Appendix B-2: Additional Correspondence from Agencies about the EA and Draft Submissions

NSW GOVERNMENT | Planning & Infrastructure

Mr Neil Cooke
Manager Power Development
AGL Energy Limited
Locked Bag 1837
St LEONARDS NSW 2065

Our ref.: MP10_0035

Dear Mr Cooke

Subject: Review of Submissions Report for the Dalton Power Project (MP10_0035)

I refer to the draft submissions report for the Dalton Power Project submitted to the Department on 17 October 2011 and subsequent addendums submitted to the Department on 28 October 2011 and 2 November 2011.

Please see the attached comments from the Office of Environment and Heritage and Upper Lachlan Shire Council in relation to the draft submissions report and addendums.

In addition, the Department has identified the following additional matters that are required to be addressed within the submissions report for the project:

- Noise Impacts:
  - additional receptors are required to be considered within the noise assessment:
    - operation - mainly those in proximity to receptors already confirmed as exceeding 35dB (receptors B,C,D) i.e R21 and R12-17; and
    - construction - those in proximity to the valve station and pipeline i.e R12-R14 & R17.
  - clarification is required on whether the valve station will emit noise; and
  - the response to the Walsh family should indicate that they are receptor B, and detail the results of the noise assessment, level of exceedence and impacts for their property.
- Water Supply:
  - the potential sources of water (and quantities from each source) for the operation of the project and associated impacts (i.e. any proposed infrastructure upgrades and/or infrastructure required to connect to the site and/or capital contributions) have not been adequately addressed to provide confidence that one, or a combination of these options can source the project if required. This is to be further detailed to enable the Department to have confidence regarding the nature/acceptability of impacts of sourcing water from one or a combination of these sources (Dalton potable water supply, Gunning potable water supply, Gunning sewage treatment plant, groundwater extraction). It will not be possible for the Department to approve water supply sources for the project should the level of information be insufficient;
  - a maximum of 140ML of water is stated as being required for stage 2. Trucking of up to 25ML per annum of water is stated as being the preferred option of sourcing this water, with groundwater extraction of up to 104ML to supply the remainder. These figures do not correlate, and require clarification;
  - the source of the tankered water should be detailed; and

- the response does not address section 6.2-6.9 of the "Community for accurate impact assessment of the Dalton Power Station" submission.

- Socio-Economic:
  - the response does not adequately address the concerns raised with respect to the impact on property prices. The response states that property prices are complex and influenced by many factors, and the response briefly touches on one of these factors being amenity and then refers to the EA. The response needs to expand on the range of factors and impact the power station may have on surrounding property prices; and
  - the response does not adequately address any proposed community initiatives directly related to the project. The response mentions examples of community initiatives provided/supported by AGL at other locations unrelated to the project, and a broad statement that AGL has an active community engagement philosophy. The response further states that AGL is currently in discussions with the Upper Lachlan Shire Council regarding any initiatives, and that AGL is prepared to negotiate a voluntary planning agreement (VPA) with Council. Although a commitment has been given regarding negotiating a VPA, further detail should be given regarding a range of potential community initiatives and/or community enhancement funding directly related to the project.
- Traffic Impacts:
  - a map should be provided to detail the proposed route of both the construction traffic and water tankers;
  - details of the draft detailed management plan referred to in the response should be elaborated;
  - the response states that Walshs Road and Loop Road will be temporarily sealed during construction activities then permanently sealed following construction of each stage...however it further states that the roads used for access to the site would be sealed at the commencement of construction, and requires clarification; and
  - the response states that the safety and amenity of the community will be managed by experienced haulage contractors in liaison with the RTA and police, however does not elaborate on what these management measures may be.
- Air-Quality Impacts:
  - the response does not adequately address the concerns regarding air quality monitoring in and around Dalton other than stating that a range of monitoring will be undertaken. Further detail should be given to indicate type and potential locations for future air quality monitoring (including the likelihood of one of these locations being Dalton Public School as it has been identified in the submissions as an area of concern).
- The response states that AGL has conducted detailed assessments of the design of the power station. The 3D image however, in block form, does not provide an adequate representation of the built form of the power station. This is required to be updated to more accurately represent what the power station may look like in reality, within the context of the immediate surrounds.
- The inclusion of dimensions of the power station layout and components, levels and setbacks to the site boundaries within the site concept plan (i.e Figure 4.3 of the EA) represented on A3 sized pages has not been provided.
- Elevations from all four sides of the power plant are required. A height is also to be indicated on the communications tower plan.

- The agricultural impacts of the proposal as detailed in the NSW Trade and Investment guidelines "Infrastructure proposals on rural lands" need to be elaborated. The class of agricultural land and impact of the loss of this land to agriculture in the region should be quantified.
- A commitment should be included limiting operation of the power plant to 15% of any twelve month period.
- In response to a submission relating to the 33 hollow bearing trees being offset by the existing 49 hollow bearing trees, it is stated that the offset requirements have been developed to meet state and federal requirements, this needs to be expanded.

Notwithstanding the above, further matters may be raised during the assessment process.

Your contact officer for this proposal, Toby Philp, can be contacted on (02) 9228-6343 or via email at toby.philp@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

2/12/11

Glenn Snow
A/Director
Infrastructure Projects

Upper Lachlan Shire Council

All correspondence addressed to the General Manager, PO Box 42, Gunning NSW 2581

Crookwell Office: 44 Spring Street, Crookwell NSW 2583
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ABN 81 011 241 552

Our Ref: F11/203

15 September 2011

Major Projects Assessment
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Toby Philp

Dear Mr Philip

RE: RESPONSE TO SUBMISSIONS FOR DALTON POWER PROJECT (MP10_0035)

Reference is made to your invitation to comment on the response to submissions for the Dalton Power Project (MP10_0035). In response to the invitation, Upper Lachlan Shire Council would like to submit the following comments:

- **3.6 Water Supply**

Again the response provide by AGL is generalised in terms of water supply requirements and lacks due consideration of potential sources of supply. While the responses provided by AGL indicates that water can be obtained from a number of sources, it fails to be definitive in quantities from respective sources, and given some of these sources do not appear practicable the overall conclusion is questionable.

- **3.6 Wastewater**

The response fails to identify how residual waste from those ponds will be managed, nor details on the expected traffic movements associated with the disposal to an appropriately licensed facility, location unknown.

- **3.10 Traffic and Transport**

The responses have not addressed the concerns raised regarding transport issues. Broad statements have been provided with no substance leaving Council with no assurance that the issues previously raised will be further addressed at a later stage to the satisfaction of the appropriate road authority.

Council would like to re-iterate that the assessment and definition of all preparatory and remedial works will be difficult as the developer intends to stage the project into at least two parts. Should these parts be separated by more than several months, the affected communities will rightly expect that the repairs works will need to be completed at the end of each stage.

- **3.11 Community Enhancement Program**

The response fails to recognise the existence of Council's Development Control Plan, in which Council, at the time of exhibition of this project, has endorsed Part 3 Submitting a Development Application – Sections 3.17 Community Enhancement Program and Appendix B – Power Station Planning Agreement of Upper Lachlan Development Control Plan 2010. The response fails in its corporate responsibility to the immediate area.

Council, again would like to re-iterate that a condition requiring the proponent to provide a contribution in accordance with Section 3.17 of the Upper Lachlan Development Control Plan 2010 should be included in the determination if approved.

For any further information or clarification please contact Council's Environment and Planning Section, during office hours.

Yours faithfully

Dodson

Tina Dodson
Director Environment and Planning
for
J K Bell
General Manager
Upper Lachlan Shire Council

NSW GOVERNMENT | Office of Environment & Heritage

PCU028469

Your reference: MP10_0035
Our reference: FIL10/3530 DOC11/48809
Contact: Julian Thompson, 02 6229 7002

Mr Neville Osborne
Manager – Energy, Infrastructure Projects
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

24 November 2011

Dear Mr Obsborne

RE: AGL DALTON POWER PROJECT (MP10_0035) – SUBMISSIONS REPORT

I refer to your letter to the Environment Protection Authority (EPA) dated 21 October 2011 which enclosed the *AGL Dalton Power Project Submissions Report* prepared by URS Australia Pty Ltd.

AGL Energy Limited proposes to construct a 1500MW gas turbine power plant north-east of Dalton, NSW. You invited the EPA to review the Submissions Report and provide updated recommendations to the Department of Planning and Infrastructure.

After reviewing the Submissions Report, the EPA has updated a number of its recommended conditions for approval.

In summary, EPA makes the following points on the proposal and the Submissions Report:

Noise

- Tonality cannot be discounted and accordingly, adjustment should be made in noise limits for the project;
- In addition to A-weighted noise limits, a C-weighted (low frequency) noise limit is recommended.
- Revised atmospheric stability data is accepted.
- Updated noise limits and monitoring conditions are recommended.

Air

- Updated monitoring conditions are recommended.

Flora and fauna

- Mechanism for securing the biodiversity offset is satisfactory.

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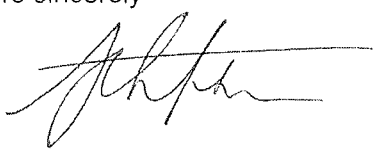
- Further survey work required for certain threatened species required prior to construction, and incorporation of survey findings into project design.

The EPA's detailed comments and recommendations are in **Attachment A** to this letter.

Should the Department be minded to approve the project, the EPA would appreciate an opportunity to review any draft approval conditions developed. The proponent will also need to make a separate application to the EPA to obtain an Environment Protection Licence should project approval be granted. If approved the EPA would use these recommended conditions of approval in developing any Licence.

The EPA is happy to discuss these comments further with the Department of Planning and Infrastructure and the proponent, including meeting if required. Please contact me 02 6229 7002 if you have any queries in relation to this matter.

Yours sincerely



JULIAN THOMPSON
Unit Head – South East Region
NSW Environment Protection Authority

Att.

