



DECLARATION OF A MAJOR PROJECT
LAND USE PLANNING AND APPROVALS ACT 1993
BELL BAY WIND FARM

Report to the Minister



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1.0 Executive Summary

The proposed Bell Bay Wind Farm is located near George Town in north-eastern Tasmania. It comprises up to 28 wind turbine generators, a battery energy storage system (BESS), 8km transmission line, buildings and associated infrastructure on a site of approximately 2780 hectares. The wind farm will be designed to generate up to 770 Gigawatt (Gw) hours of electricity per annum over a projected 30-year operational life.

This Report sets out the State Planning Office's advice regarding the eligibility of the proposed Bell Bay Wind Farm to be declared a major project under section 60O of the Land Use Planning and Approvals Act 1993 (the Act), and addresses issues raised in submissions received under section 60I.

In summary:

- The application was accompanied by a Major Project Proposal (MPP) that meets the requirements of section 60F of the Act;
- All relevant persons, councils and state entities have been consulted in accordance with section 60I of the Act;
- Landowner consent required from the Crown prior to declaration of a major project has been received;
- Landowners and managers within the project area, and the owners and occupiers of adjoining land, have been notified as required under section 60I of the Act;
- The project is considered eligible under section 60M of the Act;
- The project is not considered ineligible under section 60N of the Act; and
- The mandated 28-day timeframe for receipt of representations was met prior to making the declaration.

It is intended that this Report be read in conjunction with the Major Project Declaration (Attachment 1) and the Bell Bay Wind Farm Major Project Proposal [MPP] (Attachment 11).

2.0 Declaration process

The following steps in the major projects process were required before the declaration could be considered, noting the final due date for when a decision must be made under the time limits set out in the Act.

- An application under section 60C was received on 1 May 2024;
- Stakeholder consultation under section 60I(1) and (2) was initially approved by the Minister on 9 May 2024; supplementary consultation with nominated State entities was approved on 18 June 2024;
- Persons, State entities and councils required to be consulted under section 60I were notified by Express Post or email and allowed 28 days to make

submissions. Stakeholders consulted are listed in Appendix B of this Report, and their responses reproduced in Appendix C;

- Advice from consulted persons and State entities was received by 17 July 2024;
- Consent of the Crown as landowner (Appendix A) was received on 13 May 2024, noting that this was not required prior to consideration of the proposal as a major project;
- Under the Act, a declaration is required to be made by 31 July 2024 [14 days after final advice is received under section 60I(2)];
- Declaration of a major project does not take effect until notified in the Gazette; and
- A declaration of a major project also requires notification in a newspaper circulating generally in the State, and the notification of persons listed in section 60R of the Act.

All necessary steps preceding the declaration of a major project have been completed.

3.0 Project Description

The project is energy infrastructure. Accordingly, section 60F(2) of the Act permits a general description of activities intended to be conducted after construction has been completed and of the proposed uses or developments, illustrated by reference to suitable plans.

3.1 Proposed activities, uses and development

The general description of the project required under section 60F(2)(a) of the Act, and illustrated in the MPP, is as follows –

Activities:

- Construction and operation of a wind farm with a projected generating capacity of approximately 224 Megawatts (MW);
- Development, comprising up to 28 wind turbine generators (WTGs), a battery energy storage system (BESS), approximately 8kms of new transmission line for connection to the existing electricity network, and supporting infrastructure;
- Infrastructure, including but not limited to, a new substation and switchyard, meteorological masts, internal roads, a construction compound that accommodates site offices, workshop and storage facilities, a concrete batching plant and small quarries for the extraction of construction materials;
- Maintenance of the wind farm and all associated infrastructure throughout its 30-year operational life, at the end of which it will be fully decommissioned, and the site rehabilitated.

Proposed uses:

- The Project is within the 'Utilities' use class, as defined by the State Planning Provisions, including associated infrastructure works. All other uses described

in the project are directly associated with, and a subservient part of, the 'Utilities' use class.

Proposed developments:

- Approximately 28 wind turbine generators (WTG) with an estimated maximum tip height of 270m, the actual height to be confirmed in a Major Project Impact Statement;
- Hardstand areas at the base of each turbine;
- Battery energy storage system (BESS) of up to 100MW/400MW hours, comprising battery packs, inverters and associated equipment;
- New substation and switchyard;
- Internal electrical and communication reticulation network and cabling, connecting the WTGs and BESS to the new substation;
- Temporary and permanent meteorological masts, up to 180m tall;
- New transmission line to existing George Town substation, and associated grid connection infrastructure;
- Local road upgrades;
- Workshop and office facilities, including storage facilities, laydown areas and parking area hardstands;
- Temporary on-site facilities, including a construction compound that accommodates a concrete batching plant, and small quarries for the extraction of construction materials.

Subject to the receipt of requisite approvals, construction is anticipated to take 2 years, with completion scheduled for late 2029.

3.2 Project Location

The Project will occupy a 2780ha site in north-eastern Tasmania, comprised of regional reserves and other Crown land. An 8km transmission corridor will be situated adjacent to the existing Basslink corridor wherever possible, and require a 50 metre easement. The proposed new corridor crosses land classified as Future Potential Production Forest and Permanent Timber Production Zone Land, for which the Minister for Parks has granted landowner's consent.

The 28 WTGs, BESS and allied facilities are designated for an area 6 kms northeast of George Town extending along a coastal fringe to within 1km of Beechford.

The location map required under section 60F(2)(b) of the Act is included in the Major Project Declaration and reproduced below as Figure 1. The regional context of the project land is illustrated in Figure 2.



The following plan, indicating generally the areas on the project land where use and development is proposed, is required under section 60F(2)(b) of the Act. The plan is included in the Major Project Declaration.

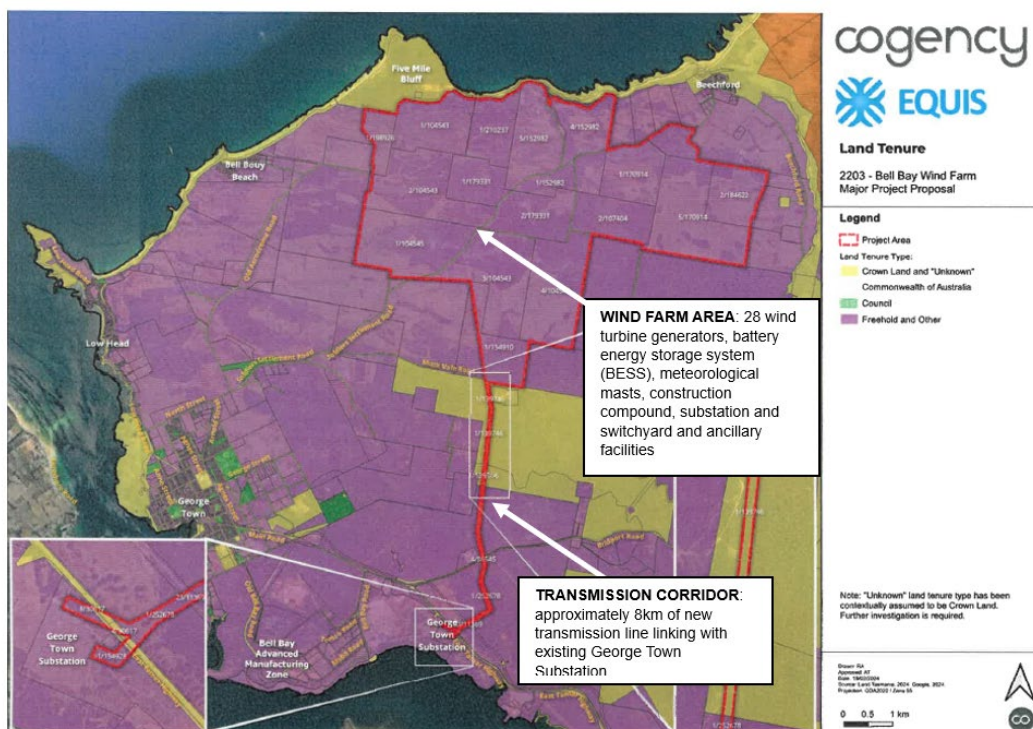


Figure 3 – indicative general use and development plan

Figures 1, 2 and 3 satisfy the requirements of the Act for providing a general description of the project area and are considered suitable for inclusion in the Major Project Declaration.

Approximately 60% of the project land is within the North East Strategic Prospectivity Zone, indicated by cross-hatching in Figure 4:

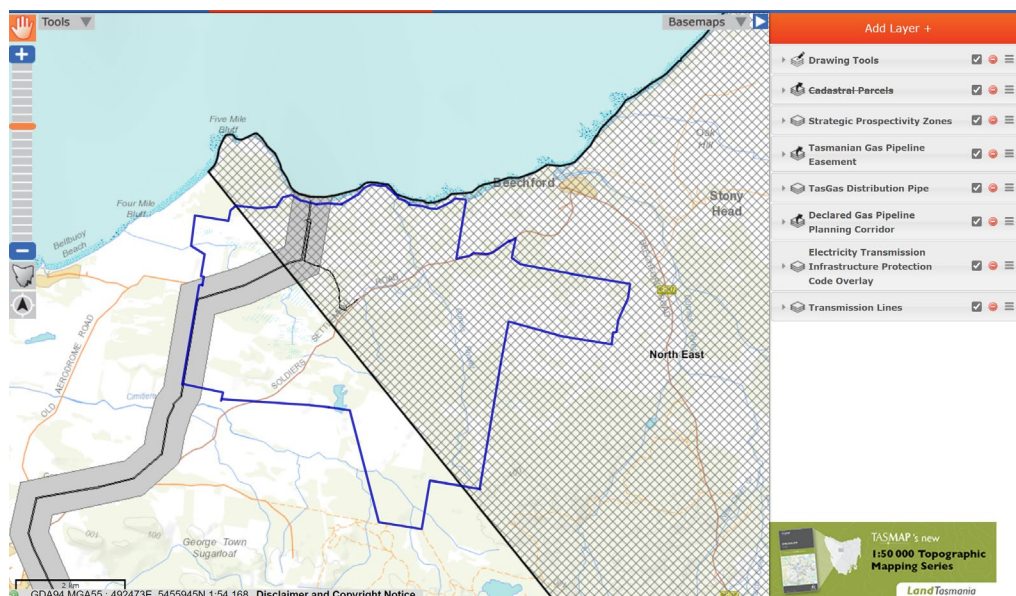


Figure 4 – Strategic Prospectivity Zone

Two mining leases have been identified within the Wind Farm area, coloured red in Figure 5 below. Mining Lease 1024P/M expired in 2021; 1631P/M expired in April 2022.

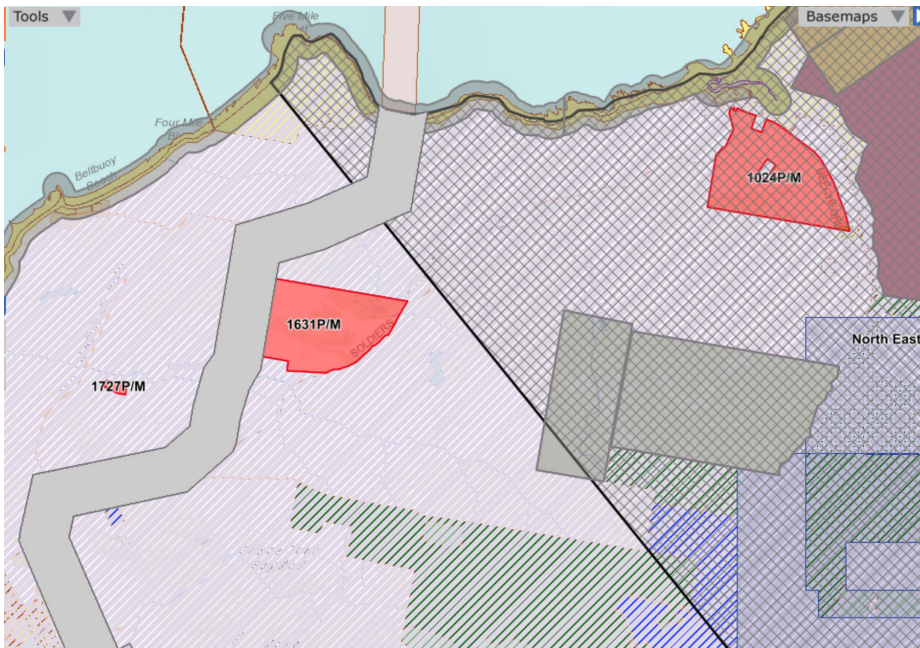


Figure 5 – Mining Lease sites

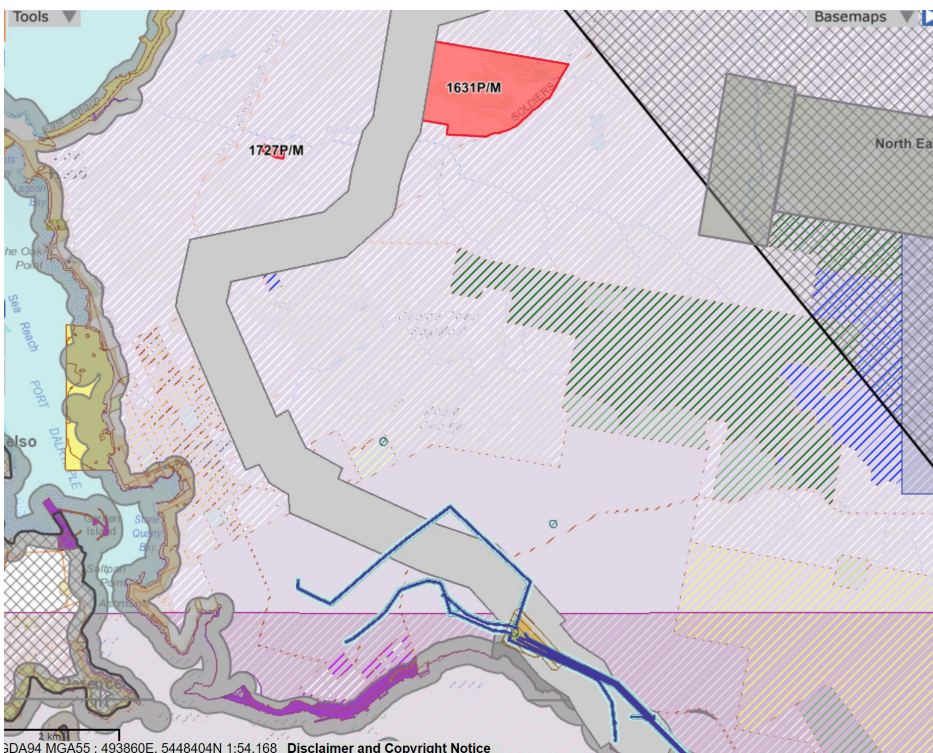


Figure 6 – Mining Licence sites

Pink areas in Figure 6 indicate current mining licences. Thin dark and light blue lines indicate existing electricity transmission lines.

