

4 OVERVIEW OF THE PROJECT

4.1 General overview

Based on current technologies, it is proposed that the Kyoto Energy Park near Scone could generate up to 200MWh of electricity in a clean, green and renewable manner. The method of generation is further described in Section 4.5.

The energy park is proposed to comprise:

- Wind Turbine Generators;
- Solar Panel Collectors and Converters;
- A Solar-Thermal Array;
- Mini closed loop hydro-electric facility;
- Ancillary equipment, tanks, facilities / roads;
- Upgrade of local electricity network;
- Manager's Residence; and
- Energy Park Visitor and Education Centre.

4.2 Government support

The NSW Sustainable Energy and Development Authority (SEDA, now part of the NSW Department of Energy Utilities and Sustainability) identified the site in 1995 as one of eleven sites in NSW highly suitable for the generation of electricity from wind. A Wind Monitoring Tower was installed on the site and has been logging wind conditions for over 7 years, confirming that the location is practical and effective.

In 2005, the Upper Hunter Shire commenced the process with support from the NSW Department of Planning to allow Eco-generating devices in the Shire with by way of an amendment to the Scone Local Environment Plan.

Also in 2005, the Upper Hunter Shire Council approved the proposal to install additional Wind Monitoring towers on both the Middlebrook Station and Mountain Station sites.

4.3 Statutory Overview

This is a Project Application for Concept Approval under Part 3A of the Environment Planning and Assessment Act 1979.

This application is proposed to cover the lands upon which the Kyoto Energy Park is situated and the lands upon which the electricity network is situated, which as a result of this proposal may require some upgrade. Furthermore, during this Project Application process, certain minor paper roads are proposed to be closed.

It is expected that should approval be granted for this Project Application, then conditions will be placed on the consent that may require subsequent detailed approvals.

The specific matters seeking consent are set out in Section 6.

4.4 The Site

The site in general terms comprises lands that have great topographical variety and as a result of changes in global commodity markets and global warming over the last 20 years the lands have progressively gone from 'productive' to 'marginal' in terms of agricultural production and value.

The particular topographical features lend themselves well to the different eco-generating devices.



*Mountain Station viewed from the North West.
Most all land in this view is part of Mountain Station*

4.5 Proposed Energy Park

The proposed eventual capacity of the Kyoto Energy Park could reach 200MW, and with new improved technologies, even more.

The anticipated breakup of this capacity is:

- Wind 85-120MW
- Solar-Thermal 40-60MW
- Other 15-20MW

4.5.1 Wind Turbine Generators

The forecast likely total number of Wind Generator Turbines at the two sites would be between 35 and 45 with the turbines as ranging in size between 2MW and 4.5MW.

Middlebrook Station is likely to have a maximum of 12 turbines and Mountain Station is likely to have a maximum of 35 Turbines. The forecast possible total generation of energy from wind at the two sites would be in the range of 85MW – 120MW.

The proposed likely height of towers would be in the range of 80m to 105m, with likely a blade length of 45m.

Should staging be seen as the prudent form of development, it is entirely likely that newer turbine designs will be available for latter stages. Accordingly this will potentially increase the overall forecast capacity of the sites.

It is proposed the final layout of the turbines, their exact height, blade diameter and spacing will be the subject of a more detail construction consents.

4.5.2 Solar Thermal Plant

Electricity generated from a solar thermal capability of 60MW is identified as easily achieved at Mountain Station. This should cover approximately fifty to one hundred hectares of land depending on the final choice of technology. The opportunity exists to easily increase this if deemed appropriate.

The land identified for the solar thermal plant is on the plateau at the southern end of Mountain Station.

Location and altitude readings have been taken at Mountain Station and fed into the computers at NASA to ascertain the potential of the right solar radiation levels at the site.

It is proposed the final detailed location, technology choice and configuration will be the subject of further construction consents.

4.5.3 Photo-Voltaic Solar Array

Issues remain with this technology that mean its large scale use at the Kyoto Energy Park whilst welcome, is likely to be some time off into the future.

Accordingly the short term likely uses of photo-voltaics will be for ancillary uses such as pumping systems around the land.

4.5.4 Closed Loop Hydro Plant

Due to the particular topography of Mountain Station, it is possible to investigate a small closed loop hydro-electric generator in the central valley.

The hydro electric generator would be supported with photo-voltaics for re-pumping of the water back to the water store.

The land is well suited and with the adjacent energy infrastructure, a small closed-loop hydro-electric generator is quite feasible.

4.5.5 Energy Storage Systems

The proposal includes ancillary energy storage systems.

4.5.6 Water recycling

Ancillary to the Wind Park will be a Visitor and Education centre. As part of this Centre, a proven water recycling system will be utilised and showcased, demonstrating further the sustainable manner in which modern buildings can be created. This will reduce reliance on potable water supplies. (A brief extract of one such technology is included in Appendix F.)

