

Our ref: Aquila Wind Farm (SSD-67667971)

Mr Jack Henderson
Wind Project Developer
ACEN Australia Pty Ltd
25 Bligh Street
Sydney NSW 2000

18/03/2024

Subject: Planning Secretary's Environmental Assessment Requirements

Dear Mr Henderson

Please find attached a copy of the Planning Secretary's environmental assessment requirements (SEARs) for the Aquila Wind Farm (SSD-67667971).

The SEARs have been prepared in consultation with relevant public authorities, based on the information you have provided. A copy of the advice from the public authorities is attached for your information.

The Department reiterates its concerns about the environmental constraints present within and surrounding the site. In particular, this relates to visual impacts resulting from a proposed layout with individual turbines and clusters of turbines within close proximity to individual receivers and clusters of receivers and consultation with those potentially visually affected by the project.

Where relevant, the Planning Secretary may modify the SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

Your SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Preparing your EIS

Your environmental impact statement (EIS) must be prepared having regard to the department's *State Significant Development Guidelines* – including the *Preparing an Environmental Impact Statement Guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework.

During the preparation of your EIS, you are required to consult with various parties, including the department and relevant agencies, in accordance with *the Undertaking Engagement Guidelines for State*

Significant Projects. For more information, please visit the [Prepare EIS page](#) on the NSW planning portal.

Agency contact details can be found at

<https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

The Department would like to meet with you regularly during the preparation of your EIS.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021. A pro forma declaration can be found in [Appendix B of the Preparing an Environmental Impact Statement Guideline](#).

Lodging your development application (DA)

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). We will also notify you of the DA fee for your project.

Please note that **your DA is not taken to be lodged until the DA fee has been paid.**

To minimise delays, **please contact the department at least two weeks before you submit your EIS** to confirm fee determination information and payment arrangements. This will give us sufficient time to ensure your application fee can be determined quickly.

Information needed to determine the DA fee

Your application will need to be accompanied by an Estimated Development Cost (EDC) Report supporting the estimated development cost for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

Once you submit your EDC Report, we will check it for completeness against the requirements of the EP&A Regulation and the relevant Planning Circular.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

Public exhibition requirements

When you contact us regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the EIS will be required for public exhibition.

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Australian Government Department of Climate Change, Energy, the Environment and Water to determine if you need approval under the EPBC Act (<https://www.dcceew.gov.au/> or 6274 1111).

If you have any questions, please contact Ellena Tsanidis on 92286214 or via email at ellena.tsanidis@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Nicole Brewer".

Nicole Brewer
Director
Energy Assessments

as delegate for the Planning Secretary