Private Timber Reserves 68, 70 and 2073 are also within the 'Wind Farm' area. The development of land within a Private Timber Reserve may be constrained. However, this is more appropriately addressed at the project assessment stage, and does not prevent the Minister from declaring the proposal a major project.

There are no internationally important wetlands listed under the RAMSAR Convention within the proposed development site. Small wetlands of varying conservation value, situated predominantly on the northern side of Soldier's Settlement Road, are subject to the Natural Assets Code of the Tasmanian Planning Scheme.

The final operational footprint of the Project depends upon detailed environmental and engineering assessments currently being undertaken.

The entire 'Wind Farm' area and proposed transmission corridor are subject to the Bushfire-prone Areas Code of the Tasmanian Planning Scheme.

Most of the project area is subject to the Safeguarding of Airports Code. However, the maximum height of structures described in the Major Project Proposal is beneath the required airport obstacle limitation area. The project is therefore compliant with the Code.

4.0 Summary of Consultation

In accordance with section 60I of the Act, the following persons and agencies have been consulted –

- The Crown – through its land manager, the Department of Natural Resources and Environment Tasmania – as a landowner within the project area;
- Other owners of land within the project site, together with owners, lessees and occupiers of land that adjoins the project area;
- George Town Council, as the relevant planning authority;
- The other 7 Councils in the Northern Tasmania Region;
- State entities considered to have an interest in the project:
 - Department of Premier and Cabinet, including Aboriginal Heritage Tasmania and the Aboriginal Heritage Council,
 - Department of Natural Resources and Environment, including Heritage Tasmania and the Heritage Council,
 - Department of Police, Fire and Emergency Management,
 - TasNetworks,
 - TasWater,
 - TasPorts,
 - Environment Protection Authority,
 - Department of State Growth, including Renewables Climate and Future Industries Tasmania (ReCFIT)
 - Marine and Safety Tasmania;
- The Tasmanian Planning Commission; and
- Tasmanian Gas Pipeline and Tas Gas Networks.

There are no prescribed persons listed in a regulation.

The Act requires that responses from persons, councils and State entities consulted be considered before a major project is declared.

Letters were sent to relevant persons listed under section 60I of the Act on 13 May 2024. Having regard to statutory interpretation and to published Australia Post delivery times, the 28-day period for written submissions in reply closed on 10 June 2024, but was extended to 18 July, to ensure procedural fairness.

16 submissions were received, including five from landowners that expressed outright opposition to declaration of the proposal as a major project. The remaining representations, from councils and State entities, actively supported declaration or otherwise raised no objections.

The Department of State Growth noted that assessment of the proposed wind farm as a major project is consistent with the recommended establishment of a Renewable Energy Approval Pathway (REAP) arising from the Government's recent Renewable Energy Assessment Process Review.

In supporting the requested declaration, the Office of the Coordinator General (OCG) observed that

Tasmania is attracting growing interest from broader markets, bringing some challenges to the planning issues central to Tasmania's planning reform agenda. These broad planning policy issues are highlighted by the risk assessment investors make when considering Tasmania as a potential site for investment alongside other options. Seeking declaration as a Major Project indicates a commitment to a coordinated and comprehensive planning assessment. This suggests a recognition of the project's complexity and potential impacts, requiring special attention and oversight.

The nature of submissions received, the relevant issues raised, and the State Planning Office's responses are set out in the following Table:

TABLE 1: Summary of Submissions received under section 60I of the *Land Use Planning & Approvals Act 1993*

Author/s	Issues raised	Department of Premier and Cabinet State Planning Office response
Justin Greig: 991 Soldier's Settlement Road	As an owner of land adjoining the project site, Mr Greig opposes declaration of the proposal as a major project on the following grounds: • The energy generated will be of marginal economic impact over its 30-year life cycle, relative to offshore wind energy projects contemplated by the Australian Government; • The small number of operational jobs created fails to offset negative environmental and tourism impacts; • The scale of the proposed wind turbines will disrupt precious bird life, threaten endangered flora and fauna, and unacceptably impact the coast and Five Mile Bluff Conservation Area in particular; • Economic benefits will be confined to participating landowners, developers and foreign investors, diminishing the area's tourism value and its social fabric; • The project is of little strategic significance relative to offshore wind developments elsewhere; • The project is not of significant scale and complexity, occupying only a single local government area, and the major projects pathway is being used to bypass the complex array of assessments required under other legislation; • The proposed wind farm is too big, too close to adjacent properties, dangerous to human health, and concentrates economic benefits in comparatively few stakeholders at the expense of the broader sub-regional community.	Mr Greig's concerns are acknowledged, particularly in relation to the potential impacts of the proposed wind farm on aspects of the natural environment, which will require detailed assessment if the proposal is declared a major project. However, several of his comments are speculative in nature or unsupported by evidence. Potential offshore renewable energy developments by other governments do not diminish the proposal's contribution towards achievement of the Tasmanian Renewable Energy Target, or its strategic significance to Northern Tasmania specifically and the State generally. Nor does the major projects legislative pathway "bypass" the need for a proponent to obtain the various regulatory approvals identified by Mr Greig. Mr Greig's objections are not considered to render the proposal ineligible for declaration as a major project. If a major project is declared, the prevailing legislation affords several further opportunities for Mr Greig and other stakeholders to comment on the merits of the project. It may be expected that Mr Greig's concerns will be addressed in the formulation of project assessment criteria, and by the proponent in its preparation of a Major Project Impact Statement.
Graham Bauer and Timothy Walker. 1061 Soldier's Settlement Road	Objection to declaration of the proposal as a major project owing to: • Significantly adverse financial and emotional impacts, a consequence of being surrounded on two sides by the proposed development; • Dominance of the skyline by wind turbine generators; • Health and social concerns are not adequately addressed; • Impacts on and plant and animal life, including endangered species; • Very little real community benefit; • Training of a skilled workforce receives scant attention; • Site remediation and rehabilitation at the end of project life receive little attention; • Inadequate consultation arrangements; and • Failure to address commercial due diligence.	These issues are more appropriately addressed in the context of an assessment of the merits of the proposal after it has been declared as a major project.

Author/s	Issues raised	Department of Premier and Cabinet State Planning Office response
Mark Harriss	Mr Harriss objects to the proposal on merit issues, as follows: - The project is a poorly conceived 'pipe dream'; - Inadequate consultation with Aboriginal and other Tasmanians in the early stage of project planning. - Minimal job creation benefits are outweighed by removal of crown land from 'ecology banks' and the limited importance on cultural values.	The issues raised by Mr Harriss can all be addressed after declaration of the proposal as a major project, noting the further opportunities provided in the legislation for consultation on the merits of the project. With respect to his specific concerns, Aboriginal Heritage Tasmania and the Environment Protection Authority are both regulators for proposals declared as major projects. The Minister has replied directly to Mr Harriss by letter dated 4 July 2024, filed as 24/62095/3.
Peter and Loraine Kossman, Beechford landowners	Express their objection to the proposal owing to: - Loss of property value; - Loss of visual amenity; - Noise impacts; - Detrimental effects on residential living, tourism, wildlife and landscape; - Sacrifice of coastline for the benefit of communities elsewhere.	Again, these are merit issues more appropriately addressed in the formulation of assessment criteria and in the preparation and review of a Major Project Impact Statement. They do not demonstrate the ineligibility of the proposal to be declared a major project.
Co-Ordinator General, and the Departments of State Growth, Health, and Treasury and Finance	Support declaration of the proposal as a major project.	Noted.
Meander Valley and Northern Midlands Councils	No objection to declaration of the proposal as a major project.	Noted.
TasWater	No objection to declaration of the proposal as a major project.	Noted.
Tasmanian Heritage Council	No comment to make at this stage, no listed heritage places having been identified in the Major Project Proposal.	Noted.

Author/s	Issues raised	Department of Premier and Cabinet State Planning Office response
Department of Natural Resources and Environment Tasmania	- The project is considered eligible for declaration of a major project. It may have an impact on a range of native vegetation communities and flora and fauna listed under the Nature Conservation Act 2002 (NCA), the Threatened Species Protection Act 1995 (TSPA) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA). - There are potentially direct and indirect impacts that temporarily and/or permanently alter the available habitat for threatened terrestrial and aquatic flora/fauna and create collision risks for avifauna during both the construction and operational phases. - The scale of the Project increases the likelihood of impacts to natural values, thereby increasing the complexity associated with the assessment of impacts and the need for avoidance and/or mitigation measures. - In accordance with Section 60M(2)(a)(ii) of LUPAA, at least two project related permits are likely to be required, including permit/s to take threatened flora and fauna under the TSPA and permit/s to take products of wildlife under the NCA. The Project is likely to require assessment and approval under the EPBCA based on its scale and potential impacts to matters of national environmental significance, including listed threatened species and ecological communities, and listed migratory species.	Noted. These are matters for consideration by the Commission in its determination of assessment criteria and subsequent assessment of a Major Project Impact Statement (MPIS), subject to the proposal being declared a major project. Noted. Noted. The MPP indicates that the proponent intends to address requirements of the EPBC Act separately and in parallel to the major projects process.
Richard Harris, Low Head	Expresses objection to the proposal due to: - The proposal downplays the status of the development site as prime agricultural land; - Personal experience of physical and mental health impacts originating from the Low Head Wind Farm proposal that is no longer proceeding, parts of the subject land for which have been absorbed in the current major project proposal; - Auditory and visual impacts; - Electromagnetic interference with communications; and - Impacts on birdlife.	By reference to the Land Capability layer in LIST, the project development site does not satisfy the criteria for classification as 'prime agricultural land', as defined in the <i>State Policy on the Protection of Agricultural Land 2009</i>. The highest classification of the project land, Class 4, is land well suited to grazing but limited to occasional cropping or a very restricted range of crops. The remaining issues raised by Mr Harris concern the merits of the proposal and can be addressed by the Tasmanian Planning Commission in its assessment of a declared major project.
Environment Protection Authority	Satisfied that the major project proposal satisfies at least 2 of the 3 eligibility criteria for declaration as a major project. Unable to comment on the proposed wind farm's likely impact on, or contribution to, the regional economy and social fabric.	Noted. Noted.

5.0 Determination Guidelines and Eligibility

Section 60J of the Act requires the Commission to issue Determination Guidelines that provide guidance as to matters the Minister is to have regard when considering whether to declare a major project.

The Determination Guidelines, issued by the Commission on 2 August 2021, specify matters to which the Minister is to have regard, as follows:

- Eligibility attributes: under section 60M(1) of the Act, a project must satisfy two or more of the following -
 - a significant impact on, or make a significant contribution to, a region's economy, environment or social fabric
 - of strategic importance to a region
 - of significant scale and complexity.
- Project compatibility with planning scheme Particular Purpose Zones (PPZ), Specific Area Plans (SAP) or Site-specific Qualifications (SSQ) – Section 60K(5): the project area is not affected by any PPZ, SAP or SSQ.

Having regard to the above, the project, if implemented as described in the MPP, will:

- significantly and positively impact the Northern Tasmania Region and the State, generating private investment and supporting the continued expansion of renewable energy to meet the Tasmanian Renewable Energy Target of a 200% increase on 2020 levels by 2040. It will also provide jobs in its construction and operational phases;
- help to realise the benefits of the Marinus Link and, in doing so, help secure Tasmania as Australia's leading and green energy generator while placing downward pressure on electricity prices for Tasmanians;
- by virtue of its proximity to the Bell Bay Advanced Manufacturing Zone and port, support new and innovative industries in the area, such as the hydrogen and green fuel-plants currently mooted; and
- be subject to a complex and multi-faceted assessment, involving consideration of, among other issues, Aboriginal heritage, impacts on the natural environment (including assessment under the Commonwealth Environment Protection Biodiversity and Conservation Act 1999), and assessment by the Environment Protection Authority as a permissible level 2 activity.