ENVIRONMENT PROTECTION AUTHORITY (EPA)
COMMENTS AND RECOMMENDATIONS
SUBMISSIONS REPORT FOR THE PROPOSED DALTON POWER PROJECT

NOVEMBER 2011

Noise Impacts

The EPA has undertaken a review of the "Noise Impact Assessment Report" dated 20 July 2011 and the "Submissions Report" dated 14 October 2011 both prepared for the proponent AGL Ltd by URS Australia Pty Ltd (URS). Additional information in relation to noise impacts was received directly from URS during October and November 2011. This included:

- Addendum to Submissions Report: Copy of letter from URS to AGL (Neil Cooke) dated 28 October 2011 providing information relating to tonality and low frequency noise issues.
- Addendum to Submissions Report: Letter from AGL to the EPA dated 4 November 2011 providing 1/3 octave band data and predictions for gas fired turbines (Note: this data was marked "Commercial in Confidence").

The EPA's review of the proponent's responses has identified the following the issues:

Tonality

The Environmental Assessment claimed that the noise generated by the proposed gas fired turbines will not exhibit tonal characteristics. The EPA requested further justification for this claim in its response to the Environmental Assessment.

Octave band sound power levels for a turbine type General Electric (GE) 9FA were provided by the proponent and a C-weighted level calculated based on receiver location. The EPA notes that dB(C) levels of 60-61 dB have been calculated at receivers B, C and D. Tonality cannot be determined from the octave data. The EPA's *Industrial Noise Policy* (INP) states that 1/3 octave data should be used to determine tonality and we consider that 1/3 octave data can give a better indication for potential for low frequency noise with data in frequencies from at least 20Hz to 250Hz.

The letter dated 28 October 2011 states "Suitable 1/3 octave band data for the preferred GE turbine 9FA type is not currently available as the 9FAs are primarily operated in combined cycle (not simple cycle) and where they have been supplied installed in simple cycle, GE has not provided the exhaust stack; so data comparable to the Dalton power station configuration does not exist". The proponent maintains, however, that there should be no tonality issues associated with the 9FA turbines, based on the measurements undertaken for the 7FA type GE turbine. The proponent provided 1/3 octave data for the 7FA turbine. The EPA concurs, based on this data, that tonality does not appear to be a characteristic of the measurements provided for the 7FA turbine as defined by the INP, though whether this is representative of a 9FA turbine is not certain. Thus, the EPA believes a precautionary approach would be to maintain the 5 dB penalty for tonality as proposed in our submission on the Environmental Assessment.

Low frequency noise

The overall dB(A) and dB(C) levels from the measured 1/3 octave data (Table 4 in letter dated 4 November 2011) were not provided, however the EPA has calculated that it appears that the overall dB(C) levels at receivers B, C and D are likely to be 63-64 dB. The overall dB(A) levels appear to be 33 dB at receiver C and 37 dB at receivers B and D, which is a difference of 20-27 dB between A and C weighted noise levels.

This C – A weighted difference triggers the 5 dB correction for low frequency noise under the Industrial Noise Policy procedure. This was predicted in the Environmental Assessment.

The EPA proposes the following approach to low frequency noise that could be applied in this instance. In addition to the 35 dB(A) noise limit at sensitive receivers, upper limits of 65 dB(C) (night) and 70 dB(C) (day) should also apply to the project at sensitive receivers. Any project approval should trigger a "negotiated agreement" or "acquisition" clause should noise levels exceed these limits. This approach is consistent with the approach Dr Broner has suggested.

Atmospheric Stability

In our review of the Environmental Assessment, the EPA noted that the use of TAPM meteorological data in noise assessment has been known to underestimate the occurrence of conditions most likely to enhance noise propagation (inversions and low wind speeds). EPA recommended that the proponent demonstrate that this potential underestimation is not occurring by presenting cumulative distribution functions of wind speeds for the TAPM-generated "site" data versus cumulative distribution functions of wind speeds from surrounding "real" meteorological stations.

In the Submissions Report, URS has reassessed the data and noted that version 4 of TAPM was used (which provides a more accurate correlation than earlier versions). The EPA accepts the reassessment and considers that the standard meteorological condition of including inversions up to F class, rather than G class could be used in setting noise limits for this project. This requires sigma theta measurements at 10m above ground level for determination of stability class and direct measurement of atmospheric temperature at 10m and 60m above ground level.

Noise compliance monitoring

The proponent indicated in the Submissions Report that it believes the EPA's suggested noise compliance monitoring condition (suggested condition M8.1) was impractical because of the periodic nature of the noise and the potential short run times of the plant at different times of the day may not align with the suggested minimum monitoring periods and times of day.

In lieu, AGL suggests extended/intensive noise compliance monitoring during the commissioning phase (at the plant and receivers) and not subsequently. The EPA is satisfied that intensive noise compliance monitoring during commissioning will provide a satisfactory indication of noise levels from the project.

The EPA suggests the following condition in lieu of our previous recommendation:

> *M8.1 To assess compliance with Condition L6.1, continuous logging of A-weighted and C-weighted noise levels must be undertaken in accordance with Condition L6.5 at each one of the locations listed in Condition L6.1 during the entire commissioning period. Results must include operational information for the plant. Results must be reported to the EPA within one month of the conclusion of the commissioning phase.*

Given the above comments, EPA's updated recommended noise limits for the project and conditions based on the Environmental Assessment and the Submissions Report (including addenda) are therefore:

Recommended Noise Conditions

L6 Noise Limits

L6.1 Noise generated at the Dalton Power Station premises must not exceed the noise limits presented in the table below. The localities are those described in the *"AGL Dalton Power Project – Environmental Assessment"* – Appendix G prepared by URS dated July 2011.

Noise Limits dB(A)				
Locality	Day	Evening	Night	
	$L_{Aeq,\ (15\ minute)}$	$L_{Aeq,\ (15\ minute)}$	$L_{Aeq,\ (15\ minute)}$	$L_{A,\ (Max)}$
Receivers A, B, C, D, E, F, G, H, I and J.	35dB(A)	35dB(A)	35dB(A)	45dB(A)

Noise Limits dB(C)				
Locality	Day	Evening	Night	
	$LC_{eq,\ (15\ minute)}$	$LC_{eq,\ (15\ minute)}$	$LC_{eq,\ (15\ minute)}$	
Receivers A, B, C, D, E, F, G, H, I and J.	70dB(C)	65dB(C)	65dB(C)	

L6.2 For the purpose of condition L6.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L6.3 The noise limits set out in condition L6.1 apply under all meteorological conditions except for:

(a) wind speeds greater than 3 metres/second measured at 10 metres above ground level, and

(b) temperature inversion conditions greater than 3°C /100m and wind speeds up to 2 metres/second at 10 metres above ground level.

L6.4 For the purpose of condition L6.3:

a) The data to be used for determining meteorological conditions is the data recorded by the meteorological weather station established at the site for the purposes of this Environment Protection Licence and identified as EPA Identification Point (TBA).

b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L6.5 For the purposes of determining the noise generated at the premises:

a) Class 1 or 2 noise monitoring equipment that is calibrated in accordance with the manufacturer's specifications must be used according to AS IEC61672.1-2004 and AS IEC61672.2-2004;

b) The noise monitoring equipment used at a location must be placed in a position that is:

i. that is, where applicable:

- approximately on a location's property boundary that is closest to the premises, where any dwelling at the location is within 30 metres of the location's property boundary that is closest to the premises; or
- within 30 metre of a dwelling façade where any dwelling at a location is situated more than 30 metres from the location's property boundary that is closest to the premises; or

ii. that is within 1 metre of a dwelling façade at a location to determine compliance with the L_{Amax} noise limits in condition L6.1; and

L6.6 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the monitoring equipment.

L6.7 All construction work at the premises must only be conducted between Monday to Friday 7am to 6pm; Saturday 8am to 1pm; no work on Sundays or Public Holidays.

L6.8 The following activities may be carried out at the premises outside the hours specified in conditions L6.7:

(a) the delivery of materials as requested by Police or other authorities for safety reasons;

(b) emergency work to avoid the loss of lives, property and/or to prevent environmental harm.

L6.9 The licensee shall prepare and implement a Construction Noise and Vibration Management Plan with reference to the guidelines contained in the Interim Construction Noise Guideline (DECCW, 2009).

L6.10 Vibration resulting from construction and operations at the premises must not exceed the preferred values in the document *Assessing Vibration: A Technical Guideline* DEC 2006.

M7 Monitoring Conditions

M7.1 A meteorological weather station must be established and maintained at the site so as to be capable of continuously monitoring the parameters specified in condition M7.2.

M7.2 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point (TBA)

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	degrees	Continuous	15 minute	AM-2 & AM-4
Wind speed	metres/second	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Rainfall	Millimetres	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

M8 Requirement to Monitor Noise

M8.1 To assess compliance with Condition L6.1, continuous logging of A-weighted and C-weighted noise levels must be undertaken in accordance with Condition L6.5 at each one of the locations listed in Condition L6.1 during the entire commissioning period. Results must include operational information for the plant. Results must be reported to the EPA within one month of the conclusion of the commissioning phase.

The noise compliance monitoring must be undertaken by a suitably qualified and experienced acoustical consultant and undertaken in accordance with the NSW Industrial Noise Policy.

Air quality

The EPA has undertaken a review of section 3.2 of the "Submissions Report" report prepared by URS Australia Pty Ltd dated 14 October 2011 in relation to air quality issues. The EPA has revised its recommended monitoring conditions for air quality by removing the proposed requirement to monitor for carbon dioxide, sulphur oxides and particulate matter. The EPA accepts URS's advice that given the only permitted fuel for the turbines is natural gas, predicted emissions of particulate matter and sulphur oxides are considered to be negligible.

The EPA's updated recommendations for conditions of approval relating to air quality appear below.

Recommended Air Conditions

Discharges to Air

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

EPA Identification No	Type of Monitoring Point	Type of Discharge Point	Description of Location
1,2,3,4,5,6	Air emissions monitoring	Discharge to Air	Stacks Serving Turbines 1-6

Note: A detailed site map must be provided with any Environment Protection Licence application identifying the location of the discharge and monitoring points.

P2 Air

Stack Sampling Positions

P2.1 The proponent must ensure that ensure that the design and construction of the facility includes sampling positions that comply with TM-1 as set out in the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* or as otherwise agreed in writing by the EPA.

Approved Fuels

P2.2 Natural gas is the only fuel approved for firing of the power station turbines.