4.5.7 Visitor and Education Centre

Ancillary to the Wind Park, located at the escarpment of Mountain Station overlooking Scone, it is proposed to construct a Visitor Centre that will showcase the technologies at the energy park.

The Visitor and Education Centre shall explain and describe the processes as well as the benefits of the technologies, and how the electricity produced at the park integrates into the broader community.

It is seen as an opportunity for Scone to strongly identify itself as a beacon of leadership making a commitment to power Scone's electricity needs from renewable sources.

It is proposed to upgrade the access road to the Visitor and Education Centre to allow small bus tours and groups such as schools, business and general tourism.

As part of the Visitor and Education Centre, a small café is proposed to make the journey easier, to encourage longer stays at the energy park and Scone generally and accordingly provide a greater appreciation of the benefits of the energy park.

Importantly, the proposed location for the Visitor and Education Centre ensures it is possible to clearly see power stations and the coal mines to the south such that Visitors may appreciate bluntly the difference between coal fired and renewable energy production.

In addition to showcasing of the energy technologies, the water recycling system will be demonstrated.

It is proposed the Visitor and Education Centre's design will be subject of a condition for a submission to Council of the design detail for approval. In principle, it is intended to be a strong, bold iconic building, worthy as a genuine point of interest for the Scone region and a destination attraction for the region. We believe this to be an important opportunity to communicate broad regional messages about creating a renewable energy future and an important element of the energy park.

4.5.8 Manager's Residence

Ancillary to the Wind Park (and in support of the final Energy Park) is a need for local employment and a belief that a strong and active management is required. Accordingly a small Manager's residence is proposed on the northern ridge of Mountain station. The detailed design of this is proposed to be the subject of a condition to submit the detail to Council for approval.

4.5.9 Ancillary works on site

Approval is sought for roads, sheds, fences, gates, signage and the like, all which are ancillary to the energy park, visitor centre and manager's residence.

4.5.10 Ancillary works off site

Approval is sought for upgrade of power lines in the area to accommodate the power needs. The initial consultants report indicates a power pole system similar to the existing, in similar locations, heights and routes will be sufficient – albeit, the existing timber poles may be replaced by concrete and /or steel poles and the poles may be approximately 3-5m higher.

4.5.11 Other Matters

To make efficient the process for approval, approval shall also be sought for the closure of minor paper roads and the tidying up of a number of small title issues.

4.6 Site Layout

The site layout shown in the diagrams supporting this application is conceptually correct to the extent of detail appropriate for a Preliminary Assessment Report phase of a Project Application. As part of the more detailed phases, these diagrams will be refined to provide more specific commitments. The final positions of the eco-generating devices will change, but in such a manner as will be explored during the Environmental Assessment phase of this Application.

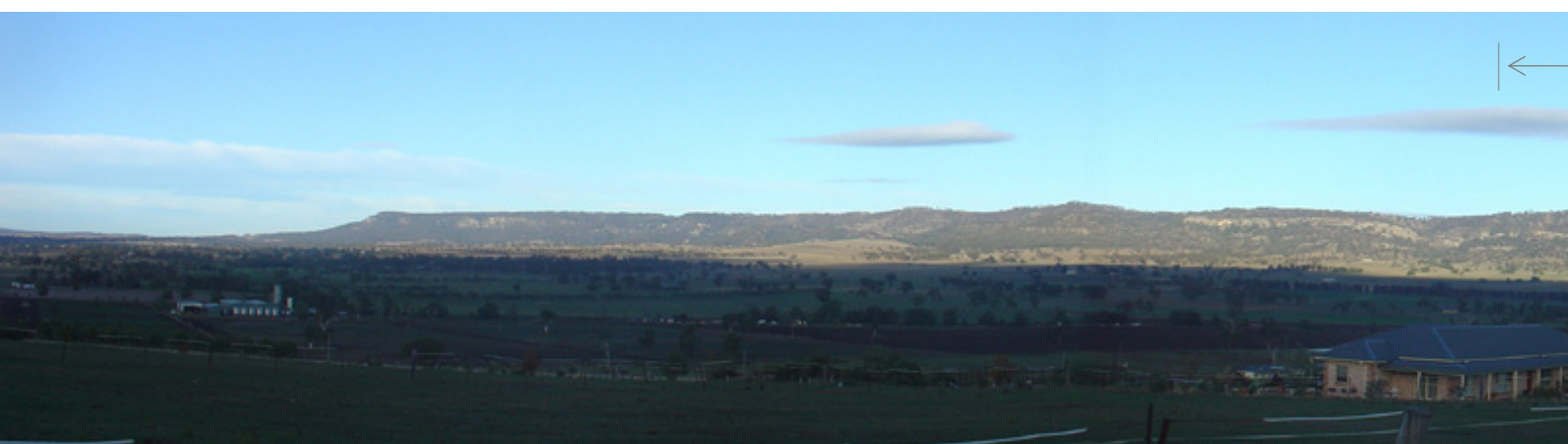
4.7 Staging

It is possible, although not presently intended, that the Kyoto Energy Park is staged in its construction.