As indicated in the Schedule to the Major Project Declaration (Attachment 1), the proponent has addressed the eligibility requirements of sections 60M(1) and 60M(2) of the Act and concludes that the project is eligible to be a major project. The State Planning Office concurs.

6.0 Review against Ineligibility Criteria

Notwithstanding compliance with section 60M of the Act, under section 60N of the Act a project is ineligible to be declared a major project if:

- The project would not further the objectives specified in Schedule 1 of the Act,
- The project would be in contravention of a State Policy,
- The project would be in contravention of a Tasmanian Planning Policy
- The project would be inconsistent with the Northern Tasmania Regional Land Use Strategy, or
- The project relates to a matter listed in section 11(3) of the Act.

At the declaration stage of the major project assessment process, the project detail is not fully formed, and the project design is not yet finalised. The Commission has not been requested to determine the assessment criteria required under section 60ZM of the Act.

The Solicitor General has confirmed that an assessment of the project against the ineligibility criteria, based upon information currently available in the MPP, is acceptable.

The following section demonstrates how the project is considered not to conflict with section 60N of the Act.

6.1 Objectives of the Act

The project is considered to be consistent with the objectives listed in Schedule 1 of the Act, in so far as references in the Major Project Proposal (MPP) to previously completed and further intended environmental, scientific and cultural investigations:

- promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;
- provide for the fair, orderly and sustainable use of and development of air, land and water;
- encourage public involvement in resource management and planning, evidenced by the proponent's commitment to community engagement;
- facilitate economic development; and
- promote the sharing of responsibility for resource management and planning.

The proponent will refer the project to the Commonwealth for determination of whether an assessment is required under the Environment Protection and Biodiversity Act 1999. The MPP indicates that every planning consideration will be accounted for in the project design, to provide for a sustainable outcome.

The major project assessment process will enable these matters to be fully considered by a Development Assessment Panel established by the Commission. Following the declaration of a major project, the Commission must determine assessment criteria and subsequently assess a Major Project Impact Statement (MPIS) prepared by the proponent. Opportunities for public input are provided at the project assessment stage.

The proposed Bell Bay Wind Farm is considered to further the objectives of the Act.

6.2 State Policies

There are 3 State Policies in effect in the State, and the National Environment Protection Measures are also given effect through the State Policies and Projects Act 1993:

- State Policy on the Protection of Agricultural Land 2009
- State Policy on Water Quality Management 1997
- Tasmanian State Coastal Policy 1996, and
- National Environmental Protection Measures (NEPMs).

For the purposes of evaluating ineligibility under section 60N of the Act with respect to State Policies, the meaning of ‘contravention’ in the Macquarie dictionary reads:

1. To come or be in conflict with, go or act counter to, oppose,
2. To violate, infringe, or transgress, to contravene the law.

The test in the Act is whether a project is ‘in conflict with’ or ‘acting counter to’ the outcomes intended by each State Policy. In December 2020, the Solicitor General expressed the view that:

it is more likely that [section] 60N(1)(b) and (c) are drafted to ensure that the project measures up to a relevant State Policy or TPP [Tasmanian Planning Policy] and not to require a strict contravention... In that sense, all of the relevant provisions of a State Policy are to be considered when assessing ineligibility.

Essentially, a project must not conflict with relevant Policy outcomes. An evaluation of how the project addresses each State Policy is set out below.

6.2.1 State Policy on the Protection of Agricultural Land 2009

This State Policy aims to enable the sustainable development of agriculture by minimising:

- (a) conflict with or interference from other land uses; and
- (b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

The Bell Bay Wind Farm project is situated mostly on land zoned Agriculture. The definition of agricultural land in the State Policy includes a reference to land that “has the potential for agricultural use”. The project land is shown on the “Land Potentially Suitable for Agriculture Zone” LIST map (Figure 7) as being potentially unconstrained for this purpose.

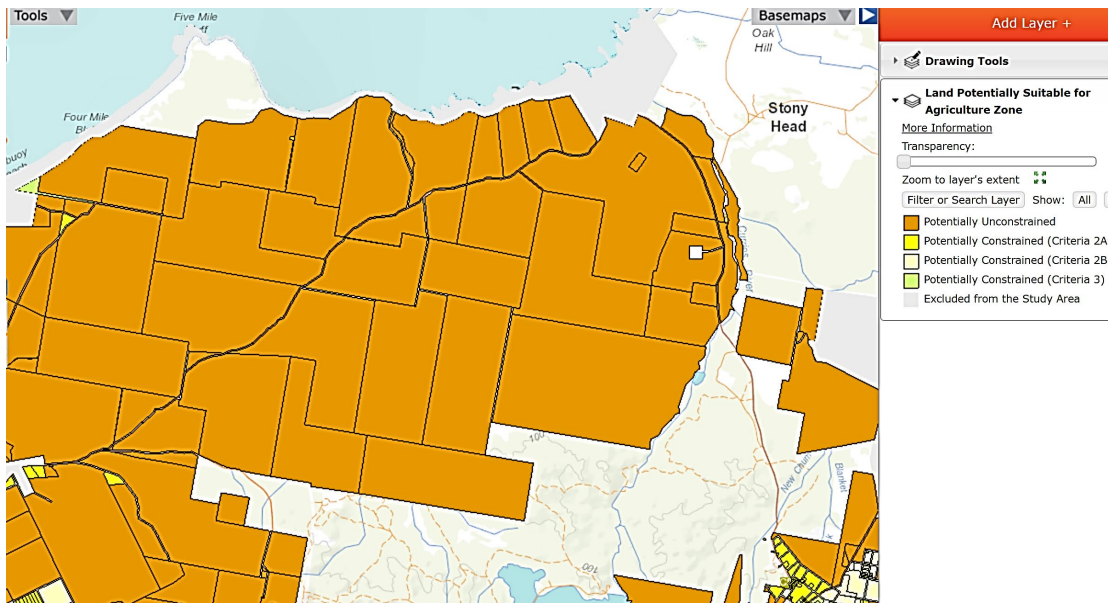


Figure 7 – Land Capability Map for properties within the project site area

This map guides the preparation of Local Provisions Schedules (LPS) that constitute part of the Tasmanian Planning Scheme.

As noted in Table 1 summarising representations received, the State Policy defines prime agricultural land as Class 1, 2 or 3 Land Capability.

The following map indicates that the highest classification within the project area is Class 4, and the most predominant Classes 5 and 6.

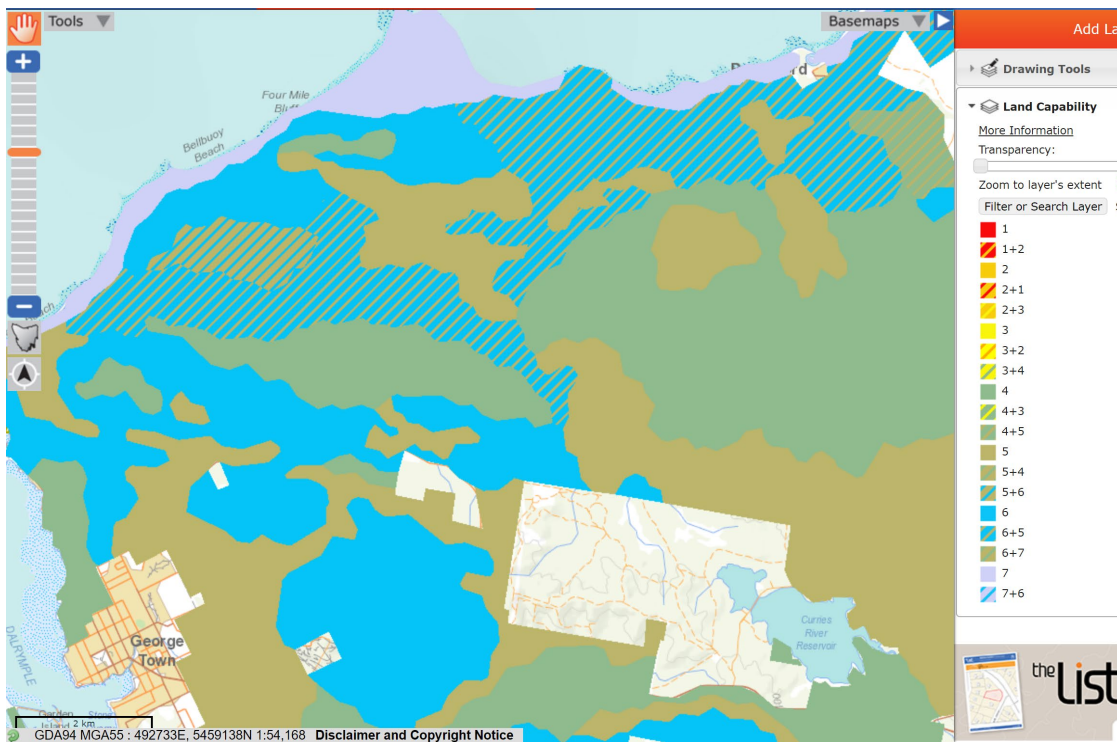


Figure 8 – Classification of agricultural land within the project site area

The proponent states that the project does not unreasonably constrain or conflict with agricultural land, or current or future agricultural uses, noting that wind turbines occupy very small areas of land, and can successfully coexist with agriculture.

The project does not involve changing prime agricultural land to a non-agricultural use. It contemplates the conversion of a small area of non-prime agricultural land to a utility use. Establishing a non-agricultural use on the project land is not considered to offend the Policy's objectives and principles.

Further assessment will help to determine the local and regional significance of non-prime agricultural land to enable sustainable protections to be implemented as appropriate. The Project does not involve residential use and is not situated within any proclaimed irrigation districts.

The Project is not for agricultural use or new plantation forestry. Nor is the site considered prime agricultural land. Consequently, the Project does not contravene the Policy.

6.2.2 State Policy on Water Quality Management 1997

This State Policy is concerned with achieving sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

The MPP states that the potential impacts of the project on surface water and groundwater will be subject to further assessment, including the identification of management and mitigation measures that comply with the State Policy.

A Major Project Impact Statement will incorporate plans for the management of sediment run-off during construction, and of stormwater throughout the life of the project. The proposal is not considered to contravene the State Policy.

6.2.3 Tasmanian State Coastal Policy 1996

Created under the State Policies and Projects Act 1993, this State Policy incorporates the following principles:

- Natural and cultural values of the coast shall be protected
- The coast shall be used and developed in a sustainable manner
- Integrated management and protection of the coastal zone is a shared responsibility.

The State Policy applies to the project, approximately 16% (about 450Ha) of which is located within the coastal zone, being "...State waters and all land to a distance of one kilometre inland from the mean high-water mark."

At this stage, the proponent has not identified any prospective turbine exclusion zones. However, various studies including additional flora and fauna surveys, geotechnical and hydrological studies are intended to ensure the proposed development will protect water quality, river flow and health, and minimise impact to protected species.

While the infrastructure layout remains to be finalised, the proponent aims to ensure the sustainability of major ecosystems and natural processes and protect ecological,

geomorphological, and geological coastal features and aquatic environments of conservation value. Construction management plans will address water quality and coastal wetlands.

Provided any potential development impacts can be satisfactorily resolved, there is nothing in the MPP that suggests the project cannot fulfil any of the State Policy's intended outcomes.

A preliminary analysis indicates that the proposed development may be expected to be sustainable.

6.2.4 National Environmental Protection Measures (NEPMs)

There are currently 7 NEPMs in place, namely:

- **Air Toxics** – establishes a national approach to measuring and monitoring airborne toxic chemicals;
- **Ambient Air Quality** – adopts a national approach to monitoring other pollutants that impact ambient air quality. The project land is not captured by the NEPM for Ambient Air Quality Monitoring Plan for Tasmania;
- **Assessment of Site Contamination** – establishes a nationally consistent approach to the assessment of site contamination. The MPP indicates that applicable standards will be considered in the preparation of a Major Project Impact Statement;
- **Diesel Vehicle Emissions** – aims to reduce emissions through the development of clean fuels and improvements to diesel vehicle technology. The NEPM may serve as a reference point for conditions attached to any future planning permit;
- **Movement of Controlled Waste** – adopts national standards for managing the movement of controlled waste. The NEPM may be referenced when setting conditions attached to any future planning permit;
- **National Pollutant Inventory** – constitutes a national pollution information base;
- **Used Packaging** – concerned with packaging for retail and other food products, and its distribution. This NEPM is not relevant to the Bell Bay Wind Farm project.

The MPP provides no evidence of any contravention of the NEPMs.

6.3 Tasmanian Planning Policies

The Tasmanian Planning Policies are not yet in effect, and therefore do not affect declaration of the proposed Bell Bay Wind Farm as a major project.

6.4 Northern Tasmania Regional Land Use Strategy

The Northern Tasmania Regional Land Use Strategy guides land use planning process within the Region to provide investment certainty and to support, among other activities, the transition to renewable energy.

