional Development) 2011; or
- an order by the Minister for Planning and Infrastructure published in the NSW Government Gazette.

The proposal is a use that is defined in State Environmental Planning Policy (State and Regional Development) 2011 as SSD (refer to *Section 3.1.2*).

3.1.2 *State Environmental Planning Policy (State and Regional Development) 2011*

Clause 8 of *State Environmental Planning Policy (SEPP) (State and Regional Development) 2011* provides that the development is declared to be an SSD for the purposes of the Act if:

- the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act; and
- the development is specified in Schedule 1 or 2.

Schedule 1, Clause 20 of the SEPP (State and Regional Development) identifies facilities for the generation of electricity and heat development with a capital investment value of more than \$30 million as being a SSD. The estimated wind farm's capital value of \$200 million, exceeds the \$30 million threshold, therefore the SEPP is applicable and the project is to be assessed under Part 4 of the EP&A Act.

3.1.3

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to streamline the approval process for infrastructure projects in NSW. In addition to this, it also provides for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

Part 3 Division 4 of ISEPP relates to electricity generating works. Clause 34(1) states:

Development for the purpose of electricity generating works may be carried out by any person with consent on land in a prescribed zone.

‘Electricity generating works’ are defined in the Standard Instrument as “...a building or place used for the purpose of making or generating electricity”.

Whilst wind farm developments are not a defined land use in the ISEPP, the Project will generate electricity, thus it is considered that the proposed wind farm can be classified as ‘electricity generating works.’

Clause 33 of ISEPP defines prescribed rural, industrial or special use zone as:

“.....any of the following land use zones or a land use zone that is equivalent to any of those zones:

- (a) RU1 Primary Production,*
- (b) RU2 Rural Landscape,*
- (c) RU3 Forestry,*
- (d) RU4 Rural Small Holdings,.....”*

Under Clause 34(1) of the ISEPP, electricity generating works are permitted with consent on any land in a prescribed rural, industrial or special use zone.

Implications for the Project

As outlined above, the proposed wind farm is classified as ‘electricity generating works’. Under Clause 34(1) of the ISEPP, electricity generating works are permitted with consent under the RU2 - Rural Landscape land use zoning, which is consistent with the zoning across the PAA.

3.1.4

Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* (TSC Act) lists threatened species, populations and ecological communities of animals and plants. It provides a framework for the assessment of any action that may impact on threatened species.

The ecological investigations in progress will assess the implications of the TSC Act and in particular the need for targeted surveys for particular species.

3.1.5 *Roads Act 1993*

Permits may be required under Section 138 of the *Roads Act 1993* for underground cabling that could pass under the neighbouring roads and also upgrades to both State and local roads for the transport of construction materials and WTG components. Advice will be sought with respect to the associated road authority.

3.1.6 *National Parks and Wildlife Act 1974*

The *National Parks and Wildlife Act 1974* (NP&W Act) defines the powers, duties and functions of the Office of Environment and Heritage relating to all areas reserved as National Parks, historic sites, nature reserves, Aboriginal areas, state recreation parks and regional parks.

Projects being assessed under State Significant Development provisions (Division 4.1) of Part 4 of the EP&A Act are not required to obtain an Aboriginal heritage permit under Section 90 of the NP&W Act. Further, as the Project is not located in a National Park or other conservation area listed under the NP&W Act, the provisions of the NP&W Act are not considered further.

3.2 *COMMONWEALTH*

3.2.1 *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the primary Commonwealth environmental legislation of relevance to the approval status of the Project.

Under the EPBC Act any action that has, or is likely to have, a significant impact on a Matter of National Environmental Significance (MNES) requires approval from the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities. The EPBC Act also requires Commonwealth approval for certain actions on Commonwealth land.

The ecological investigations currently in progress will inform this process. If timing permits, a request will be made to consider any referral under the bi-lateral agreement between the State and Commonwealth.

3.2.2 *Radio Communications Act*

Part 4.1 of the *Radio Communications Act 1992* establishes the legislative framework for the regulation of equipment that uses or is affected by radio emissions. Given wind turbines and associated infrastructure produce electromagnetic fields, the Project has the potential to impact radio communications in the region. An assessment of the potential for the Project to interfere with telecommunications signals will be undertaken as part of the EIS (refer *Section 4.7*).

3.2.3 *Civil Aviation Safety Regulations 1998*

The *Civil Aviation Safety Regulations 1998* (made under the Civil Aviation Act 1988) require that Civil Aviation Safety Authority (CASA) must be informed of proposals to build a structure greater than 110 metres above Australian Datum. This is required to allow assessment of whether the structure may represent a hazard to aircraft, and to provide any associated mitigation measures including any requirements for markings or lighting.

Detailed discussions will be held with CASA during the next stage of the planning process, and consideration given to any revisions to CASA Guidelines, as part of the specialist investigations informing the EIS. The EIS will include an Aviation Impact Statement (AIS) prepared by an aeronautical consultant in accordance with the AIS criteria provided by Airservices Australia.

3.3 *LOCAL STATUTORY CONTEXT*

3.3.1 *Upper Lachlan Local Environmental Plan 2010*

The *Upper Lachlan Local Environment Plan 2010* (the LEP) is the principal environmental planning instrument which regulates land use within the Upper Lachlan Local Government Area (LGA). The central aims of the LEP are:

- (a) *to provide planning controls for Upper Lachlan and to update and consolidate into one instrument the various planning controls that currently apply to Upper Lachlan,*
- (b) *to encourage the sustainable management, development and conservation of natural resources,*
- (c) *to promote the use of rural resources for agriculture and primary production including fishing, forestry, mining and related processing, service and value adding industries,*
- (d) *to protect and conserve the environmental and cultural heritage of Upper Lachlan,*

- (e) *to encourage new residents to Upper Lachlan by providing a range of housing opportunities in the main towns and villages,*
- (f) *to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,*
- (g) *to promote and coordinate the orderly and economic use and development of land in Upper Lachlan,*
- (h) *to protect and enhance watercourses, riparian habitats, wetlands and water quality within Upper Lachlan's drinking water catchments so as to enable the achievement of the water quality objectives.*

The Project is subject to the RU2 - Rural Landscape land use zoning, which covers the entirety of the PAA.