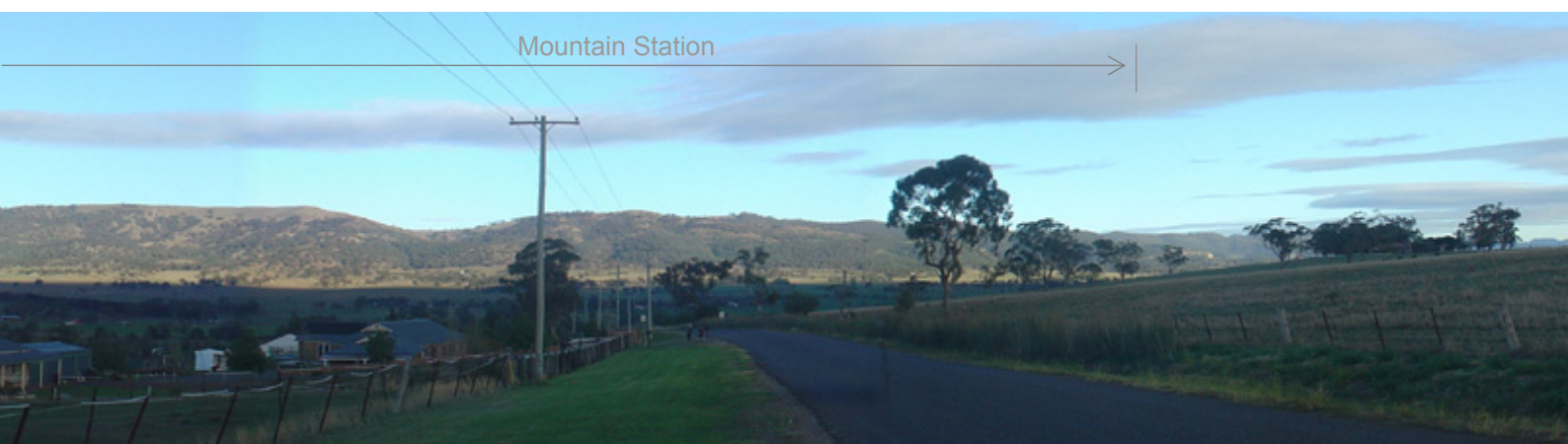
4.8 A Community Project

Fundamental to the venture is ensuring the project is 'owned' by the community and is seen unambiguously as a community asset that supports the message that Scone is a green and clean special part of Australia, and reinforces Scone as *The* destination for a balanced agricultural life.

As part of the development process and as a commitment to the project, a Community Plan will be prepared with community leaders. The Community Plan will identify the company's commitment by way of seed funding and assistance with the raising of further funds to enable and support local good living and thriving enterprise.



To ensure a balanced and fair system for determination of eligible programmes for support, the Proponent proposes the formation of the Moobi Foundation. The Moobi Foundation is proposed to be chaired by 6 open-thinking non-politically aligned individuals who will work with the community to support its programmes and support the message that Scone is a clean and green community.



5 SUBJECT LAND

5.1 General

The land upon which this proposal is subject to, is as shown and described in detailed terms in Sections 5.2 and 5.3 and the diagrams attached to the application.

The land upon which the energy park is proposed is used for agricultural purposes. Both properties, Mountain Station and Middlebrook Station lie to the west and north-west of Scone, by some 10-12km.

The areas of Mountain Station proposed for the energy park have been heavily cleared. The relevant areas of Middlebrook Station have had some significant clearing and has signs of past fires, as much of the bushland appears as regrowth. No significant clearing will be required for the proposed works in this application.

5.2 Mountain Station

The lots the subject of this application are: (Please refer to Appendix E for further detail)

- Lots 20, 21, 23, 24, 30 – 39, 43, 50, 51, 53, 54, 60, 63, 65 – 71, 74, 85 – 92, 102, 106, 114 – 116 and 118 in DP 750939;
- Lots A and B in DP 154583; and
- It is proposed as part of this application that Lot 118 in DP 750939 is converted from Leasehold to Torrens Title

5.3 Middlebrook Station

The lots the subject of this application are: (Please refer to Appendix E for further detail)