It supports climate change mitigation and adaptation strategies that require efficient and renewable energy systems.

The Strategy promotes non-carbon energy alternatives, renewable energy and energy recovery projects that enhance transition to a carbon-neutral society. Such projects include stand-alone commercial scale installations with sustainable development impacts.

The Regional Land Use Strategy also identifies the need to protect infrastructure assets and corridors from use or development likely to conflict or interfere with energy generation, and recognises reliable, secure, and sustainable energy as essential for economic activity.

Consequently, it supports planning processes that facilitate commercial-scale renewable energy generation of the type proposed in the Bell Bay Wind Farm project.

The proposed Bell Bay Wind Farm will complement the North East Wind major project proposed for Waterhouse and Rushy Lagoon on either side of Ringarooma Bay, enhancing the Region's reputation for contributing to the achievement of Tasmania's Renewable Energy Target. The project also supports the vision of a diversified regional economy set out in the Regional Land Use Strategy.

The proposal is considered to be consistent with the Northern Tasmania Regional Land Use Strategy. Any issues that require more detailed investigation can be addressed by the proponent and the Tasmanian Planning Commission during the assessment process that follows the declaration of a major project.

6.5 Matters referred to in section 11(3) of the Act

A project is not eligible to be declared a major project if it relates to a matter or includes use or development referred to in section 11(3) of the Act, namely, forestry operations, mineral exploration, fishing, or marine farming.

The project does not involve such activities and does not conflict with section 60N(2)(a) of the Act.

6.6 Relates to a matter that is an EL activity

The project does not include finfish farming, which is prescribed in clause 4(h) in Schedule 2 of the Environmental Management and Pollution Control Act 1994 as an 'EL activity'.

Therefore, it does not conflict with section 60N(2)(b) of the Land Use Planning and Approvals Act 1993.

7.0 Landowner Consent

The project site includes land owned by the Crown.

Under section 60P(2) of the Act, a project cannot be declared a major project unless any required landowner consent has been provided. Appendix A provides evidence of Crown consent.

Crown land within the project site is managed by the following Crown entities:

- Department of State Growth,
- Parks and Wildlife Service,
- Sustainable Timber Tasmania, and

- Property Services, Department of Natural Resources and Environment Tasmania.

Under section 60P(3) of the Act, a project cannot be declared a major project unless notification of the project has been given to the owners of land within the project area (other than the proponent) and the council that manages such land. The relevant parties have been properly notified.

8.0 Declaration and Notice

The consultation period of 28 days for the persons to be notified under section 60I of the Act ended on 17 July 2024, and a decision must be made by 31 July 2024.

This Report concludes that the project is suitable for declaration as a major project. Before making the declaration, section 60P(1) of the Act requires that the Minister -

- is of the opinion that the project is eligible under section 60M of the Act (eligibility criteria),
- has regard to any Determination Guidelines issued by the Tasmanian Planning Commission under section 60K of the Act, and
- has considered any advice provided during the consultation period under section 60I of the Act. Submissions received during the consultation period are reproduced in Appendix C.

The required preconditions for declaration have been met. As such, in accordance with section 60O(1)(a) of the Act, the project is considered suitable for declaration as a major project.

Section 60Q(1) of the Act stipulates that the Major Project Declaration Notice must contain the following information -

- A map or description of the location of the land on which the project is situated,
- A general description of the project, including proposed activities, uses and developments,
- A general plan indicating the areas on the project land where the project is to be situated,
- Name of the major project proponent,
- The attributes of the project, which in the opinion of the Minister, that make the project eligible to be declared as a major project.

The Major Project Declaration Notice may also contain the following information -

- A statement specifying particular qualifications or experience that the Minister considers ought to be possessed by at least one Panel member, and if so, requiring the Commission to appoint that person if the Commission appoints additional panel members: s60Q(3);
- Any use or development considered necessary for the implementation of the project: s60Q(4); and

- The Planning Authority for any portion of the site outside municipal areas (noting they are in the same region): s60Q(5). This is not a relevant matter for the Bell Bay Wind Farm major project proposal.

8.1 Panel Member Skills and Experience

Including a statement that requires a panel member to contain certain specific skills in the declaration notice will require the Commission to appoint a panel member with these skills under section 60W(4) of the Act.

Given that the requirements for the normal regulators to assess the proposal will cover historic cultural heritage, environmental factors that include potentially threatened species, and Aboriginal heritage, a specific skill set is not considered necessary, and it is recommended that the appointment of the Panel members be left to the Commission.

Accordingly, the Major Project Declaration Notice does not contain any specific provision in this regard.

8.2 Necessary use or development

Expansion of port facilities and the upgrading of local roads within and near the project land may be needed to facilitate the delivery of equipment and machinery. Arrangements for delivering the wind turbine generators components remain to be determined. Noting this uncertainty, it is not considered necessary to include within the Major Project Declaration Notice any reference to necessary use or development.

The Major Project Declaration Notice contains no specific provision regarding electricity transmission.

9.0 Notifications for Declaration

Within 7 days of making the declaration the following notifications are required to satisfy section 60R of the Act, this includes –

- Letters, as set out in 60R(1) of the Act;
- Submission of the major project proposal to the Commission, as per section 60R(2) of the Act, together with details of any information requested by the Minister under section 60H and provided by councils or relevant State entities;
- A notice specifying the declaration has been made has to be published in the Gazette and newspaper circulating in Tasmania, including an electronic address of the Commission where a copy of the declaration notice can be viewed, as per section 60R(3).

Appendix A – Landowner consent

**Minister for Energy and Renewables
Minister for Parks and Environment**

Level 10 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7739
Email: minister.duigan@dpac.tas.gov.au



13 May 2024

Mr Andrew Kerley
Director - Wind
Equis Australia

Email: Andrew.Kerley@equis.com

Dear Mr Kerley

**Major Projects Proposal – Bell Bay Wind Farm
Consent pursuant to Section 60P(2)(a) of the *Land Use Planning and Approvals Act 1993***

I am writing in relation to your letter of 2 April 2024, advising that you are seeking to have the Bell Bay Wind Farm Project, as described in that correspondence, declared as a major project pursuant to the *Land Use Planning and Approvals Act 1993*.

As the Minister administering the *Crown Lands Act 1976*, I consent to the Minister for Planning to declare the Bell Bay Wind Farm as a major project with respect to the land owned by the Crown and administered by the Department of Natural Resources and Environment Tasmania (NRE Tas), Sustainable Timber Tasmania (STT) and the Department of State Growth (DSG), as set out in the attached maps:

Maps A, B and D – Crown land managed by DSG – road casements including sections of Soldiers Settlement Road and Bridport Road.

Map C – Crown land being Future Potential Production Forest land managed by NRE Tas, and Permanent Timber Production Zone land managed by STT.

Map E – Crown land which is land reserved under the *Nature Conservation Act 2002* and managed by NRE Tas, and Crown land managed by DSG – road casements including sections of the East Tamar Highway.

Map F – Crown land managed by DSG being the rail casement including a section of the Bell Bay Rail Line.

Shown on several maps is Certificate of Title 252678/1. This land parcel is under private ownership, but subject to a vertical subdivision whereby land below 50 feet of the surface is owned by the Crown. It forms part of this granting of Crown consent.

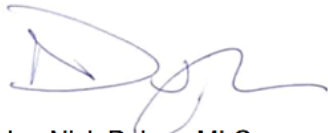
MIN24/5449

Please note that the granting of landowner consent is given for the limited purposes of the declaration of the project as a major project and should not be understood to indicate support or otherwise in relation to any further applications or approvals which may be necessary for the project to proceed.

Should the proposal be declared by the Minister for Planning as a major project, an independent panel, assembled by the Tasmanian Planning Commission, will oversee the assessment which includes a coordinated and robust assessment of land use and heritage, including Aboriginal heritage, environmental and threatened species requirements.

Please also note that NRE Tas, STT and DSG reserve the right to make representations in relation to any aspect of the proposed development as part of the major project assessment process.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nick Duigan', with a stylized flourish at the end.

Hon Nick Duigan MLC
Minister for Parks and Environment

Attachments – Maps A, B, C (including C.1, C.2 and C.3), D, E and F

Copy to: The Hon Felix Ellis MP
 Minister for Planning
 Felix.Ellis@dpac.tas.gov.au

Appendix B – list of persons notified under section 60I

Owners	Owners
Effingham Pty. Ltd.	Forestry Tasmania trading as Sustainable Timber Tasmania
Lawrence David Archer	Department of Natural Resources and Environment Tasmania (Future Potential Production Forest)
Margaret Joan De Ruyter and Judith Ann Parish	Department of Natural Resources and Environment Tasmania (Parks and Wildlife Service)
Peter Ivan Davidson and William Allan Davidson	Department of Natural Resources and Environment Tasmania (Property Services)
Reliance Forest Fibre Pty Ltd	TasRail
Rio Tinto Aluminium (Bell Bay) Limited	
Adjoining Owners/Occupiers	Adjoining Owners/Occupiers
Strawberry Hills Company Pty Ltd	G & M Viney Super Co Pty Ltd
Graham Selway Bauer and Timothy Alexander Walker	Climate Capital Holdings Pty Ltd
Loraine Alyson Kossmann	Dame Industrial Holdings Pty Ltd
Ross Francis Walker	South George Town Property Enterprises Pty Ltd
John Henry Myers and Susan Vivienne Raine	Shirleen May Coleman and Larry Christopher Coleman
Charmaine Donna Jordan	Una Brodribb-Adkins
Philip Bernard Eeles	Damian Charles Glover and Kristy Anne Glover
Denis Neil Pfundt	Karena Maree Brunacci and Domenic Donato Brunacci
MBBO Pty Ltd	John Richard Scott and Debra Jayne Spencer
Mewstone Development Pty Ltd	Gregory John Selmes and Noelene Carolyn Selmes
Gregory John Sikkens and Louise Kathleen Sikkens	Nikolas Geoffrey Cerjanec and Tricia Joy Calinisan Andres
David Lee Upston	Timberlink Australia Pty Limited
Barbara Joan McBride	University Of Tasmania
Stewart John Archer	Tasmanian Electro Metallurgical Company Proprietary Limited
Richard James Harris	Patriarch And Sons Pty Ltd
Hayden Joseph Larter	Ecka Granules Australia Pty Ltd
The Trust Company (Australia) Limited	Austrak Quarries (Tas) Pty Ltd
Cathy Lee	Alinta Energy (Tamar Valley) Pty Ltd
Dennis Patrick Lawrence	Bradley James Strange
Mile Temelkovski	Alana Jane Phegan
Matthew Jude Willmott Fiona Elizabeth Willmott	Graham Stephen Symons and Nerida Christine Symons
Basslink Pty Ltd	Marco Heijboer and Tracey Lynette Woolley
Shaun Patrick Corcoran and Russell Brian Holmes	Wayne Darren Bishop and Angelisa Beryl Cannell

Adjoining Owners/Occupiers	Adjoining Owners/Occupiers
Dallas Christopher Walsh and Susan Dian Walsh	Anthony John Lockwood and Nicole Louise Lockwood
Mathew John Curtis and Alexandra Francis Street	Angus Edward Durkin and Jeanette Lauren Proctor
State Entities	
Secretary	Department of Premier and Cabinet
Secretary	Department of State Growth
Secretary	Department of Natural Resources and Environment Tasmania
Secretary	Department of Health
Secretary	Department of Treasury and Finance
Secretary	Department of Education Children and Young People
Secretary	Department of Justice
Commissioner	Department of Police, Fire and Emergency Management
Executive Commissioner	Tasmanian Planning Commission
Chief Executive Officer	TasNetworks
Chief Executive Officer	TasWater
Chief Executive Officer	TasPorts
Chief Executive Officer	Hydro Tasmania
Chief Executive Officer	Marine and Safety Tasmania
Chair	Aboriginal Heritage Council
Director	Aboriginal Heritage Tasmania
Chair	Heritage Council
Director	Heritage Tasmania
Chair	Aboriginal Heritage Council
Director	Environment Protection Authority
Chief Officer	Tasmania Fire Service
Executive Director	Department of PF&EM – State Emergency Service
Director	Renewables Climate and Future Industries Tasmania
Councils	
George Town Council	Break O'Day Council
Launceston City Council	West Tamar Council
Dorset Council	Latrobe Council
Flinders Island Council	Northern Tasmania Authority
Northern Midlands Council	Local Government Association of Tasmania
Meander Valley Council	Northern Tasmania Development Corporation
Other	
Tas Gas Networks	Tasmanian Gas Pipeline

Appendix C – section 60I submissions

Hon Felix Ellis MP

Minister for Housing and Planning

2 June 2024

Dear Mr Ellis

I refer to your letter dated 13 May 2024 in relation to the Major Project Proposal – Bell Bay Wind Farm (BBWF), which was received by me on 21 May 2024.

I am a director and owner of the Strawberry Hills Company Pty Ltd which owns 991 Soldiers Settlement Road – the property directly adjacent to the eastern border of the proposed BBWF.

Thank you for inviting me under section 60I(4) of the Land Use Planning and Approvals Act 1993 (The Act) to express why I do not wish the project to be declared a major project – which I do not. In addition, I set out some considerations as to why the BBWF project should not proceed at all.

Why the project should not be considered a major project

There are 3 conditions under section 60M(1) of the Act that are required to be met.

