



Office of the Secretary

Dr Michael Crawford
426 Barnet Drive
Boro NSW 2622

15/17886

Dear Dr Crawford

Thank you for writing to me about your concerns with the Jupiter Wind Farm.

I can confirm that the Department's press release accurately reflects the reasons why the development application and Environmental Impact Statement (EIS) were not accepted by the Department.

It is now up to the proponent to address these issues, especially undertaking further consultation with the owners of affected residences to determine what additional mitigation can be implemented to reduce the visual impacts of the project.

The Department will review any revised EIS to ensure it adequately addresses the environmental assessment requirements before accepting the application and placing any documents on public exhibition.

In regard to decommissioning, I can confirm that development consents for wind farms include specific obligations on the proponent for decommissioning of the project and rehabilitation of the site.

However, where the company becomes insolvent, the owners of the land may be required to comply with the decommissioning and rehabilitation obligations under the consent. This is because in NSW the development rights and the associated conditions apply to the subject land (rather than to a particular person or corporate entity).

While the specific matters covered by landholder agreements are a matter for the proponent and landholders, the Department would expect that landowner agreements address decommissioning and rehabilitation responsibilities.

The Department has referred EPYC to the Department's *Voluntary Land Acquisition and Mitigation Policy* where there is some guidance about what should be included in negotiated agreements with local landholders, albeit in the context of mining.

The Department is also developing specific guidelines for wind farms that cover decommissioning and rehabilitation responsibilities among other matters. This will provide greater clarity for both proponents and local residents living in the vicinity of wind farms.

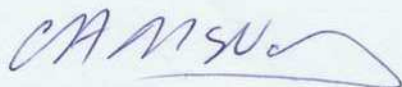
Finally, as you would be aware, the Department has had an active involvement in the operation of the Jupiter Community Consultative Committee (CCC), including attending meetings and responding to a range of detailed questions from the members of the committee.

I understand that this process has been working well, and I can assure you that the Department will continue to actively participate in the CCC throughout the assessment process.

However, if you have concerns about the operation of the CCC, I would encourage you to raise your concerns with the chair of the committee (Mr Brian Elton) in the first instance. It is the role of the chair to address any issues with the operation of the CCC, including ensuring concerns about information. The chair can then raise these issues directly with the Department for further action, if necessary.

Should you have any further enquiries, please contact Mr Mike Young, Director Resource Assessments on (02) 9228 2091.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CMcNally', with a long horizontal flourish extending to the right.

Carolyn McNally
Secretary

12.2.16