

Environment Protection Authority

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ENVIRONMENT PROTECTION AUTHORITY

21 October 2024

Pam Allan
Chairperson, Development Assessment Panel
Bell Bay Wind Farm Major Project
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Email: tpc@planning.tas.gov.au

Dear Pam Allan

BELL BAY WIND FARM MAJOR PROJECT REPRESENTATION IN RELATION TO DRAFT ASSESSMENT CRITERIA UNDER s60ZL(2) OF THE LAND USE PLANNING AND APPROVALS ACT 1993

I am writing in response to your letter of 14 October 2024, in which you advised that the Development Assessment Panel (the Panel) for the Bell Bay Wind Farm Major Project (the Major Project) has prepared Draft Assessment Criteria and gave notice of the exhibition of the Draft Assessment Criteria, in accordance with section 60ZL(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The Environment Protection Authority (EPA) has undertaken a review of the Draft Assessment Criteria and is making a representation under section 60ZL(2) of LUPAA as outlined in this letter.

The Draft Assessment Criteria and the EPA Board's Policy on noise level limits for wind energy projects

The indicative guidance provided in Schedules 1, 2 and 3 of the Board's ARN sets out the necessary level of detail that is required by the Board to form the information base for their assessment of the Major Project, which includes survey and study requirements for specific issues which are considered to involve a higher level of environmental risk, relevant environmental performance and legislative requirements, associated regulations and policies, and reference to accepted practice or best practice environmental management.

As noted in the EPA's representations on the draft assessment criteria for North East Wind and Whaleback Ridge Renewable Energy Major Projects, while the Draft Assessment Criteria refers to the Board's ARN in Appendix C, it is noted that the requirements for the criterion of amenity and interference are inconsistent with the Board's ARN, specifically the Board's policy on noise limits for wind energy projects. Criterion 3.13 of the Draft Assessment Criteria requires the sound level of operating wind turbines to comply with the *New Zealand Standard NZS6808:2010 Acoustics – Wind farm noise* (NZS 6808:2010) but does not require the MPIS to have regard to the Board's policy.

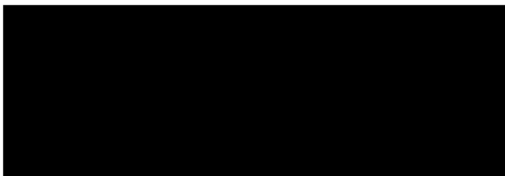
Prior to August 2020, the Board endorsed the use of NZS 6808:2010 for wind turbine noise limits, applying a 40 dB(A) or background +5 dB(A), whichever was the greater. However, following the Board's meeting on 4 August 2020, the Board agreed to adopt as policy a lower wind energy project noise limit of 35 dB(A) or background + 5 dB(A), whichever is the greater, at residences or land zoned for sensitive uses. This policy position was based on review of other jurisdictions' approaches to setting noise limits for wind energy projects, and advice at the time from the former National Wind Farm Commissioner that an appropriate level for a

consistent noise limit would be 35dB(A) LA90 10 min or background noise plus 5dB(A), whichever is greater, measured outside of the residence. It is also noted that the Board's policy position is consistent with the Independent Scientific Committee on Wind Turbines' recommended wind turbine noise limit of 35dB(A) to ensure minimal possible annoyance, as outlined in the Australian Energy Infrastructure Commissioner 2022 Annual Report¹ (AEIC 2022 Annual Report).

Further, the Board's policy applies to operational noise emissions of an entire wind energy project and is therefore inclusive of noise emissions from all operational project infrastructure, including wind turbine generators (WTGs), substations, energy storage facilities etc. It is noted that while operational wind turbine noise is required to be compliant with NZS 6808:2010, the Draft Assessment Criteria's amenity and interference criterion require the operating sound and vibration levels from substations, energy storage systems and power lines at noise sensitive premises to be minimised to an acceptable level. However, an acceptable level has not been defined. If the assessment of operational noise emissions resulting from the Major Project should apply separate noise limits to WTGs as opposed to other infrastructure such as substations and energy storage facilities, the Draft Assessment Criteria should explicitly state so.

If you wish to discuss any matters raised in this Representation, please contact Charlotte Atkin, Senior Environmental Officer, on 0472 543 766.

Yours sincerely



Cindy Ong
ACTING DIRECTOR
ENVIRONMENT PROTECTION AUTHORITY

¹ Australian Energy Infrastructure Commissioner, 2022 Annual Report, available at:
<https://www.aeic.gov.au/publications/2022-annual-report>