1. *The project must make a significant contribution to the region's economy, environment or social fabric.*
 - a. The energy from this project will be of marginal economic impact when the large scale offshore wind energy resources contemplated in the Bass Strait Region by Department of Climate Change Energy Environment and Water (see attachment 1) are fully developed. Considered over the 30 year life cycle of this project it therefore makes little relative contribution to the renewable energy mix or the local or state economy
 - b. Only 12 ongoing jobs are directly created over 30 years. A small restaurant in Georgetown would do more directly for local jobs creation! - without the devastation to environment and tourism potential.
 - c. The gargantuan scale of the proposed wind turbines, that stand each almost as tall as the Eiffel tower (see attachment 2) spread across 2780 hectares, will disrupt precious bird life including nesting Wedgetail eagles and place further stress on endangered terrestrial life including endangered flora and fauna (including Devils and Quolls). Moreover the impacts of such huge turbines can not be properly assessed prior to build, or properly mitigated post build. The BBWF proposal is within 50m of the coast! ...and directly adjacent to the Five Mile Bluff Conservation region (see attachment 3). The impact on the environment is almost certainly net negative.
 - d. The social fabric of the surrounding communities will be hugely impacted – but not positively. It will soon become apparent that all potential future tourist value of the

land is destroyed at the expense of all - and that the benefits of the project only accrue to the participating landowner, developer and their foreign investors – a clear case of the rich benefiting at the expense of the ordinary hard-working community.

2. *The project must be of strategic importance to the region*

- a. Relative to proper development of offshore wind, it has no importance at all to the region – other than to destroy visual amenity, all potential tourism value, impoverish and imperil residents of Georgetown, Low Head, Bell Buoy Beach, Soldiers Settlement road and Beechford.

3. *The project must be of significant scale and complexity*

- a. The project is simple: It all falls within the George Town Council area. The technology is all related to a wind farm and associated infrastructure. It would distract the State's attention from projects that actually have a potentially positive cost:benefit, such as offshore wind, to waste time on the BBWF proposal.
- b. The attempt to declare the project of significant scale and complexity appears to be a cynical attempt to run rough-shod over necessary assessment processes (see page 5 of the Major Project Proposal document that states "Multiple permissions will be otherwise required for the project, including planning permission under the LUPA Act, permission as a Level 2 Activity under the Environmental Management and Pollution Control Act 1994 (Tas) (EMPC Act), and approval in accordance with the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act). Further detailed site investigations, surveys and studies may identify the need for other permissions and approvals including the Threatened Species Protection Act 1995 (Tas) (TSP Act), Nature Conservation Act 2002 (Tas), and Forest Practices Act 1985 (Tas).")

Considering all of the criteria above, the proposed project, despite having potentially devastating impacts on the George Town Council area, should not be considered a major project within the broader Tasmanian context.

Why the project should not proceed at all

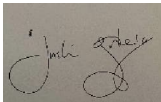
The BBWF is 'too big, too close, too dangerous, and too inequitable'.

- Too Big – At 270m each, the 28 wind turbines will dwarf the local landscape and destroy human amenity (visual, and audible) – effectively transforming a rural landscape into an industrial one.
- Too close – the proposed set backs are manifestly too close to adjacent dwellings and communities. Set backs should be increased to at least 2km from the nearest approved dwelling and likely further considering Guidance from the Australian Energy Infrastructure Commissioner (Governance and Compliance of Standards and Permit Conditions | aeic) that: "5.2.9.3 A default setback distance of 1.5 km between a residence or dwelling and the nearest wind turbine - for turbines with a tip height of up to 200 metres. **For tip heights greater than 200 metres, a longer setback distance may be more appropriate to accommodate increased visual amenity impacts.** Local topography, existing trees and vegetation, as well as terrain,

need to be also considered when applying any default setback measures." Glen Innes Severn Council Development Control Plan for wind power generation (NSW General Purpose Standing Committee number 5, Rural Wind farms Dec 2009 page 65), states "Where visible from a non related dwelling or immediate surrounds, the development shall not be located within **15 times the blade tip height**. 15 times the blade tip height at BBWF would be a set back of 4050 metres

- Too dangerous – sound, infrasound, flicker and destruction of visual amenity make this project dangerous to health (including mental health) for human communities in Soldiers Settlement, Beechford, Bell Buoy Beach and Low Head. Several credible studies show adverse impact from infrasound from wind farms and show that infrasound can travel up to 20km from source, exposing the approving authorities to future class action and nuisance claims. It is indisputable that endangered wedge tail eagles nearby will be adversely affected and that bird strike will kill birds, whilst the impact on endangered flora and fauna, including Tasmanian Devils and Quolls that live nearby can not be properly assessed before the project starts, or mitigated after when the damage will already have been done. Given these facts, it is irresponsible to consider a proposal that has wind turbines within 1 km of the coast or adjacent to a conservation area.
- Too inequitable – the participating property owners stand to benefit financially, whilst adjacent property owners have the value and amenity of their property destroyed. Foreign developers and their foreign wealth funds investors benefit, whilst the local community suffers a ridiculous trade – a paltry 12 jobs for the loss of tourism potential for the next 30+ years and suppression of property values in Soldiers Settlement, Beechford, Bell Buoy Beach, Low Head and likely also George Town.

Please stop this abomination now.

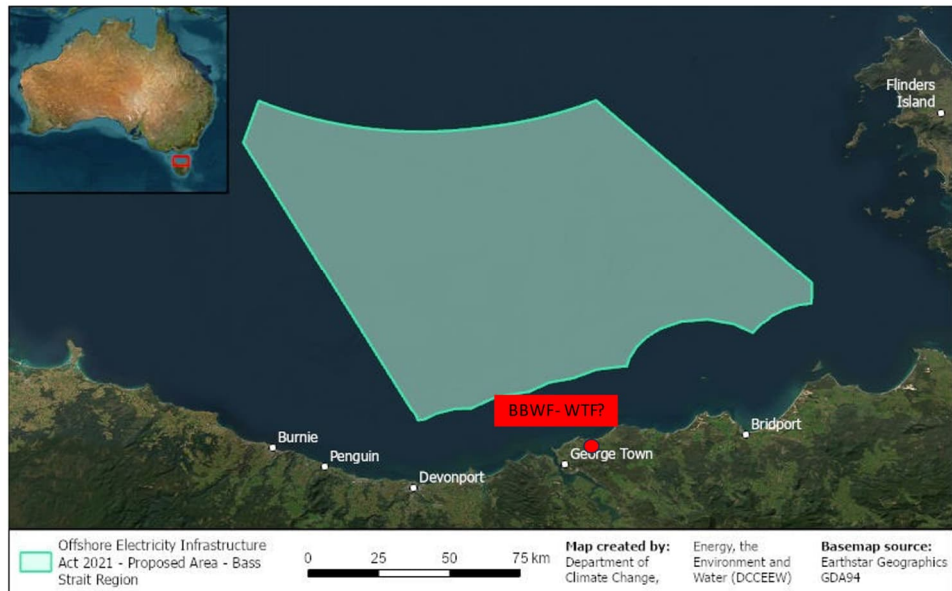


Sincerely
Justin Greig
Director, Strawberry Hills Company Pty Ltd
Adjacent landowner 991 Soldiers Settlement Road Beechford

Attachment 1

Appendix – Offshore wind Tasmania

Map of proposed area



Notes: with 10,136 square kilometres of space and 28GW of off shore capacity approved, why also ruin Tasmania's land?

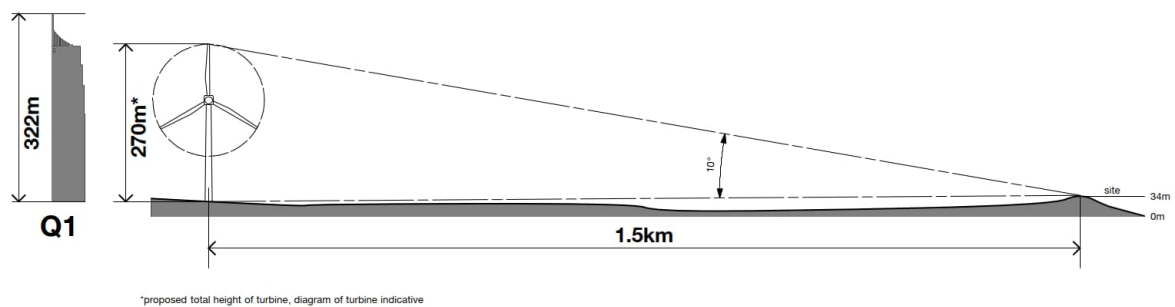
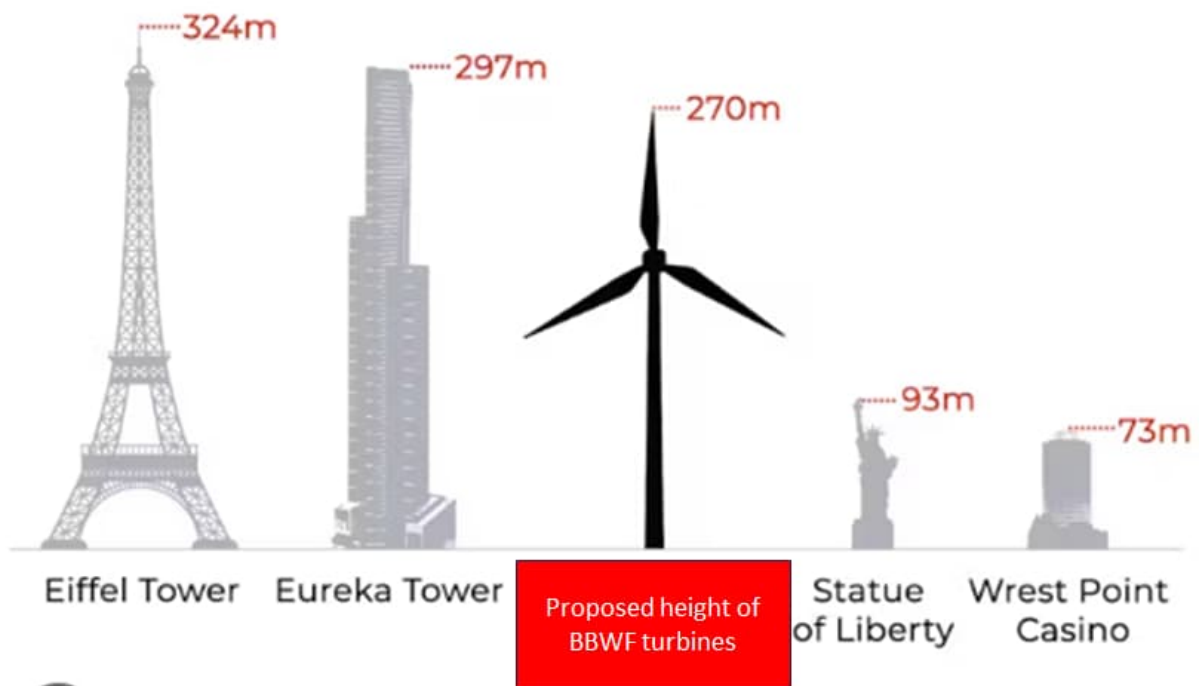


21km to nearest modelled turbine

Source: [low-head-large.jpg \(4586×3057\) \(dcceew.gov.au\)](#)

With the seascape visually affected from Low Head, why also wreck the visual appeal of the land?

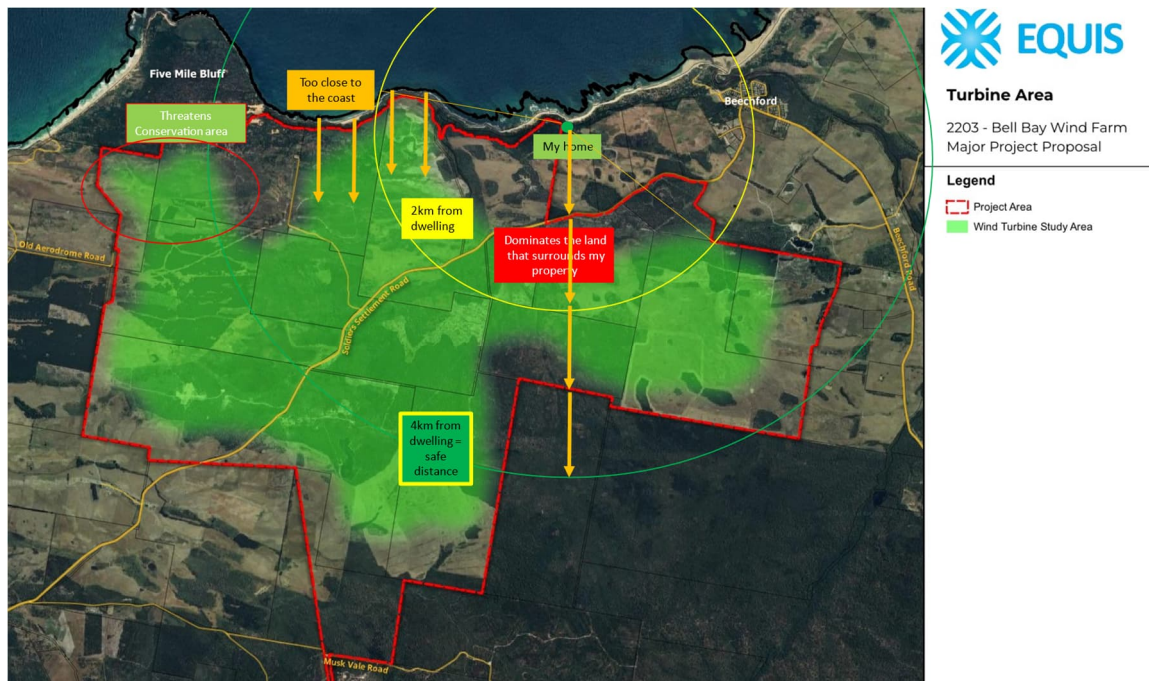
Attachment 2



At 270m, the proposed BBWF turbines will be amongst the biggest in Australia presenting unprecedented damage to health and human amenity.