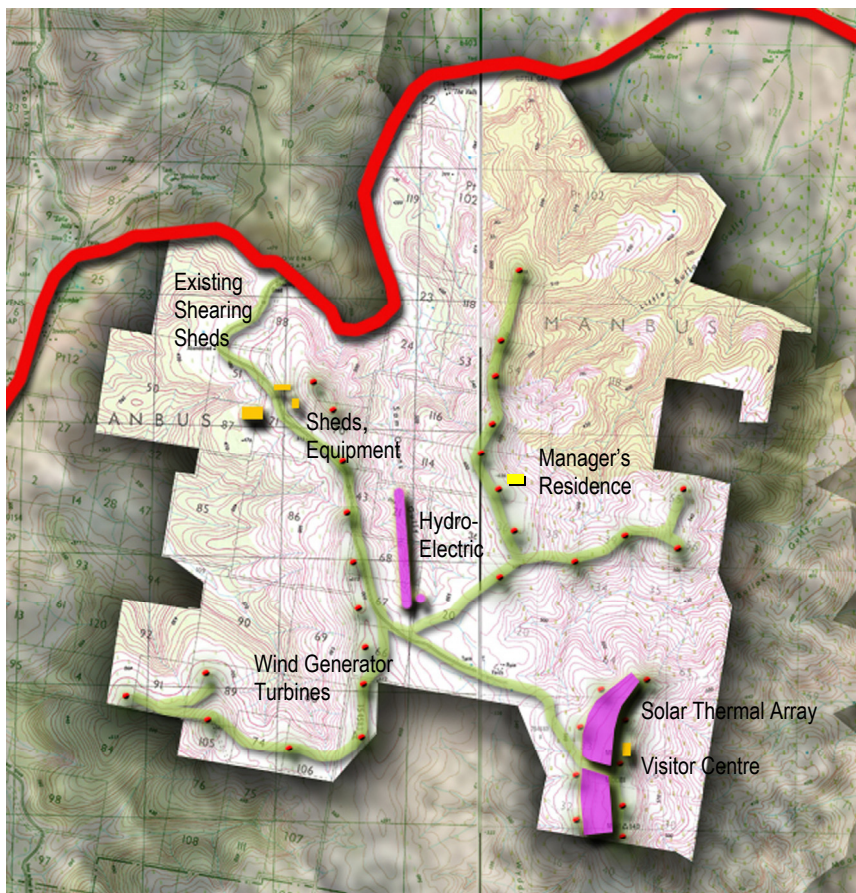
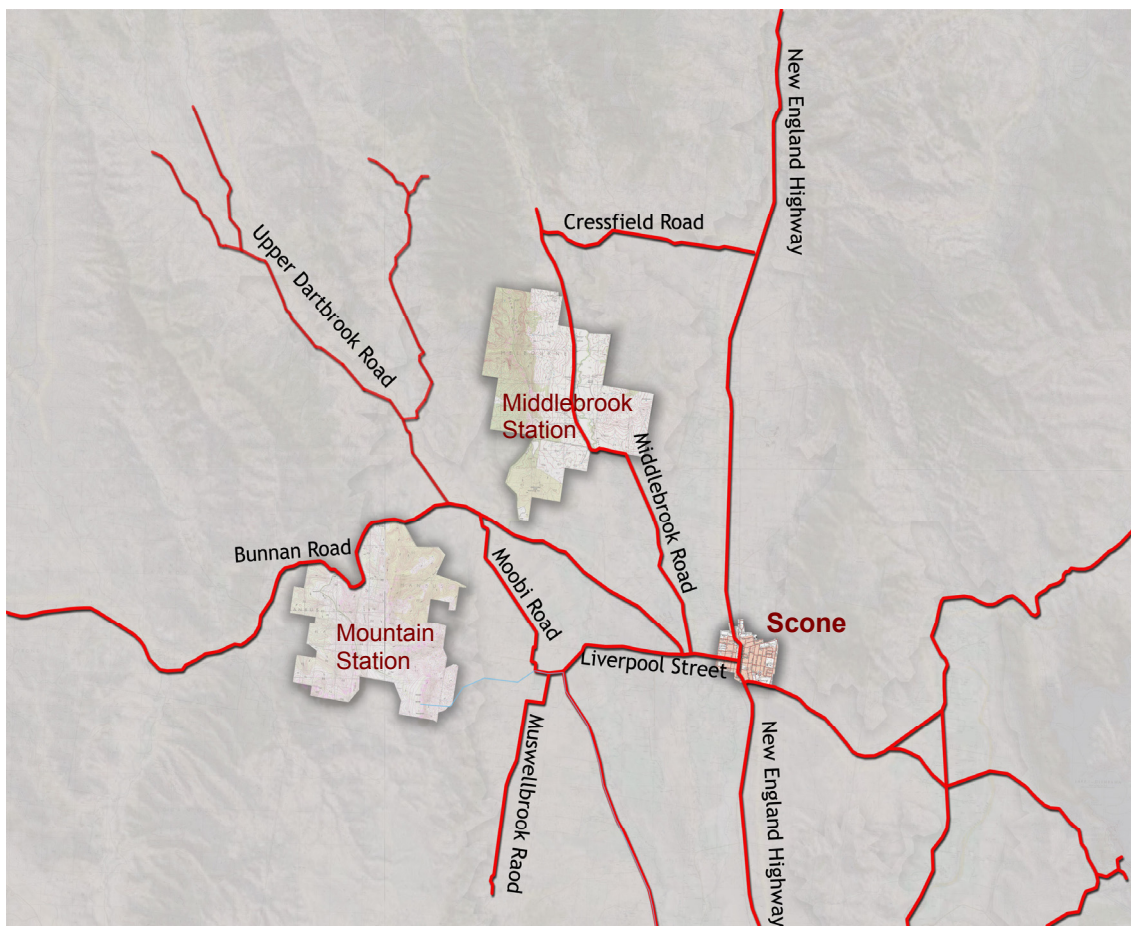
- Lots 17, 115 – 120, 126 and 127 in DP 750941;