As defined in Part 2 of the LEP, the objectives of land zoned RU2 – Rural Landscape are:

- *to encourage sustainable primary industry production by maintaining and enhancing the natural resource base;*
- *to maintain the rural landscape character of the land;*
- *to provide for a range of compatible land uses, including extensive agriculture;*
- *to preserve environmentally sensitive areas including waterways and prevent inappropriate development likely to result in environmental harm;*
- *to protect the Pejar catchment area from inappropriate land uses and activities and minimise risk to water quality;*
- *to minimise the visual impact of development on the rural landscape;*
- *to minimise the impact of development on the existing agricultural landscape character;*
- *to protect and enhance the water quality of watercourses and groundwater systems and to reduce land degradation; and*
- *to maintain areas of high conservation value vegetation.*

As mentioned previously, the development for the purpose of a wind farm is permitted with consent pursuant to the provisions of ISEPP.

Part 6 of the LEP provides the statutory framework focused towards management of local issues, through provisions relating to:

- flood planning;
- biodiversity;
- land;
- water;
- earthworks; and
- essential services.

The local provisions outlined in the LEP will be addressed in the EIS prepared for the Project.

Implications for the Project

Whilst wind farm developments are not a defined land use under Part 2 of the LEP, they are permitted with consent in accordance with the provisions of the land use Zone RU2, which covers the entirety of the PAA.

3.3.2 Upper Lachlan Development Control Plan 2010

Section 9.5 of the Upper Lachlan Development Control Plan 2010 (the DCP) relates to Wind Farms. The objectives of the Wind Farm provisions are:

- *to provide development controls and guidelines that assist in achieving the objectives of the LEP;*
- *to ensure sufficient information is included with each development application to enable proper assessment;*
- *to minimise potential land use conflicts;*
- *to ensure road access and other issues are identified and sufficient information is included with each development application to enable proper assessment; and*
- *to ensure that adequate provisions are made to restore developed land at the end of the life of the development.*

The Wind Farm provisions and the specific controls outlined in the DCP will be addressed in the EIS prepared for the Project.

3.3.3 *Upper Lachlan Section 94A Development Contributions Plan*

The Upper Lachlan Section 94A Development Contributions Plan authorises the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 94A of the EP&A Act. Pursuant to Part B of the Plan, the types of development expected to be levied include Wind Power Developments.

3.4 *OTHER POLICIES AND GUIDELINES*

3.4.1 *Draft NSW Planning Guidelines: Wind Farms 2011*

In 2011, the NSW Government released the *Draft NSW Planning Guidelines: Wind Farms, December 2011* (the Draft Guidelines). The Draft Guidelines were developed to provide a 'clear and consistent regulatory framework for the assessment and determination of wind farm proposals.'

Table 3.1 summarises the key matters to be addressed in the assessment process as specified at Section 1.3 of the Draft Guidelines.

Table 3.1 *Key Matters Identified in the Draft NSW Planning Guidelines: Wind Farms, December 2011*

Key Matter	Description	Comment
Proximity of turbines to existing residential dwellings	If a wind farm proposal seeks to place turbines within 2km of existing residences, whether they are proposed hosts of the turbines or non-host residences, an additional upfront assessment requirement applies.	The Project will not include turbines that are within 2km of neighbouring properties where consent is not provided.
Community consultation	The guidelines require that proponents must undertake a comprehensive and genuine community consultation and engagement process.	The Applicant will undertake a comprehensive program of community consultation as part of the preparation of the EIS. Refer to <i>Section 6</i> for more detail.
Visual amenity	The assessment of wind farm proposals will typically require a comprehensive assessment of the impact of proposed wind farm on the landscape character, landscape values, visual amenity and any scenic or significant vistas to be undertaken.	An assessment of potential impacts to visual amenity will be prepared as part of the EIS having consideration for the Draft Guidelines.
Noise	The guidelines provide the NSW Wind Farm Noise Guidelines to measure and assess environmental noise impacts generated from wind farms.	A noise assessment will be prepared as part of the EIS having consideration for the <i>Draft NSW Planning Guidelines: Wind Farms, December 2011</i> .

Key Matter	Description	Comment
Health	To appropriately consider health issues associated with the operation of the wind farm through excessive noise and/or exposure to electromagnets field from operating WTGs.	The health issues associated with the operation of the wind farm will be considered as part of the EIS.
Decommissioning	The development of a Decommissioning and Rehabilitation Plan for inclusion in the EIS.	A Decommissioning and Rehabilitation Plan will be prepared as part of the EIS.
Auditing and compliance	If the development application is granted consent, conditions will be specified as part of the consent requiring proponents to undertake compliance monitoring and auditing.	The Applicant is committed to undertake compliance monitoring as part of conditions of consent and any environmental licensing requirements.

3.4.2 *Other Policies, Plans and Guidelines for Consideration*

- The Upper Lachlan Strategy Plan-2020 demonstrates relevance to the Project and will be addressed in the EIS.

Environmental issues associated with wind farm developments in NSW are well defined and documented. This Chapter aims to identify potential environmental issues specific to the Project by drawing on other wind farm developments in NSW and the *Draft NSW Planning Guidelines for Wind Farms-December 2011*.

