

DEPARTMENT OF PLANNING & INFRASTRUCTURE

Development Assessment Systems & Approvals

SUBJECT: CAPITAL II WIND FARM – MODIFICATION 1

PURPOSE

To determine a modification request for the Capital II Wind Farm.

BACKGROUND

The Capital II Wind Farm was approved by the PAC on 1 November 2011. Figure 1 (Tag B) is reproduced from the Proponent's Capital II Wind Farm EA. The approved project includes:

- 41 wind turbine generators with a generating capacity of approximately up to 100 megawatts, kiosk transformers and access tracks;
- up to three meteorological monitoring masts;
- up to 10 kilometre section of internal overhead transmission line. The Project would utilise the existing Capital Wind Farm 330 kilovolt grid connection and substation infrastructure; and
- associated temporary and ancillary works.

The Proponent has contacted the Department on numerous occasions to discuss a proposed modification to wind turbine generating (WTG) capacity. The Proponent indicated that flexibility is being sought regarding WTG capacity, with potential for up to 3.5 MW turbines, in comparison to the EA which identifies up to 3.0 MW turbines.

PROPOSED MODIFICATION

Approval is sought for modification to the EA such that all references to a WTG capacity of up to 3.0 MW is amended to read 3.5 MW. This would require amendment to condition A1 and consequential amendment to conditions A2 and F2.

CONSULTATION

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification request was made available on the Department's website. Due to the minor nature of the proposed modification, the modification request was not exhibited, nor consultation undertaken, by any other means. No public submissions were received on the modification request.

DELEGATED AUTHORITY

On 1 October 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- there are less than 10 public submissions in the nature of objections.

As the local council has not made an objection, no political donations have been made in the last two years, and no public submissions were received, the Director may determine the modification request under delegated authority.

KEY ISSUES

Operational Noise

The Proponent has provided information demonstrating that there is no relationship between WTG capacity and noise, and has provided a table demonstrating that larger generating capacity wind turbines may produce less noise than a smaller generator.

The Proponent's EA was prepared based on the example of a 3.0 MW turbine capacity. Table 1 clearly shows that an example of a larger 3.2 MW turbine can be quieter than the 3.0 MW turbine.

Table 1 – Sound power level comparison

Wind Speed (10m AGL)	S88 2.1MW Sound power level	Sinovel 3.0MW Sound power level	Repower 3.2MW Sound power level
5ms	103.6 dB(A)	103.9 dB(A)	100.6 dB(A)
6ms	103.0 dB(A)	103.9 dB(A)	103.2 dB(A)
7ms	103.7 dB(A)	104.7 dB(A)	103.5 dB(A)
8ms	104.3 dB(A)	103.9 dB(A)	103.2 dB(A)
9ms	103.6 dB(A)	103.5 dB(A)	102.9 dB(A)

The Department, in its Director-General's Report for the Capital II Wind Farm, concluded that the operation of the proposed wind farm would not significantly impact upon the noise amenity of non-associated receivers. The implementation of the conditions would ensure the avoidance of any significant noise impacts and the management of any residual noise impacts.

The Department therefore considers that use of alternative wind turbines with generating capacity of up to 3.5 MW is appropriate, subject to sound power levels not being higher than those identified within the EA, and subject to compliance with existing conditions E1 to E6 (operational noise criteria) and E7 to E10 (verification of operational noise).

Other

The Proponent has advised that the project remains consistent with all other criteria approved in the EA, including the physical dimensions of each wind turbine generator.

The Department, in its Director-General's Report for the Capital II Wind Farm, concluded that provided the Proponent implements all its nominated environmental commitments, its recommended impact avoidance and management measures contained in the EA and the Department's recommended conditions, the impacts associated with the operation of the project can be minimised and managed to acceptable levels.

The Department therefore considers that use of alternative wind turbines with generating capacity of up to 3.5 MW is appropriate, subject to the physical dimensions of each wind turbine not being greater than those identified within the EA, and subject to compliance with existing conditions of approval, in particular conditions B1 to B7 (visual amenity), B19 to B21 (aviation obstacles and hazards) and B23 to B25 (electromagnetic interference).


RECOMMENDATION

It is RECOMMENDED that the Director:


- note the information provided in this briefing;
- approve the modification request, subject to conditions; and
- sign the attached modifying instrument (Tag A).

Prepared by:

Approved by:


Diane Sarkies
Senior Planner, Energy

2/7/13


Karen Jones
A/Director, Infrastructure Projects

4/7/13

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure, under delegation enforced from 1 October 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



A/Director, Infrastructure Projects

Sydney

4 July

2013

SCHEDULE 1

Project Approval:

MP 10_0135 granted by the Planning Assessment Commission as delegate for the Minister for Planning and Infrastructure on 1 November 2011.

For the following:

Capital Wind Farm 2, including:

- 41 wind turbine generators with a generating capacity of approximately up to 100 megawatts, kiosks transformers and access tracks;
- up to three meteorological monitoring masts;
- up to 10 kilometre section of internal overhead transmission line. The project would utilise the existing Capital Wind Farm 330 kilovolt grid connection and substation infrastructure; and
- associated temporary and ancillary works.

Modification:

(MP 10_0135 (MOD 1)): Reference to wind turbine generating capacity of up to 3.0MW amended to 3.5MW.

SCHEDULE 2 CONDITIONS

PART A – ADMINISTRATIVE CONDITIONS

Terms of Approval

Delete condition A1 and replace with the following:

A1 The Proponent shall carry out the project generally in accordance with the:

- (a) Major Project Application 10_0135;
- (b) *Environmental Assessment Capital II Wind Farm Bungendore* (Monteath & Powys Pty Limited, December 2010);
- (c) *Submissions Response Report Capital II Wind Farm* (Infigen Energy, April 2011);
- (d) Email correspondence from Infigen to the Department, dated 5, 9, 12, 17 and 20 May 2011;
- (e) Modification to Project Application, Capital II Wind Farm, dated 17 April 2013;
- (f) Additional information in correspondence from Infigen to the Department, dated 24 June 2013; and
- (g) conditions of this approval.

Note: The document listed under Part A, condition A1(c) of this approval includes the Preferred Project Report for the project.

Delete condition A2 and replace with the following:

A2 In the event of an inconsistency between:

- (a) the conditions of this approval and any document listed from condition A1(a) to A1(f) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- (b) any document listed from condition A1(a) to A1(f) inclusive, and any other document listed from condition A1(a) to A1(f) inclusive, the most recent document shall prevail to the extent of the inconsistency.

PART F – DURING OPERATIONS

Independent Environmental Auditing

Delete condition F2(c) and replace with the following:

F2 ...:

- (c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1(a) to A1(f) of this approval;

Figure 1 – Project location