L2 Air

Emission Limits

L2.1 For each monitoring/discharge point specified in the table below the emission of a pollutant discharged at that point must not exceed the emission limits specified for that pollutant in the table.

Points

Emission Point(s)	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions
1-6	Nitrogen dioxide (NO_2) or nitric oxide (NO) or both, as NO_2 equivalent	Milligrams per cubic metre	51	Dry, 273 K, 101.3 kPa, 15% oxygen (O_2)

L2.2 The concentration limits prescribed in Condition L2.1 above do not apply to the emissions from an individual turbine during the following periods:

(a) a start-up period – that is, while a turbine is being brought up to normal operation following a period of inactivity; or

(b) a shutdown period – that is, while a turbine is being taken out of service from normal operation to inactivity.

- **Note 1:** While the concentration limits specified do not apply during start-up or shut down periods, the proponent is subject to the requirements of section 128 (2) of the *Protection of the Environment Operations Act* in relation to the prevention and minimisation of air pollution.
- **Note 2:** Condition L2.2 only applies to an individual turbine during a start-up or shut down period for that turbine. The concentration limits specified continue to apply to the other turbines if they are operational during these periods.
- **Note 3:** Emissions from start-up and shut-down periods must be included in Load Based Licensing assessable pollutant load calculations.

Potentially Offensive Odour

L2.3 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

L2.4 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

Dust

O3.1 All operations and construction activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises.

L5 Load Limits

L5.1 The Project will be incorporated into the Load Based Licensing scheme under the fee based classification, *Electricity Generation – Coal and Gas.*

Note: The EPA Load Based Licensing Load Calculation Protocol lists the following assessable pollutants under this activity: air – oxides of nitrogen; water – total suspended solids and salt.

Monitoring and Recording Conditions

M1 Air

Requirement to monitor concentration of pollutants discharged

M1.1 For each monitoring/discharge point specified below, the proponent must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The proponent must use the sampling method, units of measure and sample at the frequency, specified opposite in the other columns:

Monitoring Point(s)	Pollutant	Units of measure	Frequency	Sampling Method
Stacks serving turbines 1-6	Nitrogen dioxide (NO_2) or nitric oxide (NO) or both, as NO_2 equivalent	milligrams per normalised cubic metre	Continuous	CEM-2
	Moisture content	%	Continuous	TM-2
	Oxygen (O2)	%	Continuous	CEM-3
	Temperature	Degrees Celsius	Continuous	TM-2
	Volumetric flow rate	Cubic metres per second	Continuous	CEM-6
	Dry gas density	kilograms per cubic metre	Continuous	TM-23
	Molecular weight of stack gases	grams per gram mole	Continuous	TM-23
	Velocity	metres per second	Continuous	TM-2

Note: The sampling methods set out in the above table are those specified in the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.*

Special Conditions

E1 Long Term Air Emission Benchmark – Operation

E1.1 The purpose of this condition is to ensure the long term proper and efficient operation of the turbines based on emission performance achieved in practice.

E1.2 After 12 months from the end of commissioning of Stage 1, but not longer than 24 months, the proponent must submit a report to the EPA proposing an annual average nitrogen oxides emission benchmark for the turbine stack(s) per the table below. The annual average emission benchmark will reflect the average performance of the power station during normal operation and the proper and efficient operation of the turbines. The benchmark will also:

i. be derived using NO_x emission data from the Continuous Emissions Monitoring Systems for the turbine stack(s);
ii. be determined following the collection of a NO_x concentration dataset that is sufficient to represent the likely longer term operating patterns of the power plant;
iii. take into account the variation of NO_x concentrations at different generating loads;
iv. recognise that generating load patterns may vary from year to year due to differences in electricity market demands and include an appropriate allowance for this variation; and
v. include provision for the probable increase in NO_x emissions with time due to reasonable wear and tear of the power plant.

Emission Point(s)	Pollutant	Units of measure	Emission Benchmark	Averaging Period (note 1)	Reference conditions
Stacks serving turbines 1-6	Nitrogen dioxide (NO_2) or nitric oxide (NO) or both, as NO_2 equivalent	milligrams per cubic metre	TBD (note 2)	Annual Average	Dry, 273 K, 101.3 kPa, 15% oxygen (O_2)

Note 1: The annual average benchmark applies over each reporting period as defined in the Environment Protection Licence.

Note 2: If the emission benchmark in the table above is exceeded, the proponent must provide an initial report to EPA within 1 month and an action plan within 3 months of the exceedence. The action plan must include:

i. a review of all practicable measures to reduce NOx emissions,

ii. an evaluation of the marginal cost of incremental NOx reductions and;

iii. proposed modifications to plant / operation that produce NOx reductions consistent with i and ii above.

E2 Notification of Commissioning Schedule

E2.1 Prior the commencement of commissioning the proponent must notify the EPA in writing of the proposed timing of commissioning the power station and how all plant and equipment will be brought on line to ensure compliance with all relevant environment protection requirements.

E3 Air Quality Verification

E3.1 Within three months following the end of commissioning the Proponent must submit an Air Quality Verification Report which includes, but need not be limited to, air emissions monitoring results (including test methods and full results) to confirm that the emissions performance of each turbine is consistent with the emissions used in air quality modelling for Environmental Assessment of the power station. The monitoring required by this condition is set out in the following table:

Monitoring Point(s)	Pollutant	Units of measure	Sampling Method
Stacks serving turbines 1-6	Nitrogen dioxide (NO_2) or nitric oxide (NO) or both, as NO_2 equivalent	milligrams per normalised cubic metre	TM-11
	Carbon monoxide (CO)	milligrams per normalised cubic metre	TM-32
	Dry gas density	kilograms per cubic metre	TM-23
	Moisture content	%	TM-22
	Molecular weight of stack gases	grams per gram mole	TM-23
	Oxygen (O_2)	%	TM-25
	Temperature	degrees Celsius	TM-2
	Velocity	metres per second	TM-2
	Volumetric flowrate	cubic metres per second	TM-2

Note: The sampling methods set out in the above table are those specified in the *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW*.

E3.2 The monitoring required by Condition E3.1 must be undertaken at such time(s) as is necessary to provide an adequate characterisation of the emissions from each turbine during normal operation.

Flora and Fauna

Mechanism for Conservation of Biodiversity Offset

The EPA has reviewed section 3.9 of the Submissions Report and is satisfied that the proponent has begun the process of drawing up a Voluntary Conservation Agreement under the *National Parks & Wildlife Act* 1974 in order to provide legal security for 'conservation in perpetuity' of the proposed biodiversity offset.

The proposed amendment to the "Statement of Commitments" to include the finalisation of the voluntary conservation agreement prior to the commencement of vegetation clearance should be included as a condition of any approval.

Threatened Species Surveys and Impacts

A number of threatened species which could potentially occur at the proposed development site have not yet been surveyed for in accordance with EPA's published survey requirements.

The EPA notes the proponent's commitment to carry out further surveys for threatened flora species: Yass Daisy, Silky-swainson Pea, Button Wrinklewort.

Any recommended conditions of approval should ensure the results of the surveys inform project development and the characteristics biodiversity offset, and that the proponent be required to consult with EPA and the Commonwealth (SEWPaC) in this regard.

The EPA notes spring reptile surveys were carried out by EnviroKey for the Striped Legless Lizard and the Pink-tailed Worm-lizard in September 2011. The EPA accepts these surveys as a valid indicator that these species are not likely to be present on the development footprint or within the proposed biodiversity offset.

Consultation on Plans

The proponent indicated its willingness in the Submissions Report to consult with the EPA during the development of management plans relating to biodiversity at the site. EPA has already engaged with the proponent and its consultants on the preparation of a number of management plans in this regard and is satisfied with the proponent's commitments in this regard.

Management actions in the Biodiversity Offset area

The EPA's recommendation in relation to the exhibited Environmental Assessment that

> *During creation of the biodiversity offset no vegetation, particularly of the two Endangered Ecological Communities present on the site, is to be cleared as part of management requirements (such as fencing and tracks) for the establishment of the biodiversity offset.*

This should be maintained in any conditions of approval. The EPA notes the proponent has already consulted with it in relation to the preparation of a biodiversity offset management plan.

Appendix B-3: Additional Comments Received and Provided Post Review to EA submitted January 2012

NSW GOVERNMENT | Planning & Infrastructure

Contact: Toby Philp
Phone: (02) 9228 6343
Fax: (02) 9228 6455
Email: toby.philp@planning.nsw.gov.au

Our ref.: MP10_0035

Mr Neil Cooke
Manager Power Development
AGL Energy Limited
Locked Bag 1837
St LEONARDS NSW 2065

Dear Mr Cooke

Subject: Review of Submissions Report for the Dalton Power Project (MP10_0035)

I refer to the revised draft submissions report for the Dalton Power Project dated 27 January 2012 (submitted to the Department on 2 February 2012).

Please see the attached comments from the NSW Environment Protection Authority (EPA), and NSW Office of Water (NoW) in relation to the draft submissions report and additional hydro-geological assessment provided to NoW.

In addition, the Department has identified the following additional matters that are required to be addressed within the submissions report for the project:

- Noise Impacts:
  - Following the EPA's comments on the draft submissions report (dated 22 February 2012), the Department and EPA have confirmed a revised approach in relation to the management of noise impacts (in particular low frequency noise) (letters attached). The submissions report is required to be amended to address this revised approach.
- Graphical Representation:
  - The 3D image still does not provide an adequate representation of the built form of the power station. This is required to be updated to more accurately represent what the power station may look like in reality, within the context of the immediate surrounds.
  - Elevations from all four sides of the power plant have still not been provided (i.e elevations are still required looking North and East).
  - The two elevations provided do not accurately represent all the project components (they only provide a representation of 2 turbines) and are therefore required to be updated to reflect all project components.
  - The inclusion of dimensions of the power station layout and components and setbacks to the site boundaries within the site concept plan (i.e Figure 4.3 of the EA) represented on A3 sized pages has still not been provided.
- The class of agricultural land (as per the NSW Agriculture's agricultural land classification system) and impact of the loss of this land to agriculture in the region has still not been quantified.
- The quantity of water to be trucked to the site should be consistent through-out the submissions report. At present it is stated that the quantity of water to be trucked would be

limited to 200 to 300 KL per annum (section 3.6), however references still exist to trucking a maximum of 25ML, as does a commitment to trucking a maximum of 25ML of water.