5.4 Other land

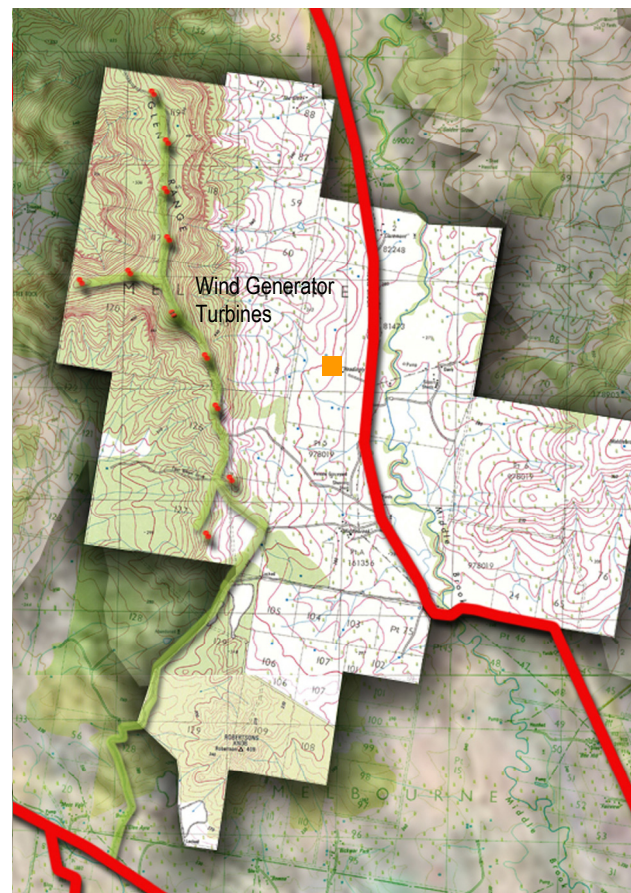
Land required for the connection to the main grid is shown briefly below and also in more detail in Appendix E.

This land already has electrical power poles.

In some instances no work will be required, but in most cases the poles will require upgrade of electrical capacity. The land with existing power poles is currently in road reserves or within easements created for them.



Mountain Station



Middlebrook Station

6 SPECIFIC MATTERS SEEKING CONSENT

As part of the planning process, the proponent was required to seek confirmation from the Director General NSW Department of Planning that the proposal meets the requirements of a project required to be submitted under Part 3A of the Environment Planning and Assessment Act 1979.

The request and the subsequent approval are attached in the Appendix.

The specific matters seeking Project Approval by this Project Application are:

- (a) A proposed siting on the land of a small closed loop hydro-electric plant. The use of the lots on Mountain Station for an Energy Park for the creation of electrical energy using eco-generating devices (wind turbines) and ancillary equipment, connection, roadworks, gates, sheds, transformers and similar works;
- (b) The use of the lots on Mountain Station for the creation of electrical energy using eco-generating devices including but not limited to:
 - solar panels;
 - solar-thermal devices;
 - hydro-electric devices and
 - ancillary equipment connection, roadworks, gates, sheds, transformers and similar works;
- (c) The use of the lots on Middlebrook Station for an Energy Park for the creation of electrical energy using eco-generating devices (wind turbines) and ancillary equipment, connections, roadworks, gates, sheds, transformers and similar works;
- (d) A proposed likely solar-thermal array of one square kilometre (1km²)
- (e) A proposed siting on the land of a small closed loop hydro-electric plant
- (f) The use of lots on Mountain Station for a Manager's Residence;
- (g) The use of lots on Mountain Station for a Visitor and Education Centre ancillary to the Energy Park for education and tourism purposes;
- (h) The use of the land as shown in the drawings in Appendix E : Maps and Drawings to upgrade the regional electricity Network if required;
- (i) The proposed likely generating capacity of Mountain Station and Middlebrook Station from Wind Turbine Generators up to 120MW;
- (j) The proposed likely maximum number of 35 Wind Turbine Generators for Mountain Station.
- (k) The proposed likely maximum number of 12 Wind Turbine Generators for Middlebrook Station.
- (l) The proposed maximum likely height of 105m of the Wind Turbine Generators (measured to the Nacelle) with a likely maximum blade length of 46m.