4.1

ECOLOGY

A preliminary ecological assessment was undertaken in late 2012 by ERM (2013) to obtain background information on the ecology within the PAA, with particular emphasis on identifying potential ecological constraints to development. The assessment included a combination of desktop and field based research.

Key findings from the preliminary investigation are:

- no threatened flora species were identified across the PAA during the field investigation;
- one area of the Endangered Ecological Community (EEC) - *Snow Gum - Candle Bark grassland/woodland of the South Eastern Highlands* was identified in the north eastern portion of the PAA. A second area of the EEC is located approximately 0.5km to the north, bordering the north east of the PAA boundary. (refer *Figure 4.1*);
- three threatened bat species were recorded within the PAA which included: Eastern Bentwing Bat (*Miniopterus schreibersii oceanensis*), Southern Myotis (*Myotis macropus*), and the Greater Broad-nosed Bat (*Scoteanax rueppellii*); and
- a total of three threatened flora species and an additional ten threatened fauna species were previously recorded or have the potential to occur within the PAA (refer *Table 4.1*).

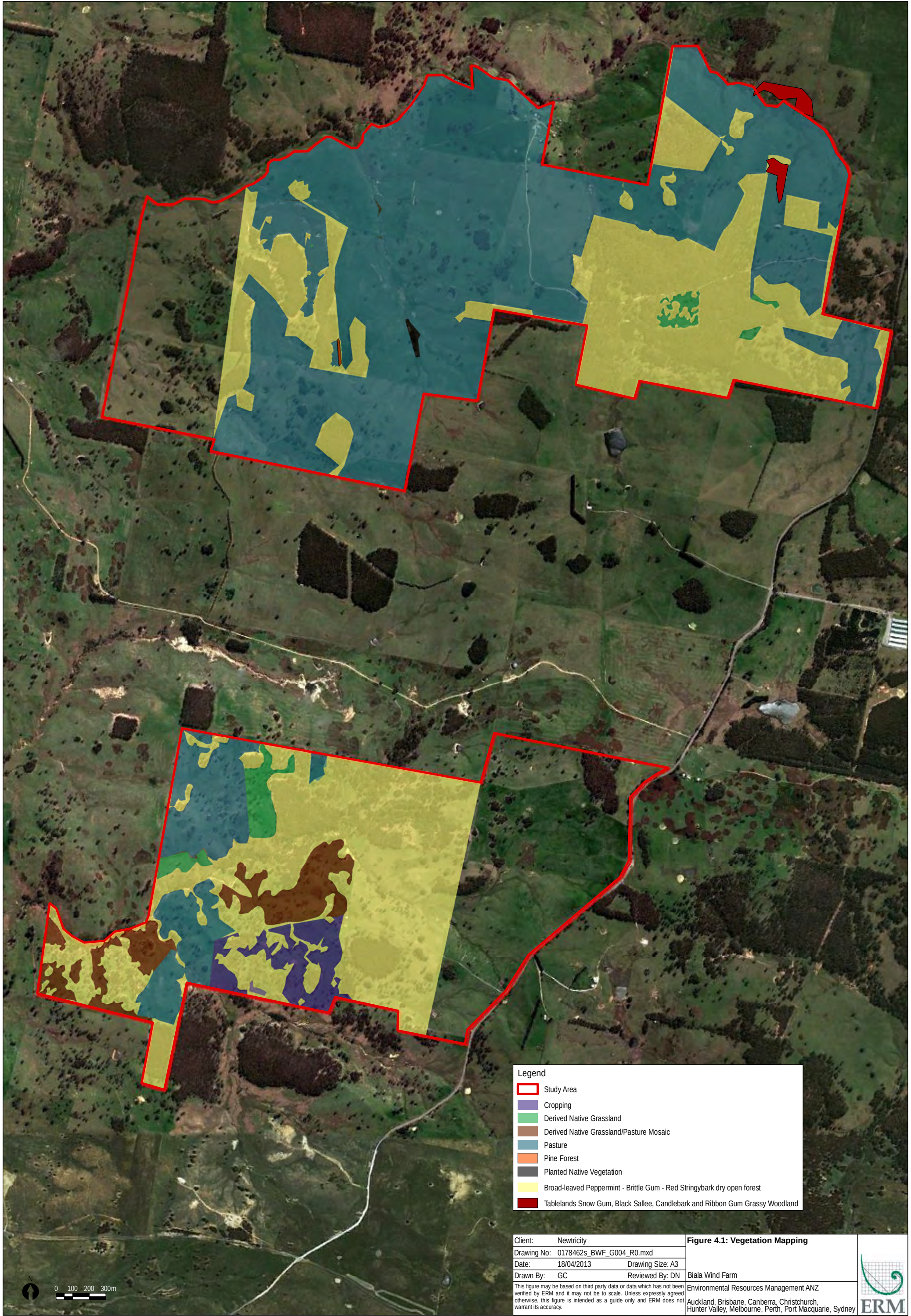
Table 4.1 *Threatened Species Recorded and Likely to Occur within the PAA*

Common Name	Scientific Name	Legal Status	
		TSC Act	EPBC Act
Diamond Firetail	<i>Stagonopleura guttata</i>	V	
White-fronted Chat	<i>Epthianura albifrons</i>	V	-
Varied Sittella	<i>Daphoenositta chrysoptera</i>	V	-
Scarlet Robin	<i>Petroica boodang</i>	V	-
Powerful Owl	<i>Ninox strenua</i>	V	-
Little Eagle	<i>Hieraaetus morphnoides</i>	V	-
Speckled Warbler	<i>Chthonicola sagittata</i>	V	-
Striped Legless Lizard	<i>Delma impar</i>	V	-
Pink-tailed Legless Lizard	<i>Aprasia parapulchella</i>	V	-
Southern Myotis	<i>Myotis macropus</i>	V	-
Greater Broad-nosed Bat	<i>Scoteanax rueppellii</i>	V	-
Eastern Bentwing-bat	<i>Miniopterus schreibersii oceanensis</i>	V	-
Golden Sun Moth	<i>Synemon plana</i>	E	CE
Hoary Sunray	<i>Leucochrysum albicans var. tricolor</i>	E	-
Button Wrinklewort	<i>Rutidosia leptorrhynchoides</i>	E	E
Austral Toadflax	<i>Thesium australe</i>	V	V
V = Vulnerable E = Endangered CE = Critically Endangered			