They will dwarf the surrounding landscape which generally has topography that varies no more than 20m to 50m above sea level.

Attachment 3



The proposed area for turbines within the BBWF should be flatly rejected:

- 270m high turbines impose unprecedented danger and should be offset 4km from the nearest dwelling (the circle shown in green);
- Smaller turbines may be more acceptable, but should never be approved within 1km of the coast (the orange arrows shown) or within 2km of the nearest dwelling (shown in yellow)
- Further studies on bird impact in the north west corner adjacent to Five Mile Bluff are likely to show that no development should occur close to Five Mile Bluff

The BBWF proposal is fatally flawed and should not proceed.

End.

511 Oaks Road
THE OAKS via Westbury Tasmania 7303

7 June 2024

The Hon. the Minister for Housing and Planning
Level 5, 4 Salamanca Place
HOBART. Tasmania 7001

Dear Sir,
Thank you for your letter of 13 May 2024 and for the opportunity to comment on a major Project Proposal- Bell Bay Wind Farm.

We have attached a copy of our objections to this proposal.

Yours faithfully

(Graham Bauer and Timothy Walker)

EQUIS BELL BAY WIND FARM PROPOSAL SOLDIERS SETTLEMENT ROAD BEECHFORD

OBJECTIONS TO PROPOSED MAJOR PROJECT STATUS FOR EQUIS WIND FARM

We wish to object to a proposal to grant major project status to the Bell Bay Wind Farm.

We object on the following grounds :

- . that the project affects us adversely and directly, both financially and emotionally;
- . that the proposal does not adequately address health and other social concerns that will flow from the construction of this wind farm;
- . that the proposal will have a significant impact on plant and animal life in the project area, including its effects on endangered species;
- . that the proposal offers very little real advantage to local residents and to the people of Tasmania;
- . that certain key elements of the proposed development, including training of locals for skills associated with the construction and operational stages of the project, receive scant attention in the proposal;
- . that the financial aspects associated with remediation of the site and the clearance of infrastructure at the end of the life of the project, receive scant attention in the proposal;
- . that the public would appear to have very little time to learn about the project and register objections (the public meetings proposed to inform the public about the project would appear to have been scheduled after the due date given individuals most directly by the project - those with properties adjacent to the project site - to submit their objections to the proposal;
- . that issues of due diligence, notably the business relationship between Equis and SSE plc based in the United Kingdom, have not been addressed.

PERSONAL INTEREST

When we were approached by Equis and told of its proposal to build a wind farm on land close to our property we made it clear from the outset that we did not want the project to go ahead. We also told the company that if the project did go ahead we would seek compensation for the very considerable financial losses we would incur as a result. Discussions with Equis along these lines have commenced.

OBJECTIONS

We wish to register our objections to a proposal by Equis to construct a wind farm on Soldiers Settlement Road at Beechford in Northern Tasmania and to the proposal that the project be accorded major project status by the state government.

Our objections are based on the direct impact of the proposal on a neighbouring property we are developing, its impact on the health and well being of ourselves and residents in the hamlet of Beechford, its impact on the environment and wider concerns about its impact on the Tasmanian community.

PERSONAL CONCERNS

We purchased 100 acres of agricultural land at 1061 Soldiers Settlement Road in 2020 as a place to build our retirement home.

After extensive and exhaustive surveys of the land, Georgetown Council issued a permit for us to build a small residence on the site. Work commenced in August 2023 and is now nearing completion.

In April we were contacted by a representative of Equis and told of the proposal to construct a wind farm on the adjoining Archer property.

The boundary between the two properties on the western side is less than 500 metres from our own and the development includes land to the south, adjacent to Soldiers Settlement Road, which is a similar distance from our residence.

We are thus surrounded on two sides by this proposed development.

Friday, 7 June 2024

The news of this project was completely unexpected and there was no intimation from the local council or state government at any stage prior to this news that such a project was being contemplated.

Having invested a huge proportion of our life savings in this property we now face the real prospect of incurring huge financial losses if the project goes ahead. Who would be interested in purchasing a property adjacent to a huge wind farm with turbines almost as tall as the Eiffel Tower generating health damaging noise levels?

The project to build our home has consumed us for more than 4 years and frankly at 70 and 75 years of age, we simply do not have the stamina to repeat the process. Thus we lose out at both a financial and emotional level.

HEALTH CONCERNS

We are aware from research in other parts of the world of health risks to people living in close proximity to wind turbines. In European countries setbacks of up to 2 miles may be required if wind turbines are to be located near houses or settlements.

There is little in the proposal from Equis to suggest that due consideration has been given to the health consequences for the individuals living close to the development or those living close in the hamlet of Beechford.

This surely, should be a major concern for government.

Nor is there any documentation to suggest that the state government has in place regulations or protocols covering such projects which would protect the health and wellbeing of local residents.

VISUAL IMPACTS

The turbines proposed are nearly as high as the Eiffel Tower and will be by far the tallest structures in Tasmania.

ENVIRONMENTAL IMPACT

The turbines are huge and will dominate the skyline.

Their construction will require clearance of large areas of native woodland.

The noise emitted will pose health risks on local inhabitants and have an undetermined effect on local wildlife.

Land clearances for the turbine bases, transmission lines, buildings housing batteries etc and connecting roads will destroy remnant vegetation harbouring a whole range of plants, including many plant associations which are rare and threatened.

The rich wildlife sustained by this remnant vegetation will be devastated.

Wedge tailed eagles, which nest within the project area, shore birds, including migratory species, Tasmanian devils (a healthy population has been identified in the project area), quolls, wombats, macropods and many other species, including animals such as marsupial mice, rats and bats, will all be directly or indirectly affected.

An area of rich and diverse biodiversity will be sacrificed and replaced by an industrial landscape of little biological interest.

ARE THERE BENEFITS FOR THE PEOPLE OF TASMANIA?

Equis is financed in the first instance for this project by investors from the Gulf and a major North American superannuation fund. These investors will make first call on profits.

Shareholders in Equis come next.

The people of Tasmania come a poor third, except of course for the landowners on which the project will be located. They will reap a huge reward.

As taxpayers, Tasmanians subsidise the project (massive government subsidies to companies involved in these projects) and lose their most valuable asset - an extremely beautiful environment in close proximity to major population centres.

The company claims we will get cheaper power as a result of this project.

Plenty of other "green" projects have made similar promises but failed to deliver. A rise in power prices to pay for subsidies to support these projects is the more likely outcome for consumers.

Friday, 7 June 2024

Consumers in Victoria connected via Basslink are also likely to benefit. Melbourne consumers already have access to clean, green Tasmanian power at cheaper rates than apply to local residents.

Will there be job opportunities? Probably a few but there is no denying massive skills shortages already exist in Tasmania (try building a house here) and the skills required for this project will be specialist.

Can the number of long-term jobs that might result from this project (12 direct jobs over the life of the project are cited in the proposal) really compare with employment resulting from even modest increases in tourist visitors to the area?

There is no proposal for local training in the project which might make a real difference to the level of skills available for the project and beyond. And for the state in general.

It is almost inevitable that this project will be built by immigrant workers.

WHO REALLY PAYS?

Experience in the UK, Germany the US and other countries suggests a life span of 20-25 years for wind turbines. All of these projects rely on government subsidies for their continued viability.

Then comes the massive question of what to do with the detritus left behind: 28 massive turbines which no one has yet worked out how to dispose of; concrete pads which may have as much as 500 cubic metres of concrete and steel; transmission lines, batteries etc. The list is pretty daunting.

The Equis proposal suggests a fund will be set up to cover remediation but it is long on promises, short on detail.

An independent evaluation of the true cost of remediation must surely be an integral part of the proposal and provision for it to be rigorously enforced by government in the event of the disbanding of Equis or any of its successors.

Otherwise, the taxpayer ends up footing the bill again - another impost on the people of Tasmania who really get very little out of this project.

DUE DILIGENCE AND EQUIS

Government officials may not have noticed that a company from the UK which has entered into a 50/50 partnership with Equis to bid for a feasibility licence to expedite development of an off-shore wind farm project in the Gippsland Offshore Wind Zone, SSE Renewables, which is a subsidiary of SSE plc has been fined GB pounds 33.1 million by Ofgem, the UK Energy Regulator for irregular actions associated with its off-shoot Beatrice Offshore Windfarm. Beatrice overcharged its customers by reducing its power generation to create artificial shortages. The fine is the largest issued by the energy regulator and must lead to questions about the probity of not only SSE but also, by association, companies which have links with it.

CONCLUSION

This project is going to have a huge impact on the area where it is to be located.

Its impact on individuals and local communities is beyond question.

The destruction of an area of outstanding natural beauty within close distance of population centres is difficult to justify in the short term, and in the long term the decision by this generation to trash remnant vegetation and populations of endangered plants, birds and animals will be described by our children and grandchildren as an act of vandalism for very little gain.

Two major and threatened species are especially vulnerable: wedge tailed eagles and Tasmanian Devils. Governments allocate taxes to protect threatened species and then give permission for projects which threaten them anew. It doesn't make sense.

The economic benefits of the project are highly questionable, almost certainly negative for Tasmanian taxpayers if there is no independent and rigorous assessment of the cost of remediation when the project comes to be closed down.

Finally, the most rigorous and exhaustive examination of Equis and its project partners and any company associated with Equis in other projects, would seem to be the very least the state government can do to ensure the probity and viability of this project.

Graham Bauer and Timothy Walker

From: M H <harrissmark23@gmail.com>
Sent: Wednesday, 22 May 2024 9:54 PM
To: State Planning Office Shared Mailbox
Subject: Proposed WindFarm at Georgetown

You don't often get email from harrissmark23@gmail.com. [Learn why this is important](#)

Felix,

It would seem I sure that there would be a wind farm proposed on crown land north east of George Town.

Both the cultural and environmental importance on these limited areas is critical to Tasmanian aboriginals and the broader community.

It is somewhat a pipe dream that in the long term provides minimum job creation and removes more crown land from ecology banks and places limited importance on cultural values.

As a person who has extensive industry experience and is an advisor to industry, is a specialist in the field and safety, risk and environmental engineering and a proud Aboriginal man I feel you need better advisors to support you in these matters.

I'd be happy to discuss further but this is a poorly thought out project. I'd suggest their levels of consultation and participation is lacking at the early stages certainly within community both Aboriginal and non Aboriginal. I can't see this being in the best interest of the community or Tasmania more broadly. The north eastern coast line of Trouwunna is sacred and though industry is important far more consultation is required. We are not battery for the mainland.

I look forward to your response.

nayri nina-tu

Mark Harriss
0418300722

Peter and Loraine Kossmann
Chartley 38 Blackwood Hills Road
Rowella Tas 7270

5th June 2024

The Honourable Felix Ellis
Minister for Housing and Planning

Dear Minister

Major Project Proposal – Bell Bay

Thank you for your introductory letter outlining the proposal by Equis Wind (Australia) Projects (LHWF2) Pty Ltd.

As a concerned resident of the north coast of Tasmania and a land owner at Beechford, I believe this project will affect residents, tourists, wildlife and ruin our landscape.

The proposed site is 40-45 kilometres from the Launceston CBD. The proposed site is 4-10 kilometres from the town of Georgetown.

All land holders within visual and more importantly within earshot of the proposal will have a significant decrease in real estate values.

Numerous tourists travel the roads of Tasmania. Having a wind farm so close to populated areas and along a popular coastal route will not send a good message to our visiting tourists about our clean green image.

The site is visible from out at sea. Having fished the north coast commercially since 1981, I have seen the introduction of wind farms along our northeast and northwest coast. The turbines that are visible have certainly taken away our pristine image Tasmania is known for.

On numerous occasions, sightings of wedge tailed eagles and large sea eagles riding the wind currents of the north coast, directly where the proposed site is to be situated. Wildlife will be impacted by this proposal.

Will this project actually power 104,000 Tasmanian homes or are we sacrificing pristine coastline land to generate power for others situated many hundreds of kilometres from the site?

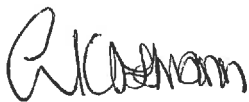
The press release by the Hon Peter Gutwein (25th April 2024) states, "Tasmania achieved Net Zero emissions in 2014". Once again Tasmania is bearing the burden of renewable energy projects taking away prime coastal land, threatening the environment as well as ruining the natural landscape.

