

APPENDIX E:

ENVIRONMENTAL PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS

SEPP (State and Regional Development) 2011

As addressed in Section 3.1, the project meets the criteria for State Significant Development under the *State Environmental Planning Policy (State and Regional Development) 2011*.

State Environmental Planning Policy (Rural Lands) 2008

The Rural Lands SEPP aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes whilst ensuring the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State.

The Department is satisfied that the proposed development is consistent with the Rural Lands SEPP as the operation of the project would not compromise the long term use of the land for agricultural purposes and would provide an additional source of income for the landowners of the associated properties, whose land would be directly affected by the project.

SEPP No.44 – Koala Habitat Protection

The Department is satisfied that the project site does not contain any areas of core Koala habitat, and that the project is generally consistent with the aims, objectives, and requirements of SEPP 44.

SEPP (Infrastructure) 2007

In accordance with clause 104 of the Infrastructure SEPP, the application was referred to RMS. The matters raised in RMS's submission on the project were considered by the Department, and the Department has recommended conditions of approval in relation to the classified road network.

The application was also referred to Transgrid as the key service provider. Transgrid provided input into the Director-General's Requirements for the project. CWP has also consulted regularly throughout the assessment process with Transgrid.

Mid-Western Regional Local Environmental Plan 2012

The zoning and permissibility of the development under the Mid-Western Regional LEP is addressed in Section 3.2 of this report.

There are no other provisions of the LEP that substantially govern the development, and the Department is satisfied that the project can be managed in a manner that is generally consistent with the aims, objectives and provisions of the LEP.

Mid-Western Development Control Plan 2013 (Amendment No. 2)

The aims of the Mid-Western DCP 2013 are to implement and support the objectives of the Mid-Western Regional LEP and provide clear and concise development guidelines for various forms of development, including wind farms.

The key objectives relating to wind farm developments are to:

- minimise potential land use conflicts (including ensuring there is no unreasonable interference with the comfort or response of adjoining land users);
- ensure road access and other issues are identified and sufficient information is included with each development application to enable proper assessment; and
- ensure that adequate provisions are made to restore developed land at the end of the life of the development.

The impacts of the project on the amenity of surrounding residents (including potential noise, visual and health impacts) have been considered in Section 5 of this report.

Potential traffic and transport impacts have been considered in Section 5.3 of this report.

Decommissioning and rehabilitation has been assessed in Section 5.5 of this report.

The Department is satisfied that the project can be managed in a manner that is generally consistent with the objectives and provisions of the DCP.

Bathurst Regional Local Environmental Plan 2014

The zoning and permissibility of the development under the Bathurst Regional LEP is addressed in Section 3.2 of this report.

There are no other provisions of the LEP that substantially govern the development, and the Department is satisfied that the project can be managed in a manner that is generally consistent with the aims, objectives and provisions of the LEP.