Vegetation mapping of the PAA undertaken using the OEH Vegetation Information System (VI) identified four main vegetation communities occurring within the PAA. These include:

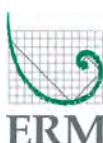
- Broad-leaved Peppermint - Brittle Gum - Red Stringybark dry open forest on the South Eastern Highlands (LA124);
- Snow Gum - Candle Bark grassland/woodland of the South Eastern Highlands (LA205) (Endangered Ecological Community);
- Derived Native Grassland (derived from LA124); and
- Pasture and Cropping.

The distribution of these communities is shown in *Figure 4.1*.



Legend

- Study Area
- Cropping
- Derived Native Grassland
- Derived Native Grassland/Pasture Mosaic
- Pasture
- Pine Forest
- Planted Native Vegetation
- Broad-leaved Peppermint - Brittle Gum - Red Stringybark dry open forest
- Tablelands Snow Gum, Black Sallee, Candlebark and Ribbon Gum Grassy Woodland

Client: Newtricity	Figure 4.1: Vegetation Mapping		
Drawing No: 0178462s_BWF_G004_R0.mxd			
Date: 18/04/2013	Drawing Size: A3		
Drawn By: GC	Reviewed By: DN		
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.			
Biala Wind Farm			Environmental Resources Management ANZ Auckland, Brisbane, Canberra, Christchurch, Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney

4.1.1

Ecological Constraints

The two areas of the *Snow Gum - Candle Bark grassland/woodland of the South Eastern Highlands* EEC have been classified as high ecological constraints, one within and the second adjacent to the PAA (refer *Figure 4.1*). Threats to this EEC include climate change, clearing, fragmentation, fertiliser application, tree dieback, trampling and grazing by domestic livestock, weed invasion and altered fire regimes. Newtricity acknowledge that development is not recommended in these areas as it is protected under the TSC Act and understand that any proposed development would require the completion of a Species Impact Statement (SIS). Currently, proposed WTGs are located immediately adjacent to the area of EEC within the PAA classified as a high ecological constraint (refer *Figure 4.2*).

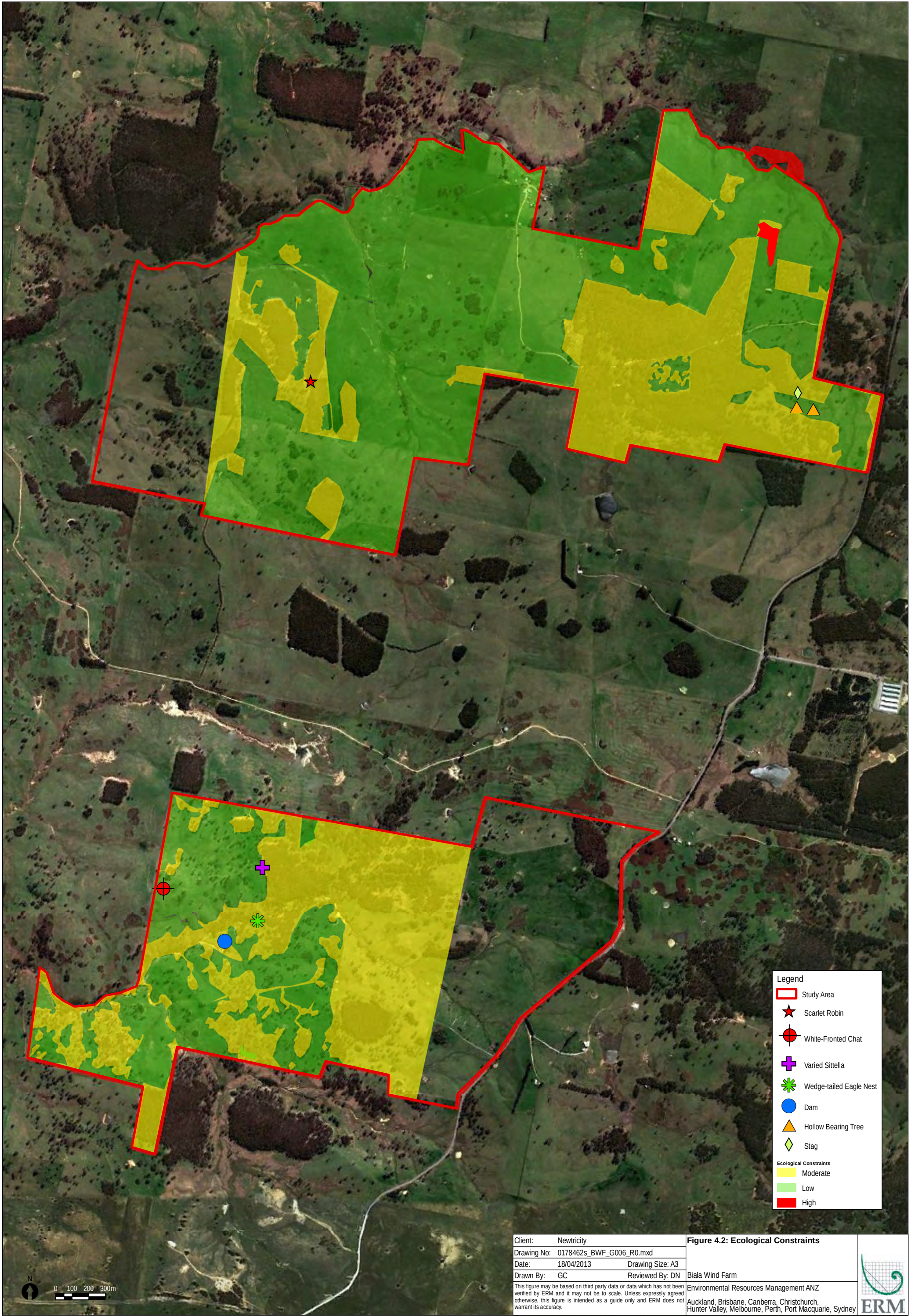
Through the mapping of woodland habitat and a number of threatened fauna species being recorded during surveys, the potential habitat for threatened species was identified in the PAA. These habitat areas have been classified as a moderate ecological constraint where there is a high density of hollows and a low ecological constraint where the vegetation is immature and hollows are infrequent (refer *Figure 4.2*).

