



Department of Environment, Land, Water & Planning

8 Nicholson Street
East Melbourne Victoria 3002

Mr Steve Crowe
Manager Project Delivery and Development
WestWind Energy Pty Ltd
Office 5, Suite 1 Nexus Centre
12-14 Prince Street
GISBOURNE VIC 3437

4 - MAR 2015

Dear Mr Crowe,

APPLICATION TO AMEND PLANNING PERMIT PL-SP/05/0461 LAL LAL WIND ENERGY FACILITY

I refer to the above application which was lodged with the Department of Environment, Land, Water and Planning (the Department) on 13 February 2015.

A preliminary assessment of the application has revealed that further information pursuant to section 54(1) of the *Planning and Environment Act 1987* is required in order for the Department to properly consider your application.

The further information required is:

- Consistent supporting information regarding rotor size and tip height for your amendment request. In particular, please address the following:
 - Your application seeks to increase tip height to 161 metres and delete the restriction on rotor diameter.
 - The noise assessment plans do not specify the tip height or rotor diameter used for the modelling. Other than map 1a and 1b prepared by Marshall Day Acoustics, Attachment E does not appear to have been prepared by a suitably qualified noise expert.
 - The submission regarding visual impact shows both 150 metre and 160 metre tip height turbines from limited viewpoints (compared to the number of viewpoints in the February 2008 Landscape and Visual Impact Assessment prepared by ERM).
 - The shadow flicker assessment considers turbines with a 150 metre tip height and 114 rotor diameter. You have provided WindPro data for 160 (not 161) metre tip turbines height without interpretation of the data.
 - Please clarify whether shadow flicker will be compliant, particularly for houses A and B at Elaine. On page 9 of your submission you state that shadow flicker is not compliant. On page 11 of your submission you state that shadow flicker is compliant.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



- The statement on impact on birds from Brett Lane and Associates considers a 150 metre tip height and 114 rotor diameter.
- The bird impact statement suggests that birds will fly below the bottom of the rotor path. However, you seek to remove the restriction on rotor diameter (condition 2d) which effectively removes any certainty on the size of the rotor sweep path, and its height above ground level. (for example, the diameter of the rotor could be 150 metres with an 11 metre clearance above ground level).

Accordingly, please provide:

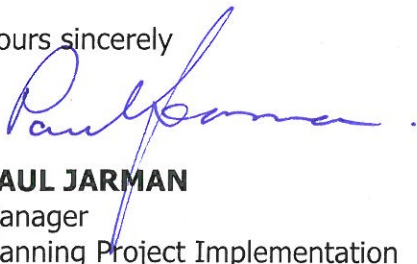
- A revised noise assessment prepared by a suitably qualified acoustics expert that details the height and rotor diameter of turbines and the models the predicted noise levels associated with the changes sought.
- A revised landscape and visual impact assessment showing the same view points as used in the February 2008 ERM report, and showing the comparison between no turbines, 130 metre tip height turbines and 161 metre tip height turbines.
- A revised bird impact assessment that considers the impact of turbines with a 161 metre tip height and unrestricted turbine diameter.
- A revised shadow flicker assessment that considers the impact of turbines with a 161 metre tip height and unrestricted turbine diameter and provides detail on the number of hours that each affected dwelling is subjected to each year.
- An assessment of the impact of the amendment and increase in turbine tip height on aircraft safety.

This request for further information is made pursuant to Section 54 of the *Planning and Environment Act 1987* and must be received within 60 days of the date of this letter.

If you do not respond in writing to the entire content of this request for further information within 60 days of the date of this letter, your application will lapse. You are able to extend this deadline for the submission of further information but only if you make such a request in writing within 60 days of the date of this correspondence (i.e. before the lapse date). The Minister for Planning must then either consent or refuse an extension of time to the further information lapse date in writing. Appeal rights apply to any refusal of an extension of time for the further information lapse date.

Should you have any further queries in relation to this matter please do not hesitate to contact Michael Juttner on telephone 03 9098 8947 or email: michael.juttner@delwp.vic.gov.au.

Yours sincerely



PAUL JARMAN

Manager

Planning Project Implementation