18 January 2013

Wind Farms Consultation Reform and Compliance Branch,
Environment Protection Authority,
PO Box A290,
Sydney South NSW 1232.

wind.farms@epa.nsw.gov.au

Re: Consultation on draft Protection of the Environment Operations Amendment (Wind Farms) Regulation 2012

The NSW Division of the Planning Institute of Australia (PIA NSW) welcomes the opportunity to comment on the draft Protection of the Environment Operations Amendment (Wind Farms) Regulation 2012.

The Planning Institute of Australia (PIA) is the peak body representing professionals involved in planning Australian cities, towns and regions. The Institute has around 4,500 members nationally and around 1,300 members in New South Wales. PIA NSW plays key roles in promoting and supporting the planning profession within NSW and advocating key planning and public policy issues. The following comments have been prepared on behalf of PIA NSW by Members of the Institute with relevant experience and expertise.

1. PIA NSW supports the Bill as a means to facilitate the environmental compliance monitoring/auditing of large scale wind farms including compliance with operational noise related conditions of consent.

2. However, the need for an environmental protection licence (EPL) will not solve per se operational noise issues. Poorly designed and located wind farms are likely to result in poor environmental performance, hence the planning and approval stage is critical to ensure environmental (including noise) goals are achieved during the operational stage. NSW Department of Planning and Infrastructure as the consent authority must ensure future SSD wind farm proposals are sound and robust. The NSW Planning Guidelines Wind Farms will assist in the preparation of sound and robust wind farm proposals.

3. It is noted the exhibition of the NSW Planning Guidelines Wind Farms ended in March 2012 but the Guidelines are still in draft stage. PIA NSW calls on the NSW Government to finalise the guidelines so future proponents have certainty they are preparing their environmental assessments based on a final guideline, and not a draft which can be ignored.

4. It is expected that the environmental protection license (EPL) prescribes noise amenity goals for residential receivers consistent with the $L_{eq}$ noise level criteria outlined in the NSW Planning Guidelines Wind Farms when finalised and the relevant conditions of consent for specific developments.

5. PIA agrees that large scale wind farms regulated by the EPA should not be subject to load based licensing fees.

Should you wish to discuss any of the issues raised within the submission please contact, Robyn Vincin, PIA NSW Executive Officer, on telephone number (02) 8904 1011 or email nswmanager@planning.org.au.

NSW Executive Officer
Planning Institute of Australia

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