An initial assessment of the habitat type in the PAA suggests the three recorded threatened bat species are likely to be utilising the PAA for foraging purposes only.

4.1.2

Further Ecological Assessment

An additional ecological assessment will be undertaken to further understand the ecology of the PAA and inform the BWF design and the siting of key infrastructure to manage potential impacts to flora and fauna. This will primarily include further assessment to determine the likely presence of threatened species, including dedicated winter season surveys and an assessment of the proposed transmission line routes, which was not undertaken during the initial survey. Like the preliminary ecological assessment, further ecological investigations will consider the provisions of the TSC Act and the EPBC Act to determine if a referral to the Department of Sustainability, Environment Water, Population and Communities (DSEWPaC) is required.



4.2

HERITAGE

4.2.1

Indigenous Heritage

To identify the locations of known Aboriginal sites within the vicinity of the PAA a search of the NSW Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) database was undertaken. The AHIMS search was conducted on the 25 March 2013 and identified 67 recorded Aboriginal sites located within 10 kilometres of the PAA. No sites were recorded within the PAA with the nearest site located 4.23 kilometres to the north east. There are no Aboriginal heritage sites listed on the Commonwealth Heritage List, Register of the National Estate, State Heritage Register, or the Upper Lachlan Local Environmental Plan 2010 within 10 km of the project site.

The majority of AHIMS sites were recorded as a result of investigations undertaken for the Gunning Wind Farm by McDonald (2004) and Austral Archaeology (2005, 2009). The low number of investigations undertaken within the region indicates that the lack of Aboriginal sites recorded within AHIMS potentially the result of survey bias as opposed to a general lack of Aboriginal occupation. The findings of the McDonald (2004) and Austral Archaeology (2005, 2009) investigations indicate that generally Aboriginal sites were present along permanent creek margins, banks and alluvial flats, with gently undulating topography preferred over steep slopes. The main site types identified in the region are open camp sites and isolated finds.

The PAA is dominated by rolling to steep slopes, valleys and ridge crests dissected by a number of permanent streams and their tributaries (e.g. Wattle Creek, Sandy Creek and Long Gully). An analysis of current aerial imagery for the PAA indicates it has been partially cleared and remains largely undisturbed. The topography and undisturbed nature of the study area indicates that without proper assessment there is the potential for Aboriginal sites to be impacted by the development.

4.2.2

Conclusions and Further Assessment

Given the potential for the development to impact upon undiscovered Aboriginal objects or places, the following tasks should be undertaken as part of an Aboriginal Cultural Heritage Assessment:

- desktop analysis of previous archaeological investigations, ethnohistories and historical information to establish the nature of Aboriginal land use within the region;
- consultation with the local Aboriginal community in accordance with OEH 2010 Aboriginal Heritage Consultation Requirements for proponents 2010;
- targeted archaeological surveys to identify and record previously unrecorded sites which could be impacted by the development;

- significance and impact assessment of all identified sites within the study area to determine if any damage will occur as part of the proposed development; and
- development of mitigation and management recommendations to manage any potential impacts.

The Aboriginal Cultural Heritage Assessment and Archaeological Report will be prepared in accordance with the *OEH 2010 Code of Practice for the investigation of Aboriginal Objects in NSW* and *OEH 2010 Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.

4.2.3 *Non-Indigenous Heritage*

A desktop search of all relevant databases of known listed European cultural heritage places within the PAA was undertaken on 2 April 2013. No World Heritage, Commonwealth Heritage or National Heritage places listed under the EPBC Act are located within the PAA. Further, no non-Indigenous places listed on the Register of the National Estate or places of State and/or local significance as listed on the Upper Lachlan LEP 2010, are located within the PAA.

It is considered unlikely that any previously unknown non-indigenous cultural heritage places would be encountered during the construction of the BWF, however proposed management measures will be devised in the EIS in the event that potential non-Indigenous relics are encountered during the Projects' implementation.

4.3 *NOISE*

Noise generated from WTG movement and the consequential amenity impacts to nearby receptors is a common issue associated with wind farm developments in populated areas.

Appendix B of the *Draft NSW Planning Guidelines: Wind Farms, December 2011* includes the NSW wind farm noise guidelines (the draft guidelines) with the objective to provide the guidance on how to measure and assess environmental noise impacts from wind farm developments. The guidelines closely follow the methodologies outlined in the *South Australian Wind farms - Environmental Noise guidelines - 2009* (South Australian EPA Guidelines), which has been commonly used to assess wind farm noise throughout Australia. The principal noise criteria specified in the guidelines is that wind farm noise should not exceed 35dB(A) or the background noise¹ (L₉₀) by more

¹ L₉₀, often referred to as the background noise level (dB(A)) is the noise level exceeded for 90% over a given measurement time.

than 5dB(A). An environmental noise impact assessment will be undertaken for the proposed BWF and will involve:

- the identification of noise receptor locations (occupied residences) in proximity to the wind farm development;
- baseline noise monitoring at receptor locations;
- preliminary estimates of wind farm noise at receptor locations using specialised computer software; and
- the application of the noise criteria specified in the draft guidelines to establish compliance at each receptor location.