Existing agricultural and rural uses on the land will continue and are not proposed to be in any way changed by the addition for new uses on the land at either site.



7 PRELIMINARY CONSIDERATION OF ENVIRONMENTAL FACTORS

7.1 Overview

Part 3A of the Environment Planning and Assessment Act identifies the steps and procedures for application under that part. This project application will be forwarded by the Department of Planning to relevant authorities and organisations with a view of convening a Planning Focus Meeting. Arising from the Planning Focus Meeting will be the Environmental Assessment Factors that will be required to be evaluated for the project.

Without pre-empting any relevant stakeholder process, preliminary consideration is provided in this section of the Environmental Assessment factors that it is felt are relevant and appropriate to address for this application for Project Approval under Part 3A.

Each environmental consideration is discussed in brief.

Further, in Appendix C : Environmental Assessment Factors, proposed commitments are suggested with regard to each environmental consideration, relevant to the nature of the application.

7.2 Community Involvement

A significant and highly proactive community participation philosophy is at the core to the design, development and operational phases of the project.

The creation of the energy park is a great opportunity for the broad community and numerous commitments that are proposed to come in under a single coordinated strategy.

The commitments are identified in Appendix C : Environmental Assessment Factors and are proposed to laid out in more detail in the Community Plan, a Kyoto Energy Park initiative to harness the collective goodwill of the project, its stakeholders and the broader community to develop and/or support programmes that have a clear benefit to the broader community.

7.3 Visual Assessment

Much debate exists nationally regarding the introduction of large scale wind turbines into the landscape. Similarly, there is much debate and universal dislike regarding the coal mining and coal burning energy developments of the Lower Hunter.

Some of the wind turbine devices that are proposed as part of the energy park will be visible from a variety of locations such as Scone itself. An existing 71m wind monitoring tower exists on Mountain Station and provides a useful scale to the proposed Wind Turbines, once installed.

A detailed visual assessment is proposed as part of the planning report, responding to the Environmental Assessment Factors.

7.4 Acoustic Issues

Acoustic issues that will be addressed with the energy park are:

- Construction Noise
- Wind blade friction noise
- Transformer / generator noise

The most emotive public issue generally is wind blade friction noise. This is proposed to be addressed in some detail as part of the planning report responding to the Environmental Assessment factors.



7.5 Flora and Fauna

Flora and Fauna impacts will be addressed as part of the responses to the Environmental Assessment Factors. Historic knowledge of the sites does not identify any species of flora and fauna that is likely to be negatively impacted upon in any significant manner.

7.6 Transport

As part of the Environment Assessment factors process associated with this Project Application process, transportation impacts for the construction phase and identification of any anticipated ongoing impacts will be identified.

The nature of impacts are:

- Haulage of very long and complex equipment and plant (general impacts as well as demonstration that street corners can be turned)
- Routes and impacts on the haulage of the equipment and plant during daylight hours
- Ability to enter and store equipment on site without waiting on nearby roads
- Identification of roads or access ways requiring any work or temporary closure



7.7 Electro-magnetic Interference

As part of the response to the Environment Assessment factors process associated with this Project Application process, identification of the nature of electro-magnetic interference will be discussed and any impacts, if any identified.

It is unlikely given to remoteness of the site to other dwellings or buildings to have any impacts.

7.8 Geotechnical and Resources

As part of the response to the Environment Assessment factors process associated with this Project Application process, identification of the general geological setting and whether there could be any issues arising.

7.9 Flicker Assessment

As part of the response to the Environment Assessment factors, we propose to submit a commentary on the effects of Shadow Flicker. Shadow Flicker is an event sometimes occurring at a short time interval at a certain time of the year and day, at a particular wind speed for the Wind Turbines. This is a relatively rare event, but can happen. It is possible to programme the wind turbines to mitigate the likelihood of shadow flicker once the study has been completed.

7.10 Archaeological

7.10.1 Aboriginal

The land the subject of this application falls within the lands, the traditional country of the Woonarua people, and likely to be lands occupied by the Tullong and Murrawin tribes or families. It is likely that there has been no use or involvement with the lands since the early 1800's.

As part of the consideration of Environmental Assessment factors, a process of engagement with the Woonarua Land Council is identified as well as development of ongoing participation in the draft Community Plan.

7.10.2 Western

The land the subject of this application falls within the lands today owned by interests associated with the Henderson family of Scone. The Hendersons have been farming the land for about 70 years. There are no known items of particular archaeological western significance.

As part of the consideration of Environmental Assessment factors, a more detailed review will be provided.