- The inclusion of a definitive statement that confirms approval is no longer being sought for the use of E class turbines.
- Address the additional submission from Wayne Apps, 1 Young Street Dalton (attached), in particular the request for a visual impact analysis to be undertaken from his property, and concerns raised regarding the accuracy of the photomontages (in particular the photomontage taken from photo location 1).
- Address the additional submission from Louise Duncan, 053 Felled Timber Road Dalton, (attached), in particular the visual impact from her property.
- Address the additional submission by the Community for Accurate Impact Assessment of the Dalton Power Station (attached).
- The additional surveys (Flora Surveys, Golden Sun Moth Survey, Hydro-geological assessment) and report on the mechanism for biodiversity offset are to be included.

Notwithstanding the above, further matters may be raised during the assessment process.

Your contact officer for this proposal, Toby Philp, can be contacted on (02) 9228-6343 or via email at toby.philp@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

Neville Osborne 8/3/12

Neville Osborne
A/Director
Infrastructure Projects

EPA

ENVIRONMENT PROTECTION AUTHORITY

Your reference: MP10_0035
Our reference: FIL10/3530 DOC12/4972
Contact: Julian Thompson, 02 6229 7002

Mr Neville Osborne
Manager – Energy, Infrastructure Projects
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

22 February 2012

Dear Mr Obsborne

RE: AGL Dalton Power Project (MP10_0035) – Submissions Report including Golden Sun Moth Survey

I refer to your letter to the Environment Protection Authority (EPA) dated 3 February 2012 which enclosed the final *AGL Dalton Power Project Submissions Report* prepared by URS Australia Pty Ltd and dated 27 January 2012.

AGL Energy Limited proposes to construct a 1500MW gas turbine power plant north-east of Dalton, NSW. You invited the EPA to review the final Submissions Report and provide updated comments and recommendations to the Department of Planning and Infrastructure.

The EPA commented on the draft Submissions Report on 24 November 2011 and a copy of our correspondence appears in Appendix B in the final Submissions Report. After reviewing the final Submissions Report, which included the results of the *Golden Sun Moth Targeted Survey* conducted by URS and dated 25 January 2012, the EPA has updated a number of its recommended conditions for approval.

The EPA makes the following points on the proposal and the final Submissions Report:

Noise

- AGL has accepted the EPA's updated recommended noise limits and monitoring set out in our letter of 24 November 2011 with the exception of the night-time sleep disturbance criterion ($L_{Amax\ (1\ min)}$ 45 dB(A)). This limit was derived from the noise impact assessment for the proposal. Compliance is proposed to be determined within 1 metre of the dwelling façade.

  AGL suggests that as the condition is designed to limit sleep disturbance impacts that it should be applied in the interior of a dwelling. The EPA normally sets compliance monitoring for sleep disturbance conditions within 1 metre of a dwelling façade to facilitate compliance monitoring, as interior noise monitoring can be disruptive to dwelling occupants. AGL asserts that it is commonly accepted that partially open windows provide a 10 dB noise reduction. If AGL wishes to monitor compliance

within a dwelling, then the correct interior sleep disturbance limit would be $L_{A\ max\ (1\ min)}$ 35 dB(A).

The EPA recommends the retention of the compliance point (and noise limit) for this recommended condition (L6.1 and L6.2(b) (ii)) as drafted in our correspondence of 24 November 2011.

Air

- AGL has accepted the updated monitoring conditions that were recommended by the EPA in its correspondence of 24 November 2011. It is recommended this monitoring be incorporated into any approval conditions.

Flora and fauna

- Further survey work was recommended by the EPA for certain threatened species required prior to construction, and incorporation of survey findings into project design.
- **Golden Sun Moth** (*Synemon plana*). EPA received the report "*Dalton Power Project – Golden Sun Moth Targeted Survey*" dated 25 January 2012 and prepared by URS. The EPA has reviewed the report and found that an adequate survey was conducted. The prevailing weather conditions during the 2011/12 flying season resulted in a low number of moths seen at reference monitoring sites in the southern tablelands. The EPA is satisfied that the survey was conducted in accordance with the relevant guidelines and no moths were detected at the project site and associated infrastructure. Therefore the EPA concurs that it is unlikely there will be any significant impact on the Golden Sun Moth if the project were to be approved.
- **Threatened Flora** (Yass Daisy, Silky Swainson-pea, Button Wrinkelwort, Hoary Sunray). As requested by OEH in its submission on the Environmental Assessment, spring surveys were carried out by URS for the above threatened flora species and reported in the Submissions Report. None of the NSW listed threatened species (Yass Daisy, Silky Swainson-pea, Button Wrinkelwort) were detected on the project site or in the locality. The EPA concurs that it is unlikely there will be any significant impact on these species if the project were to be approved.

Should the Department be minded to approve the project, the EPA would appreciate an opportunity to review any draft approval conditions developed. The proponent will also need to make a separate application to the EPA to obtain an Environment Protection Licence should project approval be granted. If approved the EPA would use these and previously recommended conditions of approval in developing any Licence.

The EPA is happy to discuss these comments further with the Department of Planning and Infrastructure and the proponent, including meeting if required. Please contact me 02 6229 7002 if you have any queries in relation to this matter.

Yours sincerely

JULIAN THOMPSON
Unit Head – South East Region
NSW Environment Protection Authority

Department of Primary Industries
Office of Water

Contact Tim Baker
Phone 02 6841 7403
Mobile 0428 162 097
Fax 02 6884 0096
Email Tim.Baker@water.nsw.gov.au

Our ref ER20980
Your ref MP10_0035

Infrastructure Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Toby Philp

Dear Mr Philp

Response to Submissions Report for the Dalton Power Project (MP10_0035)

I refer to your letter of 3 February 2012 requesting general comment on the revised submissions report prepared for the Dalton Power Project and specific comment on three particular matters related to groundwater extraction. The NSW Office of Water (Office of Water) has reviewed the submissions report and the additional hydrogeological report dated 22 February 2012 and provides the following comments:

- The Office of Water has completed a review of the pump test results presented in the Hydroilex report 'Hydrogeological Assessment Incorporating 24Hr Pumping Test (Bore 1 and Bore 2)' dated 22 February 2012 whilst taking into account Stages 1 and 2 (based on the F Class turbine type) required water supply. Based on this review the Office of Water concludes that the required water supply requirement of 25 ML/y can be sourced via groundwater extraction from on site bores provided water quality and quantity remain consistent with results of the Hydroilex 24 hour pumping test. Appropriate licensing under NSW water legislation will be required.
- The results of the Hydroilex 24 hour pumping test included water level measurements collected from water users within a 4 km radius of the site. Impacts to water levels were not identified in water user bores within this radius during or immediately after the test, thus it is not anticipated that other bore owners will be impacted by the proposed pumping at the site.
- Based on the hydrogeological characteristics at the site and the volume of proposed water to be extracted, the Office of Water does not anticipate significant impacts to the Lachlan River.

Recommended conditions of approval are provided in Attachment 1 which are consistent with those provided in previous correspondence dated 26 September 2011.

Should you have any further queries in relation to this submission please do not hesitate to contact Tim Baker on (02) 6841 7403at the Dubbo office.

Yours sincerely

Mark Mignanelli
Manager Major Projects, Mines and Assessment
2 March 2012

NSW OFFICE OF WATER

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

The Office of Water requests the following conditions be included in any determination issued for the Dalton Power Project (MP10_0035):

1. The proponent shall prepare a Water Management Plan in consultation with and to the satisfaction of the NSW Office of Water. This plan must include the following:
    a. An Erosion and Sediment Control Plan;
    b. A Surface Water Management Plan; and
    c. A Groundwater Management Plan.
2. The proponent must obtain relevant licensing under the *Water Act 1912 or Water Management Act 2000* from the NSW Office of Water before commencing any works which intercept or extract groundwater.

End of Attachment 1
2 March 2012

NSW GOVERNMENT | Planning & Infrastructure

Contact: Toby Philp
Phone: (02) 9228 6343
Fax: (02) 9228 6455
Email: toby.philp@planning.nsw.gov.au

Mr Julian Thompson
Head Operations Unit – South East Region
NSW Environment Protection Authority
PO Box 622
QUEANBEYAN NSW 2620

Our ref.: MP10_0035

Dear Mr Thompson

Subject: Dalton Power Project (MP10_0035)

I refer to the EPA's response to the Dalton Power Project Submissions Report, which outlined the EPA's proposed approach to the management of low frequency noise. Subsequently, discussions have been held between the Department and EPA Noise Policy Branch regarding the assessment of low frequency noise for the proposed Dalton Power Project. These discussions included a review of noise impact predictions and spectral information supplied by the proponent, and were also based on recent assessment experience gained from the Leafs Gully and Marulan power station projects and operating performance of the Uranquinty gas fired power station.

These discussions concluded that the low frequency noise from gas fired power stations should be regulated on a case-by-case basis until an Application Note to the Industrial Noise Policy (INP) is finalised by the EPA. Further it was considered that the C-A weighting plus 5dB(A) penalty approach as defined in the INP, is not a good measure of annoyance, and could result in the application of measures that would not improve environmental outcomes.

In this regard, the Department proposes that noise levels at the nearest residences to the Dalton power station should not exceed:

- 35 dB(A) during the day, evening or night; or
- 65 dB(C) during the day or 60 dB(C) during the evening and night.

Further, should either of these limits be exceeded, then mitigation on request should be offered to all affected residents, which should be agreed with the affected residents and provided within 3 months of request. The goal of any mitigation provided should be to meet appropriate internal noise criteria such as that set by the UK Department of Environment, Food and Rural Affairs.

Can you please advise as to whether the EPA is agreeable to this approach and intends to issue licence conditions that are consistent with the above conditions.

Please do not hesitate to contact Toby Philp on the above contact details should you wish to discuss or clarify this matter.