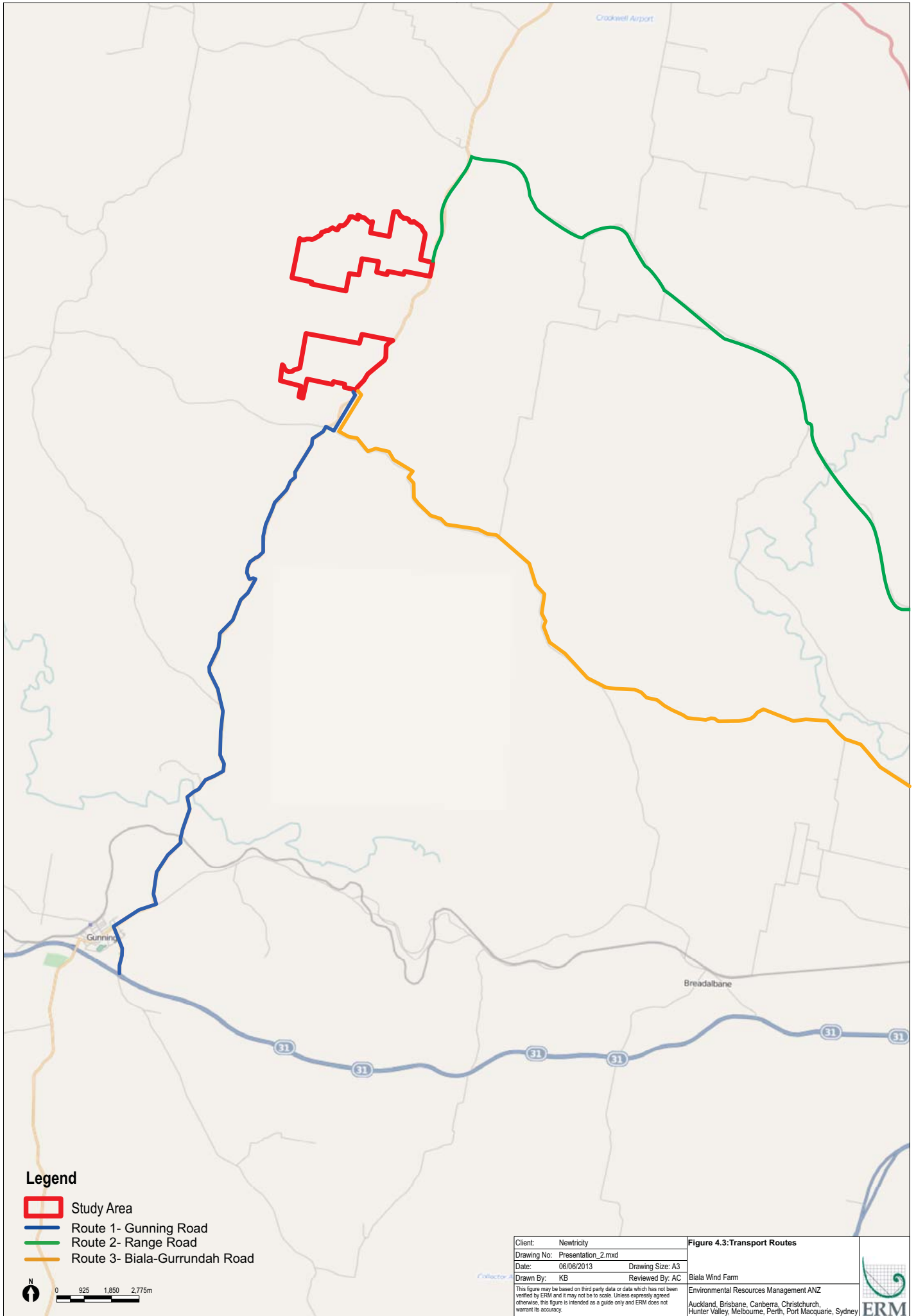
4.4

TRAFFIC AND TRANSPORT

A traffic and transport assessment will be undertaken, taking into consideration environmental issues associated with transport of equipment to site, site construction vehicles and operational traffic impacts.

The assessment will also consider potential impacts on local and regional roads including the road network and intersection operations, road safety and structural pavement integrity of roads and bridges. The means of access to individual properties will be investigated throughout the environmental assessment. Requirements for dilapidation surveys for post-construction road network reinstatement and repairs will also be addressed.

Currently, three transport route options to service the transport of wind farm infrastructure, particularly wind turbines to the PAA are currently under investigation (refer *Figure 4.3*). The capacity to utilise these option routes to service the Project will be finalised following further investigations as described above.



The proposed wind farm is located in a typical rural landscape with no large scale visual disturbance aside from agricultural clearing and cropping. There are potential visual impacts associated with the construction and operation of the wind farm through the alteration of the landscape.

A detailed visual assessment will be undertaken to assess potential visual impacts associated with the Project. The detailed visual assessment will include:

- defining the view shed and identifying publicly accessible locations to be assessed;
- preparation of photomontages;
- a detailed impact assessment including a zone of visual influence analysis and assessment of community attitudes; and
- assessment of potential cumulative visual impacts that wind farm infrastructure may impose.

A hydrological assessment will be prepared to assess baseline surface and groundwater conditions and determine potential impacts associated with the proposed wind farm. The assessment will be desktop based and include a review of publicly available information.