7.11 Aviation

Identification as to whether CASA requires any signage, lighting or advisory management practices. (CASA have thus far advised there is no issue as Scone is not a Scheduled Airport)

Appendices

Appendix A : Part 3A – Advice of the Director General



NSW GOVERNMENT
Department of Planning



Contact: Paul Weiner
Phone: 02 9228 6339
Fax: 02 9228 6335
Email: paul.weiner@planning.nsw.gov.au

Our ref: 9041185-1
Your ref: RJC:LR105213

Mr Robert Chambers
Director
BBC Consulting Planners
PO Box 438
BROADWAY NSW 2007

Dear Mr Chambers

Attention: Ms Julie Horder

Subject: Kyoto Wind Farm

Reference is made to your letter of 29 November 2005 regarding your request for the Minister's opinion that the Kyoto Wind Farm proposal is development of a kind that is described in Schedule 1, Group 8, clause 24 of the Major Projects State Environmental Planning Policy.

The Director-General, as the Delegate of the Minister for Planning, formed the opinion on 5 March 2006 that the Kyoto Wind Farm proposal is a project to which Part 3A of the Environmental Planning and Assessment Act applies.

Please contact Mr Paul Weiner if you have any queries.

Yours sincerely

Neville Osborne 9/3/06
Team Leader – Water/Energy
Major Infrastructure Assessment

Department of Planning, 23-33 Bridge Street (GPO Box 39), Sydney, NSW 2001
Website www.planning.nsw.gov.au

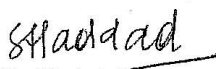
**Record of Minister's opinion for the purposes of Clause 6(1) of the State
Environmental Planning Policy (Major Projects) 2005**

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning under delegation executed on 31 October 2005, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 1, Group 8, clause 24 of State Environmental Planning Policy (Major Projects) 2005 namely development for the purpose of a wind electricity generation facility that has a capital investment value of more than \$30 million. It is therefore declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

Proposed Kyoto Wind Farm

A proposal by Pamada Pty Ltd for the Kyoto Wind Farm, a wind electricity generating facility located within Upper Hunter Shire, with a likely installed generating capacity of up to 110 MW comprising up to 37 turbines, as generally described in the attached letter to the Department of Planning dated 29 November 2005 from BBC Consulting Planners, on behalf of the Proponent.


Sam Haddad
Director-General
Department of Planning

Date: 5/3/2006

COPY



NSW GOVERNMENT
Department of Planning

COPY

Contact: Neville Osborne
Phone: (02) 9228 6337
Fax: (02) 9228 6355
Email: neville.osborne@planning.nsw.gov.au

Mr Robert Chambers
Director
BBC Consulting Planners
P O Box 438
BROADWAY NSW 2007

Our ref: S06/01283
Your ref: RJC:LR/05213

Dear Mr Chambers

**Kyoto Energy Park (Stage 2) Proposal – Application of Part 3A of the Environmental
Planning and Assessment (EP&A) Act**

I refer to your letter dated 14th December, 2006, written on behalf of Pamada Pty Ltd, which sought advice on the application of Part 3A of the EP&A Act to the Kyoto Energy Park (Stage 2) proposal.

The Director-General of the Department of Planning, as delegate of the Minister for Planning, has formed an Opinion that the Kyoto Energy Park (Stage 2) proposal (as described in your letter) will be subject to Part 3A. A copy of the Opinion is enclosed for your information.

Please contact Mark Turner on 9228 6351 or me on 9228 6337 if you would like to discuss this matter.

Yours sincerely

Neville Osborne
Manager, Water and Energy
Major Infrastructure Assessments

30/1/07

Record of Minister's opinion for the purposes of Clause 6(1) of the State Environmental Planning Policy (Major Projects) 2005

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning under delegation executed on 31 October 2005, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 1, Group 8, clause 24 of State Environmental Planning Policy (Major Projects) 2005 namely development for the purpose of an electricity generation facility that has a capital investment value of more than \$30 million. It is therefore declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

Proposed Kyoto Energy Park (Stage 2)

A proposal by Pamada Pty Limited for the Kyoto Energy Park (Stage 2), a renewable electricity generating facility located within the Upper Hunter Council area, comprising of a Photo-Voltaic Solar Array System, Solar Thermal Plant, Closed loop Hydro-Solar Plant and ancillary facilities, as generally described in the attached letter to the Department of Planning dated 14th December, 2006 from BBC Planners, on behalf of the Proponent.




Sam Haddad
**Director-General
Department of Planning**

Date: 25/1/2007.

Appendix B : Letter to the Director General

cc Mark Sydney



B B C
CONSULTING PLANNERS

29 November 2005 Our ref: RJC:LR\05213

Department of Planning
GPO Box 39
SYDNEY NSW 2000

Attention: Mr Neville Osbourne, Manager – Energy and Sewerage, Major Projects and Infrastructure

Dear Neville

re: Kyoto Wind Farm Project: Land near Scone, Upper Hunter Shire

We write on behalf of Pamada Pty Ltd in relation to that company's intention to lodge a Part 3A Project Application with the Minister for Planning. The Project Application will seek Concept Approval for the Kyoto Wind Farm Project, details of which are set out below.

