

Our ref: 43 Hampton Road, Hampton – Wind Farm
Your ref: DA154/25

13 January 2026

The General Manager
Lithgow City Council
Attn: Lauren Stevens

Via the NSW Planning Portal

Dear Lauren

Re: Proposed decommissioning and removal of the existing two wind turbines and construction of two replacement wind turbines, “Hampton Wind Farm” 43 Hampton Road, Hampton NSW 2790.

I refer to Council’s request for additional information dated 16 December 2025 and have provided an update and answers in responding to this matter for councils’ consideration. I will respond below to each item that Council has raised.

Noise

Quotes have been sought from Noise practitioners who have been provided with the Councils requirements of the outstanding issues to be included in a revised Noise Impact Assessment. We note that this is not a greenfield site, and accordingly question the relevance of greenfield site assumptions. In our view, a comparative approach with the existing facility is more appropriate for determining any change of impact.

Visual Assessment

Further work has been completed on the visual assessment that will be provided to Council in relation to the matters raised. Note that some of the impacts on some receivers are very minor or may not materially increase the impacts of the existing wind turbines currently onsite. We also question the utility of providing assessments for potential building sites, where there is no DA before the Council or approved.

We have provided a response in the SEE where they are appropriate however this is not a new facility or at a scale to consider this scale of development referenced in the Energy Guideline November 2008. Therefore, the responses have been previously provided in accordance with the guideline where relevant.

Purpose

The purpose of the development is to replace the existing wind turbines with 2 newer and more efficient wind turbines. The benefit of the power generated is to a private company which is accredited via the National Electricity Market, like any other commercial enterprise. It should be noted that this is not a planning consideration, other than the proposals permissibility which is provided via the NSW SEPP (Transport and Infrastructure) 2021.

Traffic

A Traffic Management Plan is expected to be conditioned to be completed prior to construction, however we will provide information to satisfy TfNSW's response/request to the proposed dated 28 November 2025. Our statutory obligations at DA stage are limited to the referral response received from TfNSW. In our view at DA stage, all that is needed is to demonstrate that site access is feasible. Full details can only be developed once the transport contractor has been identified, including the specific equipment to be used.

Lithgow Councils Roadside Vegetation Management Guidelines

These guidelines do not appear to be available on Lithgow Councils website, can a copy of these guidelines please be provided.

We would also like to take the opportunity to confirm that no vegetation has been proposed to be removed at this stage, the SEE has noted that some lopping maybe required, but if lopping is considered required, then should be considered by Council under Section 88 of the Road Act 1993 due to a small number of limbs being a "traffic hazard". There is no intention of removing or lopping any vegetation within the road reserve unless it's absolutely necessary. As the amount of vegetation to be lopped is unknown, we are not able to calculate the vegetation at this point in time until traffic Management arrangements in terms of vehicle type is confirmed.

Heritage

There are no heritage items located on site, and further information has been provided in the SEE for heritage items outside the site area. We remain of the view that the existing wind turbines have had no impact on the heritage items over the past 20 years that they have been in operation, and therefore the proposed new turbines will have the same nil effect.

Decommission and Site Closure Plan

The estimated lifespan of the new wind turbines is between 25-30 years therefore it is considered premature to confirm any detailed assessment of the type of technology used for decommissioning, the state of the future road and associated disposal methodology. An overview has been provided in the SEE and is deemed sufficient at this stage.

Having said that please find a draft table of contents of what the decommission and site closure plan would cover:

- Introduction (Project overview, site location, land tenure and approval/regulatory framework)
- Project Description (Wind turbine specs, foundations, access tracks, hardstands and crane pads, electrical infrastructure)
- Decommissioning objectives and triggers (Environmental outcomes, landholder and stakeholder considerations, waste minimisation.
- Waste and Materials Management
- Environmental Management Measures
- Site rehabilitation and closure
- Monitoring, reporting and compliance

Financial bonds etc can be discussed with the applicant as a condition of the development application before works are commenced.