Surface water bodies are limited to small private dams with no natural surface water bodies existing within the PAA. Key risks associated with the proposed BWF are anticipated to be associated with erosion and sedimentation during the establishment of access trails for the construction and installation of each turbine. The extent of ground disturbance compared to the overall PAA is relatively small and the placement of WTGs will be restricted to minimise clearing of vegetation. Further, management measures will be clearly defined to adequately manage potential erosion and sedimentation impacts during construction.

An electromagnetic interference (EMI) assessment and an electromagnetic fields (EMF) assessment will be undertaken as part of the EIS. It will involve preparation of a detailed desktop assessment of existing electromagnetic services within the project area and recommend methods to avoid and/or mitigate potential impacts to telecommunications services during the construction and operation of the wind farm.

4.8 HAZARDS AND RISK

4.8.1 Bushfire Risk

Although the generation of bushfire from WTGs and other wind farm infrastructure is typically low a desk top bushfire risk assessment will be undertaken to address the issues outlined in *Draft NSW Planning Guidelines: Wind Farms, December 2011*. The bushfire risk assessment will be undertaken in accordance with the guidelines and will consider potential impacts of aerial fire fighting from WTG placement through consultation with the Rural Fire Service (RFS).

4.8.2 Aviation Safety

Wind farm developments have the potential to impact on aviation safety through:

- the placement of wind turbines in proximity aerial flight paths;
- proximity to airports, Department of Defence Facilities and private landing strips; and
- potential hindrance to the aerial application of agricultural spraying and crop dusting activities.

An aeronautical impact assessment and qualitative risk assessment will be undertaken in accordance with the standards specified by Airservices Australia in the circular *Airservices Aviation Assessments for Wind Farm Development-5 March 2012* and will address the requirements outlined in the *NSW Planning Guidelines: Wind Farms, December 2011*.

4.8.3 Blade Throw

An assessment of the potential risk of blade throw involving wind turbine blades breaking during operation will be undertaken having regard to the considerations outlined in the *NSW Planning Guidelines: Wind Farms, December 2011*.

4.9 SOCIAL AND ECONOMIC ISSUES

The proposed BWF will provide additional employment opportunities and demand for local goods and services throughout the Upper Lachlan LGA, particularly during the construction phase. Whilst it is difficult to quantify the monetary investment in the region, it is expected that local contracting and manufacturing services will be utilised during construction such as earthworks, electrical cabling, steel works and increased demand for accommodation for the construction work force.

An assessment of the social and economic issues will be undertaken and will address:

- potential impact on mining leases (if any) with the PAA;
- impact on local property prices with particular focus on any dwellings within 2 km of any proposed WTG; and
- economic benefits to the local community.

4.10 HEALTH ISSUES

Concerns about wind farm developments and their potential links to human health impacts generally focus on the following:

- audible and inaudible noise;
- shadow flicker;
- blade glint;
- night lighting (if required); and
- electro-magnetic fields.

The *NSW Draft Planning Guidelines: Wind Farms, December 2011* (the Draft Guidelines) require that Proponents consider potential human health impacts, focusing on neighbours' houses within 2 km of proposed WTG locations.

Whilst much of the available literature suggests there is no direct link between wind farm developments and human health impacts, the EIS will consider the requirements outlined in the Draft Guidelines with reference to:

- up to date evidence-based research;
- the predicted level of impact from the wind farms including impacts from noise, shadow flicker, blade glint, night lighting, electric and magnetic fields; and
- consultation undertaken regarding health issues and concerns.

4.11 DECOMMISSIONING AND REHABILITATION

In accordance with the *NSW Draft Planning Guidelines: Wind Farms, December 2011*, a draft Decommissioning and Rehabilitation Plan will be prepared and included as an annexure to the EIS.

A summary of the proposed surveys and investigations to be undertaken as part of the development of the EIS is outlined in *Table 5.1*.

Table 5.1 *Summary of the Survey and Assessment Strategy*

Issue	Description
<i>Ecology</i>	Specialist report prepared by consultants drawing on the findings from the initial ecological survey and additional winter surveys to further assess the presence and potential impacts to threatened species. The additional survey will also include an assessment of the proposed transmission line route(s).
<i>Heritage (Indigenous and non-Indigenous)</i>	Specialist report prepared by consultants to include field surveys and consultation.
<i>Noise</i>	Specialist noise assessment undertaken by consultants in accordance with the <i>Draft NSW Planning Guidelines: Wind Farms, December 2011</i> .
<i>Landscape and Visual Assessment</i>	Specialist landscape and visual impact assessment to be undertaken by consultants. This will include photomontages of wind farm infrastructure from key receptor locations.
<i>Hydrology and Soils</i>	It is anticipated that a specialist consultant will be engaged to undertake a hydrological assessment of the PAA.
<i>Telecommunications</i>	Specialist consultant will be engaged to prepare an assessment of potential impacts to telecommunication services within the vicinity of the Project.
<i>Aviation Safety</i>	Specialist consultant will be engaged to prepare an aeronautical impact assessment and qualitative risk assessment in accordance with the <i>Airservices Aviation Assessments for Wind Farm Development-5 March 2012</i> .
<i>Bushfire Risk</i>	Desktop review and consultation will be undertaken.
<i>Social and Economic Issues</i>	Desktop review will be undertaken.
<i>Decommissioning and Rehabilitation Plan</i>	A preliminary plan will be prepared and included as an annexure to the EIS.
<i>Stakeholder Engagement and Community Consultation</i>	Refer <i>Chapter 6</i> .

6.1

INTRODUCTION

Newtricity recognise the importance of engaging with key stakeholders and the community throughout the life of the Project and particularly throughout the environmental assessment process. The objectives for consultation are to ensure:

- stakeholders have access to up to date, relevant information regarding the Project; and
- are provided with an opportunity to raise their concerns and have these responded to by the Applicant.