1) Purpose of this letter

This letter seeks the Minister's opinion pursuant to Section 6 of State Environmental Planning Policy (Major Projects) 2005 ("the SEPP") that the Kyoto Wind Farm Project with a capital investment value of up to (approximately) \$230 million, is development of a kind that is described in Schedule 1, Group 8 of the SEPP, and is, therefore, a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

2) Major Projects – SEPP Framework

Sub-section 6(1) of the SEPP specifies that:-

"Development that, in the opinion of the Minister, is development of a kind:

(a) that is described in Schedule 1 or 2.....

is declared to be a project to which Part 3A of the Act applies."

Schedule 1 of the SEPP is entitled "Part 3A projects – classes of development". Under the heading "Group 8: Transport, Energy and Water Infrastructure", the following type of projects are identified:-

55 MOUNTAIN STREET BROADWAY NSW 2007 ~ PO BOX 438 BROADWAY NSW 2007 ~ TELEPHONE [02] 9211 4099 FAX [02] 9211 2740
EMAIL: bbc@bbcplanners.com.au ~ WEB SITE: www.bbcplanners.com.au
11200505213CorrespondenceL-DoP - Kinkay 051129.doc Page 1

ABN 24 061 868 942



"Development for the purpose of an electricity generation facility that:

- (a) has a capital investment value of more than \$30 million for gas or coal-fired generation, or co-generation, or bioenergy, bio-fuels, waste gas, bio-digestion or waste to energy generation, or hydro or wave power generation, or solar power generation, or wind generation, or*
- (b) ...*
- (c) is located in an environmentally sensitive area of State significance."*

3) Land to which the Project Application will relate

The project relates to two separate properties, both in the same ownership, which lie around 10 km west of Scone in the Upper Hunter (see attached map). Each of the two properties has an area of around 1,900 hectares and is predominantly used for agricultural purposes.

4) Development to which the Project Application will relate

The project comprises the design, installation and operation, in stages, of wind turbines, on towers on each of the properties and the reticulation of power thereby generated into the grid. The southern landholding of the two is capable of accommodating between 15 and 25 turbines, whilst the northern landholding could accommodate between 8 and 12 turbines. The former is likely to generate a minimum of 30 MW within the first phase of construction and 75 MW at full development. The latter is likely to generate a minimum of 16-35 MW.

The estimated installed costs are \$150 million and \$72 million, respectively.

The Project Application will seek Concept Approval subsequent to which further approvals will be obtained as required. Part 3A provides the appropriate assessment and determination framework for this major project and will facilitate effective and efficient consideration of the associated and inter-related grid connection issues off the specific site.

5) Permissibility

The Upper Hunter Shire Council recognises the importance of encouraging and facilitating alternatives to fossil fuels as an energy source. In this regard, Upper Hunter Shire Council, on 24 August 2005, exhibited Scone LEP 1986 (Draft LEP Amendment No. 64), which seeks to insert "eco generating works" into the list of defined uses in the Scone LEP. The relevant definition is as follows:-

"eco generating works' means a building, work or place used for the generation of energy using:

- (a) renewable resources such as solar, wind or tidal energy and the like,*
- (b) resources such as methane gas produced from land-fill operations"*



The draft LEP attracted only submissions in support and is now being finalised prior to gazettal. Accordingly, the Project Application, which will seek Concept Approval for wind turbines being "eco-generating works" as defined in the Draft LEP, will be permissible once the Draft LEP is gazetted.

6) Upper Hunter Council

Representatives of the applicant have met with the Mayor and other Councillors on Upper Hunter Shire Council in relation to the project. The proposal is one which is likely to be vigorously supported by the Council as it epitomises the shift to clean, non-fossil fuel energy sources which the Council so enthusiastically embraces. Council's General Manager has offered to meet with the Department to discuss the assessment process in due course.

7) Conclusion

Pamada Pty Ltd seeks the Minister's opinion that the Kyoto Wind Farm Project is development to which Part 3A of the Act applies.

The proposal clearly satisfies the definition of a project to which Part 3A applies and we therefore seek the Minister's opinion to permit the making of a project application for approval. We would also request that consideration be given to the possible role of the Upper Hunter Shire Council in the processing and assessment of the Project Application.

Should you have any queries about this request, please contact the undersigned on 9211 4099 or Mr Mark Sydney of Pamada Pty Ltd on 9969 3608.

Yours faithfully,
BBC Consulting Planners

A handwritten signature in black ink, appearing to read 'Robert Chambers', is written over a horizontal line.

Robert Chambers
Director
Email: bob.chambers@bbcplanners.com.au