Yours sincerely

2.3.12

Chris Wilson
Executive Director
Major Projects Assessment

NSW EPA

ENVIRONMENT PROTECTION AUTHORITY

Your reference: MP10_0035
Our reference: FIL10/3530 DOC12/4972
Contact: Julian Thompson, 02 6229 7002

Mr Chris Wilson
Executive Director – Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

7 March 2012

Dear Mr Wilson

RE: AGL Ltd - Dalton Power Project (MP10_0035) – Management of Low Frequency Noise

I refer to your letter to the Environment Protection Authority (EPA) dated 2 March 2012 outlining the Department of Planning and Infrastructure's proposed approach to the management of noise impacts from the proposed AGL Dalton Power Project.

The EPA is satisfied that the approach proposed by the Department of Planning and Infrastructure will protect the amenity of residences potentially impacted by noise from the proposed project. The EPA will ensure if the project is approved, that the proposed noise limits set out in your letter are incorporated into any Environment Protection Licence issued for the project. It should be noted that depending on the character of noise emissions from the turbines, a 5dB penalty may be added to the measured noise levels at affected residences if the noise is tonal or impulsive in character.

Additionally, as recommended in our letter of 22 February 2012 to the Department, we recommend the retention of the night-time sleep disturbance criterion of $L_{Amax\ (1\ min)}$ 45 dB(A).

The EPA expects that any project approval will include suitable provisions to facilitate negotiated outcomes should the proposed noise limits be exceeded and that the Department will administer these provisions. We would appreciate an opportunity to review any draft approval conditions developed for the project.

Please contact me 02 6229 7002 if you have any queries on this matter.

Yours sincerely

JULIAN THOMPSON
Unit Head – South East Region
NSW Environment Protection Authority

SUBMISSION TO EA DALTON HILL GAS FIRED POWER STATION AGL

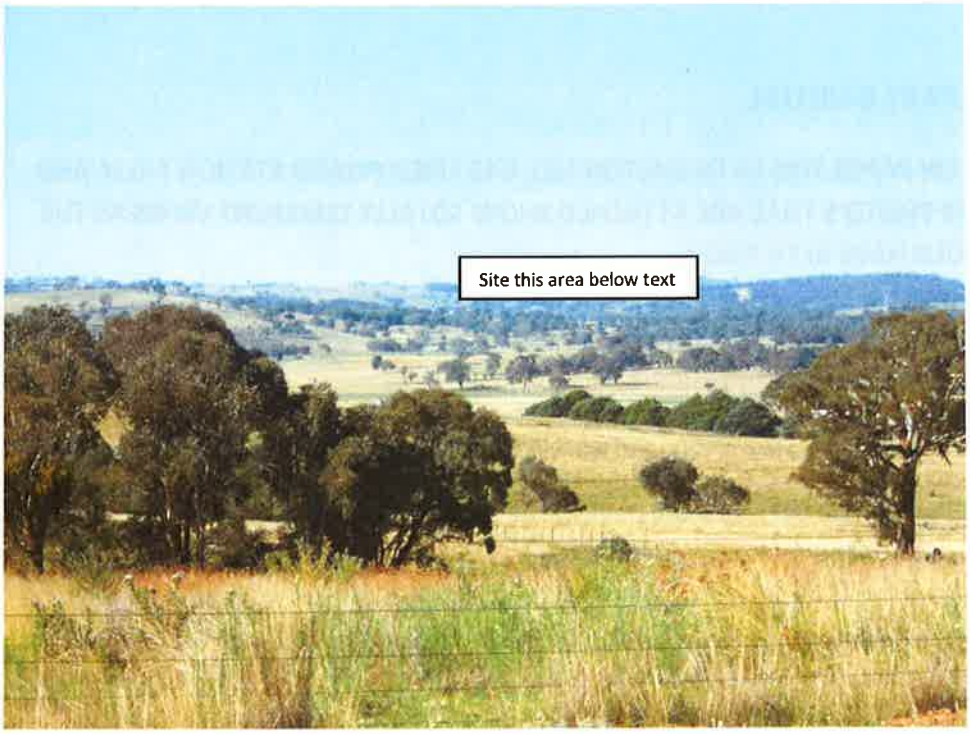
My property is on the southern edge of Dalton, on the hill with views up the valley looking north. I have a clear view of the site for this power station. At no stage of this EA was I consulted with by AGL or any of its consultants.

Photo's taken for EA are taken in a way which is decteptive and in total disrespect to residents of of Dalton. Chapter 10. Visual part 1.

My photoFigure 1 Northern residents Dalton above.....please check against ea photo 1 it was taken past intersection in for ground.

EA photo was taken as low as possible, through a small tree and out of residential area. My photo will show the truth. also note ea photo's taken Dalton side look to me to be compressed in height to hide the real truth,and all heavy cloud cover to hide landscape.Andrew and leslie bush property.

MY PHOTO ABOVE WAS TAKEN FROM THEIR VERANDAH ANDREW & LESLIE BUSH PROPERTY FELLTIMBER ROAD DALTON ALSO NOT 4wd RUGBY ROAD..... NOT BEVENDALE STREET AS STATED IN EA



My photo above taken 150m east Dalton sign Boorowa rd beside Sharon & Brian Hansen entrance way to their house.

PHOTO 4 EA Photo from Western end taken far to the west of houses as possible on Boorowa end of Dalton. There a 6 houses that have a much clearer view than the photos show in ea.

Visual part 2.

Taken out of Dalton and lower location and 2nd photo shows exhaust stacks. In the EA the height of the hill on the left states 600m ahd and the top of stack height is 621 m ahd. This photo shows much the stacks lower than the hill APPENDEX K LANDSCAPE & VISUAL PART 1 2.2 Topography & Vegetation.

which in fact is totally false and misleading to the general public.

Visual part 3.

Same as visual 2 false and please find me bevendale street . Dalton haven't found it yet. All photos are false and misleading.

Visual part 4.

Same as part 2 &3 i still can't find bevendale street Dalton.

Visual part 5.

Bevendale street again photo 7 also incorrect height of stacks. This AGL EA is a total joke and should thrown out.

CHAPTER 10..PART 6 VISUAL.

THE FACTS ARE ON PAPER THIS EA OF DALTON HILL GAS FIRED POWER STATION FALSE AND MISLEADING THE PHOTO'S THAT ARE ATTACHED SHOW TOTALLY DIFFERENT VEIWS AS THE WAY THEY SHOULD HAVE BEEN TAKEN.

PAGE 10-20

VEIWER LOCATIONS/Figure 10-12

R 1 –R 2 –R2a –R1a are all high view area's and we will see all into this power site

When earth works are carried out a lot more trees will be removed thus opening up the area more.

Table 10-3

With correct height of stacks the correct visual impact will be high not low as stated in table this power station will stand out .

R 12-R13-R14-R15-R16-R17-R18-R19 ARE ALL HIGH VISUAL AREA YET THE EA STATES LOW TOTAL LIES.

10.5.4 The SUMMARY OF VISIBILITY ASSESSESMENT IS NOT WORTH THE PAPER IT IS WRITTEN ON AND FRAUDULENT AND MISLEADING TO ALL DEPARMENTS CONCERNED AND ALL STAKE HOLDERS.

CHAPTER 11 TRAFFIC AND TRANSPORT.

TRAFFIC IS A MAJOR CONCERN. RAIL WAY BRIDGE AT GUNNING HAS A 90 DEGREE BEND ON THE DALTON SIDE. A PRIME MOVER & TRAILER CANNOT GET AROUND THIS CORNER WITH CROSSING DOUBLE LINE GOING EITHER WAY. IT IS BAD ENOUGH WITH 2 CARS MEETING THERE .THIS WILL BE INTERESTING WITH COMMUTERS TO GOULBURN & CANBERRA & ALSO SCHOOL BUSES.????????????

HAZARD 100% YES .....RISK OF ACCIDENT WILL HAPPEN.

THE GUNNING RD DALTON INTERSECTION WITH LOOP ROAD IS ANOTHER ACCIDENT WAITING TO HAPPEN IF THIS PROJECT GOES AHEAD. AGL IN TRAFFIC & TRANSPORT PLAN USE GUNNING TO DALTON RD ONLY. I WOULD LIKE TO KNOW HOW THEY STOP TRAFFIC THROUGH DALTON FROM JERRAWA RD TO YASS THIS ROAD IS NARROW 1 CAR WIDE IN PLACES AND VERY DANGEROUS .

1. HOW ARE AGL GOING TO POLICE, OR ARE THEY GOING TO DESTROY MORE ROADS AND NOT WANT TO COMPSATE.

HOW WILL THEY POLICE THIS ISSUE. ??????????????????????????????????

ARE COLVERTS AND PIPES AND GAS PIPE ENGINEERED TO CARRY THESE MEGA LOADS ON GUNNING RD AND ALSO MAIN GAS PIPE ON WALSHES RD.

CHAPTER 12 NOISE ASSENMENT

AS I HAVE WORKED IN THE CIVIL ENGINEERING INDUSTRY AND WORKED ON HEAVY MACHINERY FOR 40 YEARS. I DO KNOW HOW SOUND TRAVELS AND AS DALTON IS BUILT IN A VALLEY THE SOUND WILL AMPLIFY DOWN THE VALLEY AND THIS WILL AMPLIFY MORE ON FOGGY DAYS IN WHEN PEA SOUP FOG DOES NOT LIFT TILL MIDDAY. WE HAVE ALSO BEEN INFORMED BY AGL THAT CONCRETE WILL BE MIXED ON SITE. I HAVE BEEN UNABLE TO FIND ANY NOISE DATA IN EA OR THE USE OF CONCRETE VIBRATORS. ANOTHER INCOMPLETE SECTION OF THE EA. ALSO NOTHING ON OUT PUT OF REVERSE BEEPERS ON MACHINERY.

