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The Director
Resource & Energy Assessments
Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: anthony.ko@planning.nsw.gov.au

Attention: Mr Anthony Ko

EPA Advice on Environmental Impact Statement

Dear Mr O'Donoghue,

Thank you for the request for advice from Public Authority Consultation (PAE-11571982), requesting the review by the NSW Environment Protection Authority (EPA) of the Environmental Impact Statement (EIS) for the proposed Hills of Gold Wind Farm Project (Application SSD-9679) located between Hanging Rock and Crawney Pass within the Tamworth Regional Local Government Area (LGA), Upper Hunter LGA, and the Liverpool Plains LGA.

The EPA has reviewed the following documents:

- *Hills of Gold Wind Farm Environmental Impact Statement* – Environmental Resources Management Pty Ltd – dated 18 November 2020 and associated appendices.

The EPA understands the proposal is to construct and operate up to 70 wind turbines, which will include construction of:

- Ancillary infrastructure including access tracks, laydown areas, and road upgrades;
- Two concrete batching facilities;
- Underground and overhead electricity cabling;
- Electrical substation and switching station;
- Battery energy storage system; and
- Grid connection;

Based on the information provided, the proposal is subject to an environment protection licence under sections 43, 47, 55 and/or 122 of the *Protection of the Environment Operations Act 1997* (POEO Act) for electricity generation clause 17 of Schedule 1 of the POEO Act.

The EPA has reviewed the EIS and notes that the EIS does provide the information required by the Secretary's Environmental Assessment Requirements SSD-9679.

The EPA has the following additional comments and recommendations:

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(from outside NSW)		NSW 2124 Australia	NSW 2150 Australia	

1. Matters to be addressed prior to determination

a. Crushing

The proponent has outlined that crushing of materials at the concrete batching plant may occur. The proponent should note that an Environmental Protection License is not required for concrete batching. However, crushing, grinding or separating is a scheduled activity if certain volume limits per day or annually are met. The EPA recommends that the proponent provides an estimate of crushing volumes over the life of the project.

b. Reduced Noise Mode

The EPA notes that without some turbines being operated in a 'reduced noise mode', some exceedances of the nominated criteria are predicted at four (4) non-associated dwellings. Operating some turbines in a 'reduced noise mode' under certain conditions is predicted to result in compliance with the criteria at all dwellings. If a strategy of operating some turbines in a 'reduced noise mode' is intended to be used, proponents must provide Planning, EPA and any potentially impacted residents with the parameters and meteorological conditions which trigger their use and an auditable process by which compliance can be independently confirmed.

2. Matters to be addressed with conditions

a. Works and activities to be carried out in accordance with the EIS

Except as expressly provided by the general terms of approval, works and activities must be carried out in accordance with the Hills of Gold Wind Farm Environmental Impact Statement.

b. Pollution of waters

Except as expressly provided by an Environment Protection Licence (EPL) under the *Protection of the Environment Operations Act 1997* in relation of the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with in, and in connection with, the carrying out of the development.

Any variations to the EPL are to be negotiated with the EPA.

c. Discharges of wastewater

Except as expressly provided for by the EPL, the Proponent must not discharge any wastewater from the Concrete Batching Plant or from any sediment dams associated with the project.

d. Stormwater and sediment control – construction phases

An Erosion and Sediment Control Plan (ESCP) must be prepared for all aspects of the construction phase of the development and must be implemented. Implementation of the scheme must avoid or minimise the impacts of stormwater runoff from and within the premises during construction.

The Stormwater Management Plan should be consistent with the practices and principles contained in *Managing Urban Stormwater – Soils and Construction, Volumes 1 and 2* (Landcom, 2004; DECC, 2008).

e. Stormwater and sediment control – operational phases

An Erosion and Sediment Control Plan (ESCP) must be prepared for all aspects of the operation phase of the development and must be implemented. Implementation of the scheme must avoid or minimise the impacts of stormwater runoff and within the premises during operation.

The Stormwater Management Plan should be consistent with the practices and principles contained in *Managing Urban Stormwater – Soils and Construction, Volumes 1 and 2* (Landcom, 2004; DECC, 2008).

f. Soil and Water Management Plan

The proponent must prepare a Soil and Water Management Plan to address all proposed activities and potential impacts associated with the project. The Plan must set out the procedures for investigating, and if necessary, mitigating surface water, erosion and /or sedimentation impacts of the project.

g. Noise

The EPA considers that the methodology and conclusions for the *Hills of Gold Wind Farm Noise and Vibration Assessment* prepared by Sonus, dated October 2020, are adequate.

The EPA recommends that the:

- project satisfies the noise criteria stipulated in the '*Wind Energy: Noise Assessment Bulletin – For State significant wind energy development, NSW Government 2016*' (Planning Bulletin), meaning:
The predicted equivalent noise level (LAeq, 10 minute) determined in accordance with 'Wind farms – environmental noise guidelines, SA Environmental Protection Authority, (2009)', adjusted for tonality and low frequency noise in accordance with the Planning Bulletin, should not exceed 35 dB(A) or the background noise (LA90(10 minute)) by more than 5 dB(A), whichever is the greater, at all relevant receivers for wind speed from cut-in to rated power of the wind turbine generator and each integer wind speed in between.
- the proponent submits a revised noise impact assessment, before construction commences, to the Planning Secretary for approval based on detailed design and final turbine selection demonstrating that the criteria in the Planning Bulletin can be met. This document can then be used by the EPA to establish numerical (objective) noise criteria for inclusion in the EPL based on the installed turbines.
- The EPA recommends all construction work at the premises must be conducted between 7am and 6pm Monday to Friday and between 8am and 1pm Saturdays and at no time on Sundays and Public Holidays.

The following activities may be carried out outside the recommended construction hours:

- a) construction that causes LAeq(15 minute) noise levels that are:
 - i. no more than 5dB above Rating Background Level at any residences in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
 - ii. no more than the Noise Management Levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; or
- b) for delivery of materials required by the police or other authorities for safety reasons; or
- c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

h. Blasting

If blasting is required for any reason during the construction or operational stage of the proposed development, blast impacts are to comply with the guidelines and criteria contained in '*Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration*' (ANZEC, 1990).

If you have any questions about this request, please contact Daniel Stokes on 4908 6804 or via email at daniel.stokes@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lindsay Fulloon', with a long horizontal stroke extending to the left.

LINDSAY FULLOON
Manager Regional Operations
Regulator Operations Regional West