6.2

DRAFT NSW PLANNING GUIDELINES: WIND FARMS 2011

As mentioned previously, the NSW Government has released the *Draft NSW Planning Guidelines: Wind Farms, December 2011*. With regards to community consultation, the Draft Guidelines outline the following key requirements:

- for the applicant to form a Community Consultative Committee to provide for early input in the assessment process, during the application process and maintain effective communication throughout the construction and operation. In accordance with Draft Guidelines, the membership of the committee will comprise an independent chairperson; five to seven representatives of the local community and other stakeholders; one representative of the local council; and two representatives of the proponent;
- to demonstrate in the EIS that effective consultation has occurred prior to lodgement of the application and that issues raised as a result have been addressed in the assessment; and
- for the department to exhibit the development application for a minimum of 60 days instead of the minimum statutory period of 30 days.

The Applicant is committed to establishing a comprehensive program of community consultation in accordance with the Draft Wind Farm Guidelines and will incorporate feedback from the community into the design of the Project wherever feasible. The Applicant acknowledges that the period of public exhibition following the submission of the EIS will extend for a period of 60 days.

6.3 *STRATEGY FOR ONGOING CONSULTATION*

The overall aim of consultation is for Newtricity to establish relationships with key stakeholders to facilitate and enable their inputs to be considered in the Project design, planning and implementation.

6.3.1 *Consultation with Government Agencies*

The Project team will liaise closely with relevant State Agencies, and if appropriate, Federal government departments to ensure that the EIS, specialist reports and Project design meets key agency and statutory requirements. This will include face-to-face meetings, telephone conversations, e-mail and written correspondence.

Individual agency requirements to be addressed in the EIS will form the basis of the DGRs.

6.3.2 *Community Consultation*

A Community Engagement Strategy has been developed to guide consultation throughout the EIS process. The strategy is designed to provide open and transparent communication and ensure:

- the local community and other stakeholders are aware of the Project and have access to information about the Project and its potential impacts on their lives, businesses and the local environment;
- multiple mechanisms are provided for participation of stakeholders in the environmental assessment process and for ongoing communication and feedback; and
- stakeholder issues and concerns are identified and appropriately managed.

Stakeholders have been identified on the basis of the potential direct and indirect impacts they may experience as a result of the Project, as well as their level of interest in the Project. The consultation has principally been staged in four stages, as follows:

Stage 1 – preliminary consultation prior to submission of the Director General Request (DGR) for the Project to the DP&I;

Stage 2 – consultation that will occur during the preparation of the EIS;

Stage 3 – consultation that will occur during the exhibition of the SSD application for the Project; and

Stage 4 – consultation during the construction and delivery of the Project.

Community consultation tools to be used during stage one include the following:

- A briefing to Councillors at the 20 June meeting of Upper Lachlan Council;
- distribution of newsletters to dwellings/businesses within 10km of the Project, providing information and inviting comment;
- development of Project specific webpage, to provide Project information and a platform for which enquires can be made; and
- a community drop in session on Saturday 13th July at Grabbell Gullen Hall, to provide an opportunity for local residents to gain information and discuss concerns with the project team.

A range of other tools and activities will be used for community and stakeholder consultation and engagement during the remaining stages of the project, and may include a door knock of the area, additional community drop in sessions, targeted focus group sessions and ongoing distribution of project newsletters.

An overview of consultation undertaken to date and the anticipated timeframe for future and ongoing community and stakeholder consultation is provided in *Table 6.1* below.

Table 6.1 *Summary of Initial Community Consultation Activities*

Proposed Activity	Timeframe	Status
Preparation of the Community Engagement Strategy.	May/June 2013	Complete
Project presentation at the Upper Lachlan Shire, June Council meeting.	June 2013	Complete
Project briefing/notification to State and Local Members of Parliament (MP').	June 2013	Complete
Focus group meetings with relevant State and if appropriate, Federal Government Agencies.	Ongoing from June 2013	Pending/ongoing
Distribution of the initial (issue 1) newsletter.	June 2013	Complete
Implementation of Project telephone information line, email address and webpage	June 2013	Project webpage complete
Initial Project information drop in session.	July 2013	Schedule for July 13, 2013.
Establish Community Consultative Committee	August/September 2013	Pending

Details of consultation undertaken and outcomes will be included in the EIS. Consultation with the local Aboriginal community is discussed in *Section 4.2.1*.

CONCLUSION

Newtricity is proposing to construct the Biala Wind Farm comprising up to 40 wind turbines generators, transmission lines and ancillary infrastructure located in the Southern Tablelands region of New South Wales. Given the project exceeds the threshold level capital investment value of \$30 Million AUD, the Project will be assessed as a SSD under Part 4 of the *Environmental Planning and Assessment Act 1979*. Through the submission of this report, which includes a preliminary assessment of environment issues relevant to the Project, Newtricity is seeking DGRs from the NSW DP&I to proceed with the development application process and preparation of an EIS.

Austral Archaeology (2008) **Archaeological Test Excavations at Proposed Gunning Wind Farm NSW, Test Excavation Report**. Prepared for Connell Wagner PPI.

Austral Archaeology (2009) **Aboriginal Archaeological and Cultural Heritage Assessment Gunning Wind Farm NSW Additional Assessment Report**. Prepared for Country Energy.

Department of Planning and Infrastructure (DP&I) (2011). **Draft NSW Planning Guidelines: Wind Farms**. December 2011.

ERM Pty Ltd (2013) **Biala Wind Farm- Preliminary Ecological Report**, New South Wales. Report prepared for Newtricity.

McDonald, J. (2004) **Archaeological Survey for an Aboriginal Heritage Assessment**. Gunning Wind Farm, NSW. Report prepared for Connell Wagner.

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