AS FOR F CLASS TURBINE NOISE ASSESSMENT AGL MR COOK & MR BEAN HAVE STATED THESE TURBINES HAVE BEEN IN SERVICE SINCE 1992 SO WHY HASEN'T THE CORRECT DATA BEEN USED IN THIS EA. OR AGL ARE TRYING TO HIDE THE REAL TRUTH ??????????????????????????????????? TURBINE NOISE WILL ECHO DOWN THE VALLEY AND AMPFILY THIS PROJECT WAS TO BE AT CANBERRA BUT WAS STOPPED BECAUSE NOISE &POLLUATION CONCERNS AND OTHER SMALLER 35MW DATA CENTRE AT HUME ALSO AT ALICE SPRINGS THE POWER STATION GAS FIRED WAS PULLED DOWN AND SHIFTED 25KLM OUT OF TOWN SAME REASON NOISE AND POLUATION AND IT IS ONLY ATOY COMPARED TO THIS MEGA PROJECT SO AGL WANT TO DUMP THIS 1500MW POWER STATION IN OUR BACK YARD, NO NO NO PLEASE.

IT IS TIME THE EA WAS THROWN OUT AND CARRY IT OUT CORRECTLY.

ALSO ON THE POINT OF NOISE TRAVELING. 7 KM SOUTH OF US IS THE HUME HIGHWAY. IN THE EVENINGS MY WIFE & MY FAMILY SIT UNDER OUR PERGOLA AND YOU CAN HEAR INDIVIDUAL TRUCKS ON THE HIGHWAY AND TRAINS RUNNING SYDNEY MELBOURNE. AND IWILL ADD I HAVE 50% HEARING LOSS. AND URS & AGL SAY WE WILL NOT BE AFFECTED BY SIX ENORMOUS TURBINES AT A MUCH SHORTER DISTANCE .

WE ARE BEING TREATED AS IF WE ARE NOT HERE TO DATE. AGL STAFF HAVE NOT COME CLEAN WITH ANSWERS.

AIR QUALITY ASSENMENT.

WELL MORE TOTAL [redacted] WE HAVE A UN POLLUTATED ENVIRONMENT AT DALTON AND AGL URS TAKE POLLUTATION LEVELS FROM MONASH A.C.T. AND CHULORA SYDNEY, WHEN INFACT WE DON'T HAVE ANY OF THE AMOUNT OF POLLUTATION THAT BOTH THESE CITYS HAVE, TO ME THIS IS STACKING THE ODDS AGAINST US COUNTRY FOLK OF DALTON AND GUNNING AGAIN.SO THEY SAY A GAS FIRED 1500 MW POWER STATION 2/3RDS OUT OF EMISSIONS OF COAL FIRED STATION THE SAME SIZE, OR 1000MW COAL FIRED STATION PUTS OUT THE SAME AMOUNT. AS THESE TURBINES ARE SUPPOESED TO BE USED 15% OF THE YEAR PEAKING POWER,AND THE NEXT

STEP WILL BE BASE LOAD POWER 24/7DAYS WEEK .1.5 BILLION DOLLAR PROJECT AND RUN 15% OF THE YEAR [redacted]. AGL TAKE YOUR POWER STATION AND PUT MIN 25KMS FROM ANYONE.
STEP 1. 15% OF THE YEAR.
STEP 2 PUSH FOR 24/ RUN TIME.

NO TO BOTH AND NO POWER STATION AT DALTON AT ALL. .WATER.

WELL THEY HAVE FOUND WATER AND DONE 2X 24HR TEST I DON'T AGREE THAT THIS TEST IS LONG ENOUGH TO SHOW UP ANY PROBLEMS AND 7 DAY TEST WOULD HAVE BEEN A BETTER GAUGE OF ANY PROBLEMS THAT WOULD ARISE DOMESTIC OR, OR TOWN WATER SUPPLY BORES. THE AMOUNT OF WATER THEY WILL USE GOES AGAINST ULSC DROUGHT MANAGMENT PLAN FOR A START.DO AGL THINK THEY WILL HAVE 30 YEARS WITH NO DROUGHT.

1. IF IT DOES GET THE GO AHEAD AND IT CAUSES ANY OTHER PROBLEMS WITH OTHER BORES A TOTAL SHUT DOWN OF THIS PROJECT.
2. NO CARTING WATER EITHER.
3. NO PIPE LINE EITHER.

METEOROLOGICAL.

THE USE OF REPORTS FROM GOULBURN AIRPORT BOM WEATHER. WHAT A JOKE GOULBURN IS EAST OF GREAT DIVIDING RANGE AND IS TOTALLY DIFFERENT TO DALTON. RAINFALL & WIND CONDITIONS INCLUDING WIND SWIRLING ON RIDGES AND CHANGING DIRECTION IN GULLEYS .

THE SAME WITH YASS WEATHER. YASS GETS RAIN WE GET NONE. WE COP BIG FROSTS. AS I WORKED IN YASS FOR TEN YEARS WE CAN A FROST NONE IN YASS.ALSO CAN BE WINDY IN YASS BUGGER ALL WIND IN DALTON SO START AGAIN AGL AND ON SITE MONITORING.

ALSO MIDDLE OF DECEMBER 2011 WE HAD A FROST

ALL WINDSCREENS WERE FROZEN & CUT TOMATOS /PUMPKINS. BUT A LOCAL ALL MY LIFE I KNOW NOTHING.

A WEATHER STATION SHOULD HAVE BEEN SET UP ON PROPERTY AND CORRECT INFO LOGGED.
SO MUCH FOR TEMPETURE INVERSION THESE PHOTOS TAKEN are in are in attachments 25 February 2012 7.07 AM.

OUR WEATHER AT WARM CLEAR NIGHT 11.00PM BIG FROST & FOG NEXT MORNING CAN BE PISSING DOWN RAIN I'LL THIS WAS NOT COVERED IN EA.

FLORA AND FAUNA

APPENDIX H .....JULY 2011.....VOLUME 2.

SECTION 4.....METHODOLOGY.

I CANNOT BELEIVE WHAT I'M READING ANY WAY I WILL SHOW YOU SOME MORE RUBBISH

20/21 JUNE 2011

SURVEY TYPE .....TECHNIQUE.....TOTAL EFFORT

NOCTURNAL SURVEY..DRIVING TRANSCET/SPOTLIGHTING .....0.5 HRS

NOTE ...IN WEATHER DISCRIPTION FOR THIS DAY WEATHER WAS FINE AND COOL WITH SOME SHOWERS, TEMPTURE RANGE FROM 4*C to 13.4*C AND MAXXIUM WIND SPEEDS REACHING 93KLM PER HOUR. AGAIN THIS EA IS [redacted]. WHAT SPECIES WOULD BE OUT IN THIS.

THE GOLDEN SUN MOTH. NO GOOD LOOKING IN FEBUARY WHEN THEY HATCH IN MARCH .

FLORA & FAUNA PART 3

1 NATURAL TEMPERATE GRASS NO WHERE HAVE THEY BEEN LISTED BY A SEINTIFIC NAME OR COMMON NAME ie kangaroo grass /micklina

2. AS FARMERS WE ARE NOT ALLOWED TO CLEAR TREES OVER 3 METERS HIGH LET ALONE DESTROY NATURAL BUSH LAND.

3 THE SUPERB PARROT TRAVELS SOUTH DOWN THE GREAT DIVIDING RANGE THEN FROM BIALA TO DALTON THEY HEAD WEST TO RYE PARK /BOOROWA AND FURTHER TO NEST. WHAT WILL HAPPEN WHEN POWER STATION FIRES UP OR IS RUNNING .WHAT FRIED PARROT OR ANY OTHER BIRD FLYING AROUND. BUT WHO CARES AGL DON'T. BUT I DO. THERE IS NO INPUT FOR THIS IS THERE.

4. HOLLOW TREES AND STANDING STUMPS PROVIDE NESTING GROUNDS AND SHELTER FOR PARROTS/ GALA'S COOKATOO'S AND LOTS OF OTHER WILD LIFE. I HAVE SEEN ON MY OWN PROPERTY HOW PARROTS COME BACK TO THE SAME TREE HOLLOWS AND HOLLOW STUMPS EVERY YEAR TO NEST AND BREED SO ACCORDING TO AGL EA REMOVAL OF NATIVE HABITAT DOESN'T MATTER.

5. I SEE NO OTHER OTHER WILD LIFE LISTED AS .GREY KANGARRO—BLACK WALLABY –RED WALLABY—CROW –GALA-MAGPIE—CRIMSON ROSSELLA ETC ETC.
6. DOWN STREAM OF THIS SITE WE HAVE A SMALL POPULATION OF MACQUARIE PERCH WILL THEY SURVIVE.
7. APPROX 10 KLMS WEST 2010 A SMALL POPURLATION OF YELLOW SPOTTED BELL FROG WERE FOUND,THEIR SURVIVAL IS MUST AS THEY THOUGHT TO BE EXTINCT FOR 30 YEARS. WILL THIS POLUATION CAUSE TOTAL EXTINCTION OF THIS POPULATION.??????????????

APPENDEX K LANDSCAPE & VISUAL JULY 2011.

PAGE 6 SECTION 2---2.1 LOCATION & CONTEST

1ST PARAGRAPH ACCORDING TO THIS THE SITE IS 2KM NORTH OF DALTON SO HOW COME ALL DALTON ISN'T SENSITIVE RECEPTORS. MORE MISTAKES.

ALSO

FIGURE 6.

PHOTO'S 12 /13/ 14 ALL TAKEN ON COWPER STREET ACCORDING AGL & URL INCORRECT IT IS CALLED WALSHES RD.

APPENDIX K PART 2

MORE INCORRECTLY NAMED PHOTO'S THIS SUPPOSED EA DONE BY PROFESSIONALS. THEY NEVER GET EMPLOYMENT FROM ME I CAN TELL YOU AND I'M JUST A DUMB ARSE MECHANIC & FARMER.

APPENDIX K PART 3

FIGURE 11

PHOTO 4 INCORRECTLY NAMED AGAIN.

NOTE IF ANY DEPARMENT OR ANYONE INDEPENDENT COME TO INSPECT THIS EA ON SITE, HOW WOULD YOU FIND PHOTO SITES.