Tasmania is a small island state. Are we prepared to sacrifice our pristine coastline for the sake of others. Can we not steer renewable energy investors to more turbine sites hidden away from the general population?

In my closing notes, can I suggest that governments set up a body of consultants to plan where Tasmania can and cannot develop wind/solar farms. This would greatly assist property owners and developers in managing their investments. We have only touched on a few of many matters concerning this development. Please keep us informed.

Your sincerely

Loraine Kossmann

A handwritten signature in black ink, appearing to read 'L. Kossmann', written in a cursive style.

Peter Kossmann

A handwritten signature in black ink, appearing to read 'Peter Kossmann', written in a cursive style.

Office of the Coordinator-General

CH Smith Centre
20 Charles Street, Launceston TAS 7250
PO Box 1186, Launceston TAS 7250 Australia
Phone +61 3 6777 2786
Email cg@cg.tas.gov.au Web www.cg.tas.gov.au



7 June 2024

Hon Felix Ellis MP
Minister for Housing and Planning
Level 5, 4 Salamanca Place
HOBART TAS 7000
felix.ellis@dpac.tas.gov.au

Dear Minister

Major Project Proposal – Bell Bay Wind Farm

The Office of the Coordinator-General (OCG) takes this opportunity to respond to your request on 13 May 2024, for advice on the potential of the proposal to be declared a Major Project under section 60C of the *Land Use Planning and Approvals Act 1993* (the Act).

Tasmania is attracting growing interest from broader markets, bringing some challenges to the planning issues central to Tasmania's planning reform agenda. These broad planning policy issues are highlighted by the risk assessment investors make when considering Tasmania as a potential site for investment alongside other options. Seeking declaration as a Major Project indicates a commitment to a coordinated and comprehensive planning assessment. This suggests a recognition of the project's complexity and potential impacts, requiring special attention and oversight.

The OCG understands that Equis Wind (Australia) Projects (LHWF2) Pty Ltd is proposing to establish and operate a wind farm covering 2,780 hectares northeast of George Town. The proposal encompasses the installation of up to 28 wind turbine generators, a battery energy storage system (BESS), transmission line infrastructure, buildings, ancillary facilities and land subdivision.

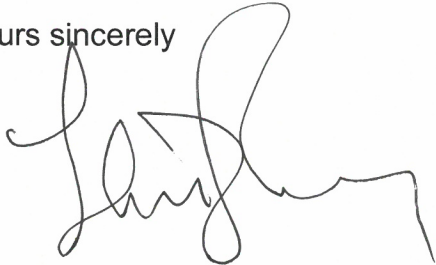
The Bell Bay Windfarm project aims to generate approximately 770 GW hours of renewable energy annually, which will make an important contribution to the Tasmanian Renewable Energy Target and require a capital investment of up to \$950 million. This project satisfies all three of the eligibility criteria for major project status but only needs to satisfy two of those three criteria. It satisfies the first by having a significant impact on the region's economy, environment, and social fabric. During the two year construction phase, the project is expected to create up to 180 jobs and an additional 12 direct jobs will be maintained during its operational lifespan of 30 years. The project also meets the second criteria of strategic importance to a region. If successful, this project would significantly advance the attainment of Tasmania's renewable energy target, helping to attract new investment into the state which use and leverage our renewable energy resources.

Additionally, the project meets the third criteria of significant scale and complexity. The transmission line infrastructure to connect the wind farm to the broader electrical grid is a complex task that involves regulatory approvals, land easements, and the installation of high-voltage power lines and the installation of the wind turbine generators involves significant logistical planning, heavy machinery, complex assembly and precise engineering requiring coordinated efforts from various engineering and construction teams. The BESS adds another layer of technological sophistication and advanced energy management systems.

It is the OCG's view that the project's scale, economic significance, complexity and contribution to renewable energy targets, and the need for coordinated planning and conservation considerations, all support the argument for the Bell Bay Wind Farm Project to be declared as a Major Project in accordance with the requirements prescribed in the Act.

Thank you for the opportunity to provide advice on this important project for Tasmania.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Perry', with a large, stylized initial 'J' and a long, sweeping horizontal stroke at the end.

John Perry
Coordinator-General

Ph: +61 3 6777 2804 (Direct)
E: john.perry@cq.tas.gov.au

Department of State Growth

Salamanca Building, Parliament Square
4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Phone 1800 030 688 Fax (03) 6173 0287
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Your Ref: / Our Ref:



Hon Felix Ellis MP
Minister for Housing and Planning

Via the State Planning Office: stateplanning@dpac.tas.gov.au

Dear Minister Ellis,

Thank you for your letter of 13 May 2024 regarding the proposal from Equis Wind (Australia) Projects (LHWF2) Pty Ltd to declare the Bell Bay Wind Farm a Major Project under the *Land Use Planning and Approvals Act 1993* (the Act).

The Department of State Growth supports the proposal and is of the view that it satisfactorily addresses the criteria to be declared a Major Project under the Act.

The proposed Bell Bay Wind Farm project aligns with the Tasmanian Renewable Energy Action Plan and the Tasmanian Renewable Hydrogen Action Plan. It would also contribute to Tasmania's legislated renewable energy target of 200 per cent of our current electricity needs by 2040, along with the Australian Government's national target of 82 per cent renewable energy by 2030.

Assessment of this proposal as a Major Project is consistent with the findings of the Tasmanian Government's recent Renewable Energy Assessment Process Review, which recommended establishment of the Renewable Energy Approval Pathway (REAP) – a suite of actions to support projects to enter the Major Project assessment pathway (identified as the most suitable assessment process for large scale renewable energy projects).

Thank you for the opportunity to provide comment on this proposal.

Please contact John Dawson, Director Policy and Projects, by email at coordination@stategrowth.tas.gov.au for more information.

Yours sincerely

Craig Limkin
Secretary

3 June 2024

Department of Health

GPO Box 125, HOBART TAS 7001 Australia
Web: www.health.tas.gov.au



Contact: Shane Gregory
Phone: (03) 6166 1575
E-mail: Shane.Gregory@health.tas.gov.au

Our Ref: SEC24/898

Hon Felix Ellis MP
Minister for Housing and Planning
stateplanning@dpac.tas.gov.au

Dear Minister

Subject: Bell Bay Wind Farm - Major Project Proposal

Thank you for providing the Department of Health (the Department) with the opportunity to comment on the proposal to declare the Bell Bay Wind Farm as a Major Project. I understand the wind farm is to be located north-east of George Town and will include the construction of 28 wind turbine generators and associated infrastructure, will have a 30-year operational life and is expected to generate up to 180 jobs during the two-year construction phase and a further 12 direct jobs during the operational phase.

The Department owns and manages significant health infrastructure assets across the State, which support the delivery of an extensive range of health services to urban, regional and rural locations. The George Town Council municipality includes the George Town Hospital and Community Health Centre which is owned and operated by the Department and is the nearest state health facility to the proposed wind farm. As such, we appreciate engagement where there is potential for a change in the demand for existing health services.

The Department has reviewed the Project Proposal Report and has no objection to the declaration of the proposed Bell Bay Wind Farm as a major project but notes we will be seeking to understand how the proposal may affect future demand for local health services during the drafting of the assessment criteria in coming months.

If you have any questions, please don't hesitate to contact Director Asset Management Services, Ron Wilson on 0475 397 652 or via email at ron.wilson@health.tas.gov.au.

Yours sincerely

Shane Gregory
Associate Secretary

7 June 2024

Department of Treasury and Finance

The Treasury Building
21 Murray Street HOBART TAS 7000
GPO Box 147 HOBART TAS 7001 Australia
Telephone (03) 6166 4444 Facsimile (03) 6173 0219
Email secretary@treasury.tas.gov.au Web www.treasury.tas.gov.au



Doc reference 24/112797
Your reference 24/52424/4

Hon Felix Ellis MP
Minister for Housing and Planning

stateplanning@dpac.tas.gov.au

Dear Minister

Major Project Proposal - Bell Bay Wind Farm Project

Thank you for your letter of 13 May 2024 regarding the proposal to declare the Bell Bay Wind Farm Project a Major Project under the *Land Use Planning and Approvals Act 1993* (the Act). The Department of Treasury and Finance appreciates the opportunity to review and provide advice on the proposal.

In response to your inquiry as to my opinion about the eligibility of the project to be declared a Major Project, I note that section 60M of the Act requires such a project to have two or more of the following attributes:

- (a) the project will have a significant impact on, or make a significant contribution to, a region's economy, environment or social fabric;
- (b) the project is of strategic importance to a region;
- (c) the project is of significant scale and complexity.

I note that the proposal, prepared by Equis Wind (Australia) Projects Pty Ltd, will require approximately \$950 million in capital investment and provide a significant economic benefit to the George Town Local Government Area, generating employment in construction and operation.

From the information provided, the proposed Bell Bay Wind Farm project has the potential to impact the region's economy and social fabric and, therefore, satisfies these aspects of criterion (a). I do not have sufficient information to comment on the project's likely impact or contribution to the region's environment (criterion (a)) but note there is likely to be a range of possible environmental impacts of the proposal.

Further, the project's apparent alignment with strategic goals under the Tasmania Renewable Energy Action Plan and significant scale and complexity, suggests that it is likely to satisfy eligibility criterion (b) and (c).

Therefore, I am not aware of any reason relating to the application that would indicate that the project is ineligible to be declared a major project under the Act. However, various elements of the proposal may require further consideration during the assessment process.

Should you have any queries or require any further information regarding this matter, please contact Dean Burgess on (03) 6145 5833 or email dean.burgess@treasury.tas.gov.au.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Gary Swain', written in a cursive style.

for Gary Swain
Secretary

3 June 2024

From: Risby, Brian
Sent: Monday, 20 May 2024 3:04 PM
To: Jonathan Harmey
Cc: Maloney, Mark; Glassick, Helen
Subject: RE: Bell Bay Wind Farm Major Project Proposal

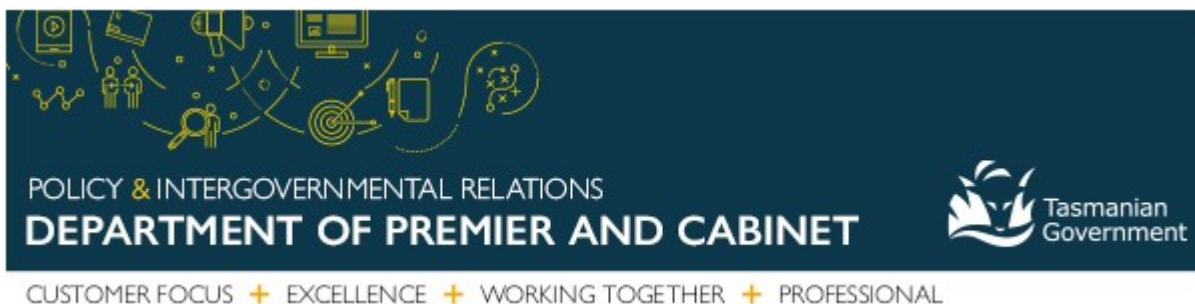
Thanks Jonathan.

Advice is noted.

Brian Risby FPIA | Director
State Planning Office
Department of Premier and Cabinet
Level 7 / 15 Murray Street, Hobart TAS 7000 | GPO Box 123, Hobart TAS 7001
(p) +61 3 62327066
(m) 0415848456

Brian.Risby@dpac.tas.gov.au

www.planningreform.tas.gov.au | www.dpac.tas.gov.au



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From: Jonathan Harmey <jonathan.harmey@mvc.tas.gov.au>
Sent: Monday, May 20, 2024 2:55 PM
To: Risby, Brian <Brian.Risby@dpac.tas.gov.au>
Subject: RE: Bell Bay Wind Farm Major Project Proposal

Hello Brian,

Confirming that Meander Valley Council will not be submitting any objection to the project being declared as a major project.

Regards



Jonathan Harmey, General Manager
P: 03 6393 5300 | E: jonathan.harmey@mvc.tas.gov.au
26 Lyall Street Westbury, TAS 7303 | PO Box 102, Westbury Tasmania 7303
www.meander.tas.gov.au

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From: Risby, Brian <Brian.Risby@dpac.tas.gov.au>
Sent: Wednesday, May 15, 2024 10:46 AM
To: Jonathan Harmey <jonathan.harmey@mvc.tas.gov.au>
Subject: Bell Bay Wind Farm Major Project Proposal

You don't often get email from brian.risby@dpac.tas.gov.au. [Learn why this is important](#)

Good morning Jonathan,

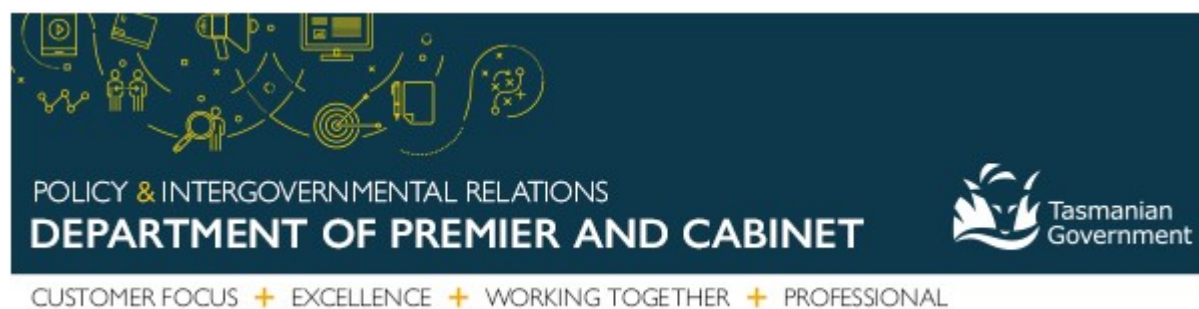
Please see attached correspondence from the Hon Minister Ellis MP, Minister for Housing and Planning regarding the Bell Bay Wind Farm Major Project Proposal sent to your Mayor Monday 13 May.

