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Our Ref: 9192

8 July 2022

**DELWP
Statutory Planning Services
Attention: Mr Michael Juttner, Manager
Development Approvals and Design, Renewables
Via Online Portal**

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Dear Michael,

**Section 97I Application to Amend a Planning Permit
Planning Permit Ref: 2006/0220/B
Wind Energy Facility – WOOLSTHORPE**

KLM Spatial acts on behalf of Woolsthorpe Asset Pty Ltd as trustee for Woolsthorpe Asset Trust in preparing and submitting this application to amend a planning permit under Section 97I of the *Planning and Environment Act 1987* (the Act).

The proponent is no longer able to source the previously approved turbines. As such, an amendment to the permit is required to alter the turbine type. Through advances in technology, a more efficient turbine is now proposed. The proposed turbine is higher than that which has previously been approved. The increase in height however, is offset through a significant reduction in the number of turbines on the land.

The overall energy export capacity of the wind farm remains unchanged; 73 MW.

Broadly, the amendment proposes the following changes;

- Individual turbine output is 6.0 MW
- Increase the overall turbine height from 168 metres to 230 metres
- Ground level clearance increased from 35 metres to 66 metres
- Overall reduction in the number of turbines from 20 to 13
- Subsequent alterations to the siting of the turbines as a result of the above changes
- Update the land description to reflect current Title particulars
- Amend and delete permit conditions broadly relating to;
 - o Native vegetation removal – updating the conditions to reflect the additional removal of native vegetation in the road side.
 - o Post construction acoustic assessment – deleting these conditions in light of Planning Scheme Amendment VC206 and the remit of the EPA under the new regulations.

As the existing planning permit approves the use of the land for a windfarm, this assessment focuses on the development and buildings and works and the difference in impacts between what has been approved versus what is proposed.

It is considered that the increase in turbine height and subsequent reduction in the number of turbines, does not result in an increase in cumulative impacts over and above the existing approval. Indeed, as will be demonstrated through the submitted planning report and accompanying reports and documents, the amendment results in;

- A low to moderate change in the visual impact due to the increase in height but noting the significant reduction in turbine numbers.
- Reduced potential impact on the Southern Bent Wing Bat as a result of less turbines, maintaining the setbacks from their likely habitat (120 metres + blade length) and increasing the ground clearance of turbine blades (from 35 metres to 66 metres).
- No impact on any flora located on site as all turbines are readily able to avoid scattered trees.
- Marginal increase in the extent of vegetation removal in the roadside to accommodate construction vehicle access into the site.
- Greater efficiency in wind energy production resulting in less turbines.
- Continued compliance, as demonstrated within the pre construction noise assessment and auditor report with the New Zealand Standard 6808:2010.
- Increased setback of turbines to all dwellings within 1.5 kilometres (excluding the dwelling on site).
- Continued compliance with the shadow flicker requirements of the permit and DELWP Windfarm Guidelines, of not more than 30 hours per annum at any dwelling (excluding the dwelling on site).

The following specialist reports and plans support this application and are attached;

Final Planning Report

- A. Copies of the Certificate of Title as at 25 May 2022.
- B. Letter of consent from the land owner dated June 2022.
- C. Track Changes Version of the Planning Permit, dated June 2022.
- D. Native Vegetation Removal Report prepared by Nature Advisory, version 1, dated 20 June 2022.
- E. EPBC Act Self Assessment prepared by Nature Advisory including additional assessment on Southern Bent Wing Bat, version 6.3, dated June 2022.
- F. Flora Reconnaissance prepared by Nature Advisory, dated 20 June 2022.
- G. Noise Assessment (pre construction) prepared by Resonate, revision B, dated 16 May 2022.
- H. Review of preconstruction environmental noise assessment prepared by Infotech Research, dated 3 June 2022.
- I. Shadow Flicker and Blade Glint Assessment prepared by DNV, revision D, dated 22 June 2022.
- J. Visual Impact Assessment prepared by Green Bean Design, version 5, dated 10 June 2022.
- K. Swept Path Assessment prepared by Ratio, revision A, dated 1 March 2022.
- L. Approved Cultural Heritage Management Plan Reference CHMP16507.
- M. Letter from Tardis Archaeology Pty Ltd regarding changes to the Activity, dated 8 March 2022.
- N. Addendum, Fire Emergency Response Plan, version 9, dated 17 June 2022.
- O. Addendum, Sediment, Erosion and Water Quality Management Plan prepared by Jacobs, version 5, dated 4 June 2022.
- P. Aviation Risk Assessment prepared by Argus Consulting, dated 14 June 2022.
- Q. Correspondence from Air Services Australia relating to operations, dated 16 June 2022.
- R. Plans for assessment prepared by Woolsthorpe Wind Farm dated May 2022, including;
 - o Plans 1 to 11 (inclusive) of 20, to replaced Plans 1 to 11 (inclusive) of the previously endorsed plans
- S. Additional Plans to assist in the assessment prepared by Woolsthorpe Wind Farm dated June 2022;
 - o Approved V Proposed Site Layout Comparison – broader context scale
 - o Approved V Proposed Site Layout Comparison – site context scale
 - o Proposed Layout Site Boundaries Only

We trust the above is acceptable to DELWP and look forward to your response in due course. If you have any queries regarding the above please contact the undersigned on 9794 1600 or via email Manager@klms.com.au.

Yours Sincerely



Katelyn Nash
KLM Spatial

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