I WILL SEE RIGHT DOWN THE STACKS OF THIS THING. AND THAT MEANS I WILL HEAR IT. NOBODY TOOK PHOTOS FROM MY PLACE. WE AREN'T EVEN SENSITIVE RECEPTORS FOR NOISE. BUT HOUSES 5.7KM AWAY ARE. NEIL COOKE KNOWS I'M HERE AND CAN'T SAY HE HAS NEVER SEEN OUR HOUSE WHICH CLEARLY VISIBLE FROM GUNNING ROAD, HE CAME WITH THE WATER BLOKE TO CHECK MY BORE. SO HOW COME THEY PRETEND I DON'T EXIST IN THE EA.

YOU SHOULD COME HERE YOURSELF AND SEE WHAT RUBBISH THIS EA IS. BUT MAKE THEM DO VISUAL IMPACT FORM MY PLACE AND DO PROPER PHOTOS FROM PEOPLES HOUSES. AND MAKE THEM PUT ME AND ALL OTHERS IN DALTON AS SENSITIVE RECEPTORS. WHICH INFACT WE WILL BE

This photo taken from front Dalton Public School, AGL say no impact on school that will be utter [redacted]
let common sense prevail put this mega structure 25 kms from any town or house hold.

This is view to the north from my front door and pergola. I CAN TELL YOU RIGHT NOW NO NOISEY VIBRATING POLLULITING GAS FIRED POWER STATION THANK YOU.

THIS WAS KICKED OUT OF CANBERRA & WE AS RESIDENTS OF DALTON & GUNNING ARE NO DIFFERENT.

SUNDAY 26-2-2012 6.00AM A VEHICLE TRAVELLING FROM GUNNING TOWARDS DALTON FIRST HERD ITAPPROX 4 KMS SE,IT TRAVELLED DOWN LOOP ROAD THEN INTO WASHES RD THEN DOWN TO AND TURN RIGHT INTO DARBYS RD STOPPED OPEN GATE CONTINUED ON NEXT GATE STOPPED AGAIN NEXT GATE & CONTINUED TO NEXT GATE, SAME NEXT GATE,ALL GATES I COULD HERE IT THE VEHICLE CONTINUED AND STOPPED,SO I JUMPED IN MY HINO TRUCK & HEADED OFF TO INVESTERGATE ON ARRIVAL FOUND IT TO BE DRILLING RIG CREW DRIVING A 6WD LAND CRUISER THE EXHAUST POSITIONED UP BACK CAB TO PROTECT EXHAUST WHERE THEY DRIVE IN ROUGH COUNTRY RUNNING STRAIGHT THROUGH MUFFLER,WHICH IN THEROY WILL NO DIFFERENT TO AGL'S MEGA STACKS AT 46Mts LONG AND 6.7Mts DIAMETER & MUCH BIGGER HORSPOWER TURBINES THAN A LAND CRUISER ENGINE,I SET MY NAV MAN TRACKING WHERE VEHICLE STOPPED east.. WHERE AGL PROPOSE TO BUILD POWER STATION DROVE BACK TO GATEWAY DARBYS & WALSHES RD 2.7Klms AND BEHIND HILLS NOT DIRECT LINE OF SITE AS AGL'S SITE WILL BE WHICH IS STATED IN BEING ONLY 1.9Klms from same gate way, IT WILL BE IN MY OPINION THE STACKS WILL ACT AS GIANT MEGAPHONES. ALSO AS KID

RIVERVIEW WAS OWNED BY JOE THORN, MY OLD MAN WORKED FOR HIM I USED TO WANDER THE HILLS.I CAN REMEMBER FINDING WHAT I THOURGH THEN TO BE SNAKES, BUT THEY HAD EARS & ROUND TAILS LOOKING ON THE INTERNET I BELEAVE THESE TO BE EARED LIZARD WORM AND AGL'S FANUA SECTION THEY HAVEN'T FOUND ANY.INTERISTING IF AGL ARE TRUE TO THEIR WORD?? THEY WILL GIVE ME & SOME HELPERS PERMISSION TO SEE IF THESE LITTLE CRITTERS ARE STILL THERE OR ARE THEY HIDING THE TRUTH. PLEASE CHECK OTHER PHOTO'S & SHORT VIDEO IN ATTACHMENT SOME DALTON WEATHER THIS YEAR.

I will also today 26-2-2012 wind blowing from north & shifting to north east all day.

REGARDS

Wayne Apps/Karen Apps, Christian Apps, Nathan Apps, Kimberly Smith, Jamie Apps ,Corina Apps .

O2 48456259 ah. Mob 0400402925 WAYNE

4th March, 2012

Toby Philp
Senior Planner
NSW Department of Planning & Infrastructure | GPO Box 39 | SYDNEY NSW 2001

Dear Toby,

My husband John and I are wishing to make a submission regarding the Dalton Power Project and express our concerns about a number of issues

Our home is located on a small rural holding within approximately 5 kilometres of the proposed site for the Dalton Power Plant. We live in the home with our three small children Milli 9yrs, Kitty 7yrs and Ben 4yrs. Our home is orientated towards the site and the view from **all** living areas of our home will encompass the power plant "stacks". We have raised this issue with the AGL representative Neil Cooke who attended our home and has acknowledged we will be able to see significant parts of the plant from our home.

As we do have a direct line of site to the plant we also believe that we will be affected by noise from the plant and note that we are significantly closer to the plant than the "sensitive noise receptor" (residence) which is 5.7km away from the plant. Again this was an issue raised with Mr Cook but no action has been taken or was even suggested at that time.

We are further concerned about emissions from the plant. First and foremost we are concerned about its general effect on our family, particularly our children. We also need to consider how emissions may affect the quality of the rain water that we collect and use for all our domestic uses including drinking, bathing, washing clothes etc and also the watering our garden including a large amount of fruit and vegetables consumed by our family on a daily basis.

We have spoken to Neil Cooke from AGL regarding these concerns and others but are not satisfied that our concerns are being taken seriously.

Lastly we wish to raise the issue of the apparent significant drop of value of our home should this project go ahead. Initial inquiries with local Real Estate agents have indicated that the presence of the plant (even while only in conception and planning stages) will have an immediate and significant effect on property values and saleability.

We are hoping our concerns can be considered along with those already submitted by other local residents.

Yours faithfully,

Louise Duncan
053 Felled Timber Road, Dalton
(02)48456340

Toby Philp - Map showing the location of dwellings surrounding Dalton gas fired power station

From: "Andrea Strong" <amakeig@bigpond.net.au>
To: "'Toby Philp'" <Toby.Philp@planning.nsw.gov.au>
Date: 2/03/2012 6:05 PM
Subject: Map showing the location of dwellings surrounding Dalton gas fired power station
Attachments: MaplocationdwellingsDalton.docx

Dear Toby,

The submission by the Community for Accurate Impact Assessment of the Dalton Power Station (CAIAD) in response to the Environmental Assessment of the AGL Dalton power project included a map showing residences located around the proposed Dalton gas fired power station. That was something not included in the EA by URS/AGL.

Find attached the map, made clearer for your information.

There has been considerable concern in the community that AGL has failed in their obligation to consult, with a number of impacted residents shown on the map not knowing about the proposal until late in the approval process.

The map shows the close proximity of the power station to the town of Dalton. It also shows numerous residences located on Felled Timber Road. It is not clear that AGL has sufficiently taken these dwellings into account in the environmental assessment.

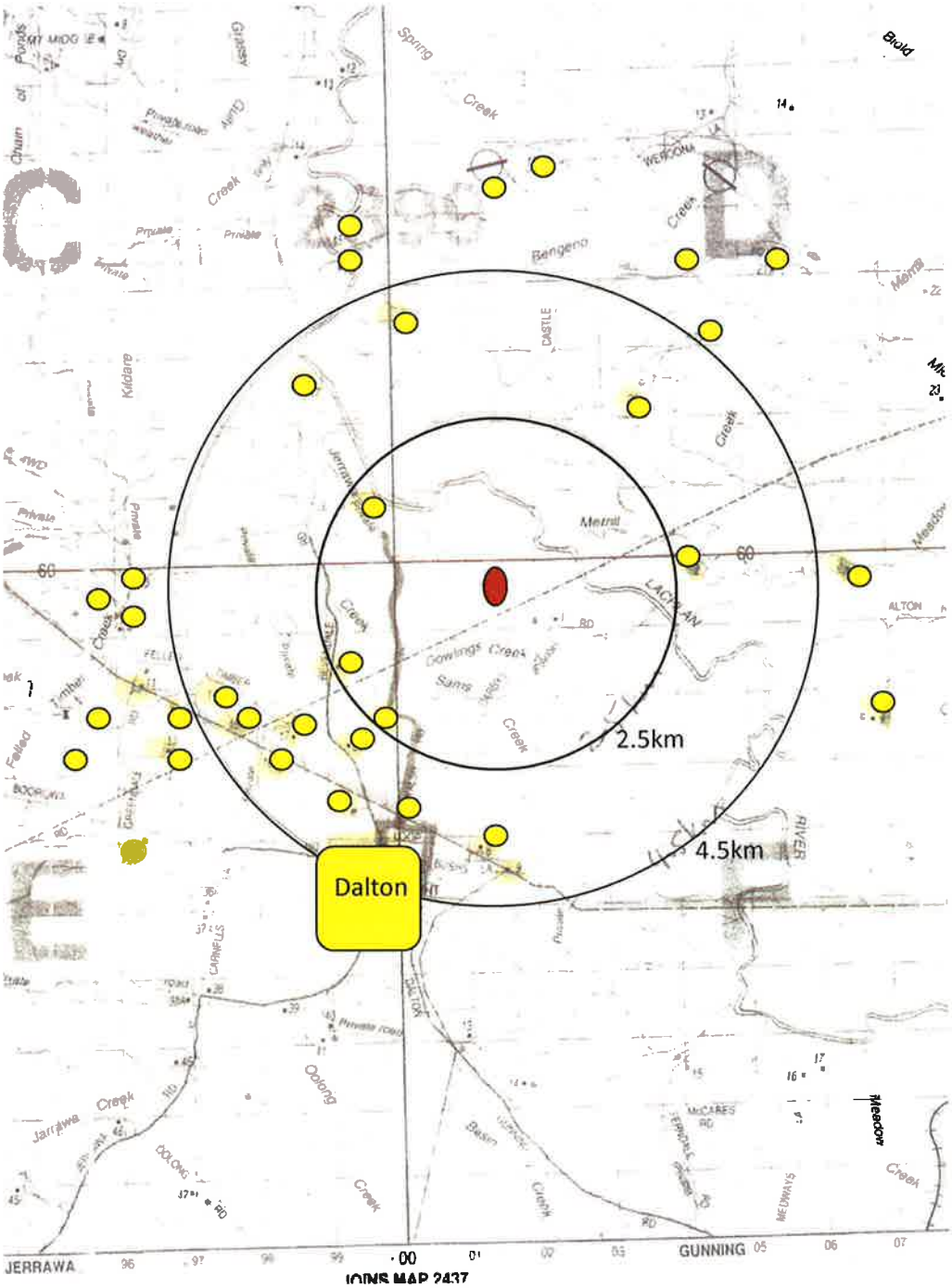
Furthermore, it is rumoured that AGL is now privately negotiating with its closest farmer neighbours to increase noise emissions on their properties above NSW Industry Noise Policy (NSW INP) limits. If successful, the neighbours of these closest neighbours will in turn be impacted more than they would be otherwise. Rather than being protected by the Government enforcing limits on the closest receptors, the amenity of many, many more in the community will be impacted.