DCP

The Statement of Effects will be updated to provide additional clarity on the following matters:

- Further justification of the impacts of the development in relation to Chapter 8 of the DCP objectives.
- Land Use Conflict Assessment has already been provided in the SEE; agricultural activities etc would continue on the land. There are no additional land use conflicts as a result of the 2 wind turbines being replaced by another two wind turbines.
- A Draft Construction Environmental Management Plan (CEMP) will be provided to Council and is expected to be conditioned for approval once construction contracts have been awarded to update the CEMP with details directly related to the construction company.
- Electromagnetic Study – Data to inform any electromagnetic study needs to be gathered at commissioning stage. If there is an issue then appropriate mitigation measures (physical and management) can be considered (Faraday cages, or switching off turbines periodically). Can council please provide any complaints received regarding EMF emissions as there are two existing wind turbines in operation over the past 20 years.
- A Communications Study – this needs to be evidence based, therefore could any complaints lodged with Council in relation to the existing turbines in operation over the past 20 years for communications disturbance please be provided.
- Risk Assessment – A risk assessment has been provided in the SEE, however in practise generally risks would form part of an Operational Environmental Management Plan (OEMP). A draft Operational Management Plan will be provided to Council, with the final plan to be approved post-DA consent.
- Setbacks – The existing wind turbines don't meet setback requirements. Minor changes to the locations, within the current constrained site have been made to improve public road setbacks and for operational reasons in terms of the interaction of the turbines.

Wind Energy Guideline

The issue that relates to Blade Glint could be mitigated with the paint finish being a matt finish on the blades to significantly reduce any reflection.

Shadow Flicker – The OEMP will outline mitigation of flickering by the management actions in operating the turbines when the sun location is considered during the operation of the turbines.

Avifauna impact and bird strike mitigation section has been included in the SEE.

Biodiversity

As per previously discussed there is no vegetation proposed to be removed as part of this development. Some limited tree lopping along the road reserve may be required subject to the traffic route approved by the road authorities via a separate process outside the development Application process. It is unclear that if any vegetation will be lopped but in doing so is considered exemption under Section 88 of the *Road Act 1993* and would form part of the TMP assessment.

We would like to clarify point 3 in relation to Bionet Sensitive Data Licence question as it is not clear on what Council is requesting.

Flora and Fauna including considerations of the BC Act have been provided in the SEE. An updated section in related to Avifauna impacts has been included in the SEE. There is no koala habitat in this area, and no recorded sightings on the site. As there has been no evident impacts from the existing wind turbines, no vegetation is proposed to be removed or impacted except for the potential of minor

lopping along the road reserve outside the site to transport the infrastructure onsite. Therefore, we don't believe a further Flora and Fauna Assessment is required.

Voluntary Planning Contributions

Details have been provided in the SEE at a high level, the applicant is happy to discuss this further with Council.

Electricity Regulation

There is no need for any significant upgrades to the electricity infrastructure with the existing wind turbines already connected to the electricity infrastructure, however any connectivity issues are matters between the applicant and the electricity authority and are not planning considerations.

Transport for NSW Comments

Work on this will be commissioned and completed to address the matters raise by TfNSW.

Mid-Western and Oberon Councils

These comments have been noted, and once the formal permit process with the road authority comments for transportation of the infrastructure, they would be contacted.

Community concerns

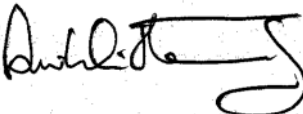
The applicant has prepared issues register for the issues raised by the community, and to ensure these concerns are adequately address have requested a copy of the submissions via an informal GIPA process. It should be noted that some of these issues have been dealt with already, not planning considerations or will be included in elements of the above-mentioned work to be completed.

Other Issues DA96/01 Current Turbines

These items are not planning considerations for the decision in relation to this proposed development under this DA, and we suggest that these matters are separated from this process and dealt with separately.

In summary, many of the issues raised are in hand and are actively been worked on. We therefore request that this application continues under assessment with the information being requested from Council being provided in the coming weeks.

Yours sincerely



Angus Witherby

Director, BA, DURP, FPIA