Kind regards,
Brian

Brian Risby FPIA | Director
State Planning Office
Department of Premier and Cabinet
Level 7 / 15 Murray Street, Hobart TAS 7000 | GPO Box 123, Hobart TAS 7001
(p) +61 3 62327066
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From the office of the Mayor



18 June 2024

The Hon. Felix Ellis MP
Minister for Housing and Planning
Level 5, 4 Salamanca Place
HOBART TAS 7000

By email only: felix.ellis@dpac.tas.gov.au

Dear Mr Ellis

Bell Bay Wind Farm Major Project Proposal

Thank you for your letter dated 13 May 2024.

I would like to advise that the Northern Midlands Council considered this matter at its meeting of 20 May 2024 and resolved to support the proposal by Equis Wind (Australia) Projects (LHWF2) Pty Ltd to construct and operate a wind farm on a 2780 hectare site north-east of George Town being declared a Major Project.

Yours sincerely

Mary Knowles OAM

MAYOR

P.O. Box 156
Longford Tas 7301

Telephone (03) 6397 7303
Facsimile (03) 6397 7331

www.northernmidlands.tas.gov.au

From: TasWater Development Mailbox <Development@taswater.com.au>
Sent: Friday, 7 June 2024 4:40 PM
To: State Planning Office Shared Mailbox
Subject: Major Project Proposal — Bell Bay Wind Farm

Dear Hon Felix Ellis,

Major Project Proposal – Bell Bay Wind Farm

I refer to your letter of 13 May 2024, on the proposal to declare the Bell Bay Wind Farm a major project under section 60C of the Land Use Planning and Approvals Act 1993.

TasWater has considered your proposal, is supportive, and provides the following feedback:

- There is no legal or stakeholder basis not to support the proposal
- That we will be adequately involved throughout the process to manage any issues arising from minor infrastructure relocations and provisions for future services
- Dependant on final design, the proponents of the project may be required to apply for Engineering Design Approval to relocate TasWater infrastructure and a subsequent Permit to Construct.

Should you have any queries, please do not hesitate to contact us.

Yours sincerely

Anthony Cengia
Development Technical Specialist



M 0474 933 293

E anthony.cengia@taswater.com.au

A GPO Box 1393, Hobart, TAS 7001

A 169 Main Road, Moonah, TAS 7009

—
taswater.com.au

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Please note that I am working from both home and the office on a 9 day fortnight, every second Monday is my non-work day.

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From: TasWater Development Mailbox <Development@taswater.com.au>
Sent: Tuesday, 25 June 2024 12:09 PM
To: State Planning Office Shared Mailbox
Subject: TasWater Advice TWSI 2024/00326-GTC. Re Major Project Proposal — Bell Bay Wind Farm

Dear Hon Felix Ellis,

Major Project Proposal – Bell Bay Wind Farm

On the 7th of June, TasWater responded to a referral under Section 60I(4) of the Land Use Planning and Approvals Act 1993 (the Act). Having now received a second referral under Section 60I(3) of the Act, we confirm our previous response:

I refer to your letter of 18 June 2024, on the proposal to declare the Bell Bay Wind Farm a major project under section 60C of the Act.

TasWater has considered your proposal, is supportive, and provides the following feedback:

- There is no legal or stakeholder basis not to support the proposal
- That we will be adequately involved throughout the process to manage any issues arising from minor infrastructure relocations and provisions for future services
- Dependant on final design, the proponents of the project may be required to apply for Engineering Design Approval to relocate TasWater infrastructure and a subsequent Permit to Construct.

If you have any queries, please contact me.

Al Cole
Senior Assessment Officer



M 0439 605 108
E Al.Cole@taswater.com.au
A GPO Box 1393, Hobart, TAS 7001

taswater.com.au

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Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

11 July 2024

State Planning Office
Department of Premier and Cabinet
By email: StatePlanning@dpac.tas.gov.au

Dear State Planning Office

RE: MAJOR PROJECT PROPOSAL – BELL BAY WIND FARM

I refer to a letter dated 18 June 2024 from the Minister for Housing and Planning, Hon Felix Ellis MP, inviting comment from the Tasmanian Heritage Council on the Bell Bay Wind Farm Major Project Proposal.

The proposal from Equis Wind (Australia) Projects dated 1 May 2024 enclosed in Minister Ellis' letter indicates that, from its initial scan, there are no places on the Tasmanian Heritage Register within the project area. The proposal also states that specialist consultant studies will be undertaken to identify if other heritage sites may exist within the project area, and ensure they are protected, conserved, or avoided where necessary.

Under the *Historic Cultural Heritage Act 1995*, heritage approvals will only be required if any development is proposed within the Tasmanian Heritage Register boundary. As indicated by the above project proposal, this appears unlikely. Therefore, at this stage, the Tasmanian Heritage Council has no comment to make under s60(3) of the *Land Use Planning and Approvals Act 1993*.

Yours sincerely



Brett Torossi
Chairperson
Tasmanian Heritage Council

Department of Natural Resources and Environment Tasmania

OFFICE OF THE SECRETARY

Hobart GPO Box 44, Hobart, Tasmania, 7001

Launceston PO Box 46, Kings Meadows, Tasmania, 7249

Devonport PO Box 303, Devonport, Tasmania, 7310

Ph 1300 368 550

Web nre.tas.gov.au

Inquiries: Sonia Mellor

Phone: 0436 636 279

Email: Secretary@nre.tas.gov.au

Our ref: D24-129490

Your ref: 24/52424/4 & 24/52424/3



Hon Felix Ellis MP

Minister for Housing and Planning

Felix.Ellis@dpac.tas.gov.au

Major Project Proposal – Bell Bay Wind Farm

Thank you for your letter of 13 May 2024 advising that Equis Wind (Australia) is seeking to have the Bell Bay Wind Farm Project (the Project) declared a major project under the *Land Use Planning and Approvals Act 1993* (LUPAA). Your correspondence was accompanied by a copy of the Major Project Proposal (MPP). You also wrote to Mr Julian Gill, Manager, Property Services, Tasmania Parks and Wildlife Service in his capacity as 'owner' of land within the Project land. Please accept this response as addressing both items of correspondence.

As the Secretary of the Department of Natural Resources and Environment Tasmania (NRE Tas), having responsibility for the management of the relevant portfolio land, I acknowledge that the Project land includes land owned by the Crown which is administered by NRE Tas. This includes Crown land within the meaning of the *Crown Lands Act 1976*. Given the Project land includes Crown land, and in accordance with Section 60P(2)(a) of LUPAA, I note that the then Minister for Parks, the Hon Nick Duigan MLC, has provided consent to the affected Crown land being included in the Project land.

In accordance with both Section 60I(3) of LUPAA, as a relevant State entity, and Section 60I(4) of LUPAA, as an owner of part of the land to which the proposal for a declaration relates, NRE Tas considers that the Project, as proposed by Equis Wind (Australia), is eligible to be declared a major project.

In relation to natural heritage values, the MPP acknowledges that the Project may have an impact on a range of native vegetation communities and flora and fauna listed under the *Nature Conservation Act 2002* (NCA), the *Threatened Species Protection Act 1995* (TSPA) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA).

This includes the potential for direct and indirect impacts that may temporarily and/or permanently alter the available habitat for threatened terrestrial and aquatic flora/fauna and create collision risks for avifauna during both the construction phase and the operational phase.

The scale of the Project increases the likelihood of impacts to natural values, thereby increasing the complexity associated with the assessment of impacts and the application of avoidance and/or mitigation measures, along with the need to seek the required approvals to proceed.

In accordance with Section 60M(2)(a)(ii) of LUPAA, at least two project related permits are likely to be required including permit/s to take threatened flora and fauna under the TSPA and permit/s to take products of wildlife under the NCA. In addition, as stated in the MPP, the Project is likely to require assessment and approval under the EPBCA based on its scale and the potential impacts to matters of national environmental significance, including listed threatened species and ecological communities and listed migratory species.

Should your officers have any further questions in relation to this matter NRE Tas's contact officer is Ms Sonia Mellor, Principal Advisor Policy, Strategic Projects and Policy Branch, Strategy and Business Services Division. Ms Mellor can be contacted on 0436 636 279 or at sonia.mellor@nre.tas.gov.au.

A handwritten signature in black ink, appearing to be 'J. Jacobi', written over a faint circular stamp or watermark.

Jason Jacobi
SECRETARY

27 May 2024

Copy to: stateplanning@dpac.tas.gov.au

10.6.24

Minister Felix Ellis
Department of State Planning
Tasmania

Dear Minister Ellis

Re: Bell Bay Wind Farm

Thank you for your correspondence dated 13th May 2024. The purpose of this letter is to oppose the major project proposal now named the Bell Bay Wind Farm. As a long term opposer of this project I have remained abreast of the plans and their impact on what is considered and deemed by the George Town Council as prime agricultural land, which has prevented me from a range of development proposals in the past. Contradiction reflected in the Equis proposal have stated that this land is significantly downplayed in its purpose.

Please note the following points of objection which have been my areas of concern which have been raised by myself since the initial proposal:

1. Physical and Mental Health Impact

The Bell Bay Wind Farm proposal and the previous Low Head Wind Farm proposal, have been in the planning stages since before 2010, has already had a significant impact on my physical and mental health. I have noted altered moods and increased depression, which has seen me seek advice from my GP. My daughter's health and wellbeing have also been impacted due to the tentative future of this fourth generation and historically significant property, which she will inherit. The uncertainty of these projects and their impact have placed undue stress on both of us and our relationship.

2. Auditory impact

A major concern regarding the presence of 28 towers situated both within view of my residence and across the surrounding 135 acres is the auditory impact.

3. Visual impact

Recognised as a key social impact this project will affect the townships of Bell Buoy Beach with a population of 160 residents. Beechford with a population of over 100 residents and Low Head with a significant population of over 620 people. With residents on Aerodrome Road, Soldier Settlement Road and Musk Vale Road who will be directly impacted.

Concerns around the blade glint and shadow flicker

The George Town Municipality has major historical significance as the oldest town in Australia, founded in 1803.

4. Electromagnetic Interference with communications

The nature of my employment requires that I be contactable and available by phone and internet on a 24-hour basis. I am required for emergencies and work on a 24-hour shift rotation.

5. Fauna Impact

This area sees substantial and healthy birdlife including a pair of resident Wedge-tailed Eagles which are currently breeding, Grey Goshawk, White-bellied Sea-Eagle, the Masked Owl and Blue Winged Parrots.

Thank you for the opportunity to respond to your letter and noting these significant concerns.

Yours sincerely

Richard Harris
0407 539 115

Environment Protection Authority

GPO Box 1550 HOBART TAS 7001 Australia

Enquiries: Helen Mulligan
Phone: 0427 743 988
Email: helen.mulligan@epa.tas.gov.au
Web: www.epa.tas.gov.au
Our Ref: [D24-162883](#)



16 July 2024

Felix Ellis MP
Minister for Housing and Planning
GPO Box 123
HOBART TAS 7001

By Email: felix.ellis@dpac.tas.gov.au

Dear Minister

MAJOR PROJECT PROPOSAL – BELL BAY WIND FARM

I refer to your letter, received on 19 June 2024, regarding the proposal to declare Bell Bay Wind Farm (the Project) as a major project under section 60C of the *Land Use Planning and Approvals Act 1993* (LUPAA).

In response to your query as to my opinion about the eligibility of the Project to be declared a major project, I note that section 60M of LUPAA requires major projects to have two or more of the following attributes:

- (a) the project will have a significant impact on, or make a significant contribution to, a region's economy, environment or social fabric;
- (b) the project is of strategic importance to a region;
- (c) the project is of significant scale and complexity.

From the information provided, it is considered that the Project has the potential to significantly impact the region's environment which would satisfy this aspect of criterion (a). The significant scale and complexity of the Project also indicates that it is likely to satisfy eligibility criterion (c).

I have no comment to make with respect to the Project's likely impact or contribution to the region's economy or social fabric (criterion (a)) or its potential strategic importance to the region (criterion (b)) and for this reason I am unable to draw any conclusion on whether the Project is eligible to be declared a major project.

If you would like further information or would like to discuss this matter further, please contact Helen Mulligan, Manager (Assessments) on 0427 743 988 or via email helen.mulligan@epa.tas.gov.au.

Yours sincerely

Wes Ford
DIRECTOR & CHIEF EXECUTIVE OFFICER
ENVIRONMENT PROTECTION AUTHORITY

State Planning Office, Department of Premier & Cabinet
GPO Box 123 HOBART TAS 7001
Phone: 1300 703 977
Email: stateplanning@dpac.tas.gov.au