The number of close neighbours and their location is shown on the attached map.

We ask that NSW Planning scrutinise negotiations being pursued by AGL to ensure the wider community will not be worse off as a consequence these private confidential agreements.

Yours sincerely,

Andrea Strong



Bushfire brigade map of Dalton showing location of Power Station and residents in a 2.5km and 4.5km radius

Australian Government
Department of Defence
Defence Support Group

ID/EP/ELP/2011/OUT/AF8695944

Mr Toby Philp
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Philp

RE: EXHIBITION OF ENVIRONMENTAL ASSESSMENT FOR DALTON POWER PROJECT (Your ref: MP10_0035)

Thank you for referring the abovementioned environmental assessment to the Department of Defence (Defence) for comment. Defence has reviewed the documentation and can advise that it has no comments to make at this time.

Yours sincerely

John Kerwan
Director Land Planning & Spatial Information
BP3-1-A052
Department of Defence
CANBERRA ACT 2600

19 October 2011

Appendix B-4 Additional Comments Received on the Submissions Report (March 2012 draft)

NSW GOVERNMENT | Planning & Infrastructure

Contact: Toby Philp
Phone: (02) 9228 6343
Fax: (02) 9228 6455
Email: toby.philp@planning.nsw.gov.au

Our ref.: MP10_0035

Mr Neil Cooke
Manager Power Development
AGL Energy Limited
Locked Bag 1837
St LEONARDS NSW 2065

Dear Mr Cooke

Subject: Review of Submissions Report for the Dalton Power Project (MP10_0035)

I refer to the revised draft Submissions Report for the Dalton Power Project dated March 2012 (submitted to the Department on 22 March 2012). The Department has reviewed the Report and has identified the following matters that are required to be amended:

- When referencing the Office of Environment and Heritage's (OEH) comments on the draft Submissions Report (dated 24 November 2011), the response incorrectly refers to the OEH's position, at that time, as proposing dB(C) limits in lieu of the Industrial Noise Policy process of assessing low frequency noise. This is required to be amended to reflect the correct position of OEH, at the time of the submission, which was the inclusion of dB(C) limits in addition to the Industrial Noise Policy process of assessing low frequency noise.
- Provide a photomontage representing what is referred to as the likely stack height of 28m, as seen from the village of Dalton (amending the existing photomontage produced for the property of Wayne Apps would be appropriate).
- The Submissions Report still refers to the trucking of 25ML of water (page 72), which is required to be amended to reflect the amended quantity of 200 to 300 KL of water to be trucked per annum.
- The total loss of Box Gum Woodland (BGW) is required to be quantified. The Submissions Report states that the realignment of the southern portion of the gas pipeline will reduce the area of impact on the BGW, as the original southern portion of the gas pipeline alignment impacted on 0.106 ha of BGW. However, in Table 2-1, Appendix H of the EA, the relative clearing impact as a result of the southern portion of the gas pipeline on the BGW is shown to be zero.
- Figure 4-2, on page 134 of the Submissions Report, is incorrectly titled and is required to be amended to reflect its content.

Subject to the receipt of a revised Submissions Report addressing the above, the Report will be made publicly available. Notwithstanding the above, further matters may be raised during the assessment process.

The Department has also received submissions from the public in relation to your posting of a draft Submissions Report on the web, and are attached for your review. The Department requests your advice on these matters in due course.

Your contact officer for this proposal, Toby Philp, can be contacted on (02) 9228-6343 or via email at toby.philp@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

16/4/12

Glenn Snow
A/Director
Infrastructure Projects

Toby Philp - AGL Dalton Power Project.... AGL Submissions Draft Report

From: [redacted]
To: Toby Philp <toby.philp@planning.nsw.gov.au>
Date: 10/04/2012 12:48 PM
Subject: AGL Dalton Power Project.... AGL Submissions Draft Report

Good afternoon Toby,

I have had a brief viewing of the AGL Submissions Draft Report recently posted on their website and am disappointed AGL are still misrepresenting facts.

I didn't have to delve too deep to find the following example which concerns one of my submissions [20002] lodged during the exhibition phase.
My submission offered an example of an alternative site that would, whilst still placing the AGL complex in the immediate area and close to transmission lines, remove the need for any construction traffic to pass through Gunning/Dalton and better place the power station with regards to the safe dispersal of emissions.
The down side would be the need to extend the gas branch line another 8km.

To support my concerns I have included: 1. copy of the original submission [extract], 2. AGL's edited version of my submission and 3. AGL's response to the edited version.

1. An extract of Submission 20002. This was actually submitted to NSW Planning submissions page for the project:
"Did AGL consider a site that did not impact on the population? For example, The Wheeo Road area 10 km to the north east of the present site?
The power lines pass through this area and it would be necessary to increase the gas line another 8km. Origin Energy is prepared to run a 30km branch line to their Kerrawary Power Station.

The advantages of the alternative site are that the exhaust plume will have little or no health impact on Dalton or Gunning and the construction traffic passes up the Crookwell Road thereby avoiding Gunning altogether."

2. AGL's paraphrased Submission 20002 presented in their Submissions Draft Report recently posted on their website.
3.14.2 Page 118
Submission 20002 raised the question whether AGL considered an alternative site that did not impact on the population (such as on Wheeo Road 10km to the north east of the site). The advantages of this site are described as having little or no 'health impact' on Dalton or Gunning and 'the construction traffic passes up the Crookwell Road thereby avoiding Gunning altogether'.

3. AGL's response to Submission 20002 posted on their Submissions Draft Report posted on their website.
3.14.2 Page 119
It is noted that Submission 20002 questioned why the site was not located 10km up the road. Within the Dalton area, the Dalton Site was found to be most favourable as connection to the 330 kV transmission line and Moomba to Sydney Gas Pipeline are both located within close proximity to the Site. If the site was located 10km up the Wheeo Road as suggested in the submission, it would no longer be in close proximity to the 330kV transmission line and Moomba to Sydney Gas Pipeline. The Site is well removed from public viewing points and has sufficient extent to allow adequate buffer distances between the plant and from neighbouring boundaries.

The facts are as follows:

The power lines that AGL claim would no longer be within close proximity, actually pass directly over the referenced Wheeo Road site and are merely the continuation of the very same 330 kV transmission lines AGL already intend to access at the Dalton site.
Whilst the Moomba Gas Pipeline is approximately 10km to the south of the Wheeo Road site, spanning the distance with a branch line is a minimal inconvenience as AGL is required to construct a 3km branch line to the proposed Dalton site in any event.
The Kerrawary Power Station mentioned in my submission [and ignored by AGL] requires a 30km branch line, so it is certainly feasible.

There is no response at all, to my comment concerning the advantages of construction traffic completely bypassing Gunning by entering the Crookwell Road to the east of the town.
There is no response to the fact that the Wheeo Road site would ensure any exhaust gasses would have little or no impact on the populations of Gunning and Dalton and when driven by the predominant wind will miss any built up areas.

The most cursory glance at a map would demonstrate the above is correct and confirm the advantages of such a site.
AGL's ongoing underhandedness continues to undermine the resident's confidence in any of AGL's claims and also what is supposed to be a serious process.

Regards,
[redacted]

[redacted].

[redacted]

10th April 2012

Major Projects Assessment
Senior Planner
NSW Department of Planning & Infastructure
GPO Box 39

SYDNEY NSW 2001

Attention: Toby Philp

Dear Mr Philp

RE: REVISED SUBMISSIONS REPORT FOR DALTON POWER PLANT

We are writing to you to express our concerns about building a 6 x 46 metre stack FA9 Turbine Power Plant only 3.5km from our home.

We have read through the EA and the Revised Submissions Reports and we still have serious concerns about the impact this will have on our community. And although our neighbours have already expressed many of the major issues we have with this project, we would like to reiterate those and alert you to more.

In the Revised Submissions Report Part 4 – *page 3 "R12-R19 are all high visual areas get the EA states Low- TOTAL LIES – Wayne Apps 8/3/12".*

AGL's Response: Resident dwelling R12-R19 have been assessed and determined to be low visual impact.

Our Response: We are R16, and we are not low visual impact. Our home is set into the hill and we have a direct view of the proposed plant. At no time has anyone from AGL come and stood on our verandah where we currently have a beautiful view to see the visual impact from our side. In fact, when Wayne Apps asked Neil Cooke to come and do a visual assessment from our property, he was told 'we were of no consequence'. Mr Phillip we beg to differ!

The photos below were taken this morning and the first one is from the north east corner of our verandah showing a direct view of the proposed plant area. Due to minimising, the distance from the proposed plant area seems greater than it actually is. We are only 3.5km from the site. We request that you ask AGL to come and do a Visual and Noise Impact study from our residence because as you can see we are also in a valley that echoes (we can hear Divalls trucks coming down the Rugby road, 5 kilometres away), and frequently experience high wind velocity in inclement weather.

The next photo is taken from the same north east view but at ground level and as you can plainly see the view is no less impacted by being lower down.

The photo below is taken from the corner of our house fence line in the same north eastern view and we would also have an unimpeded view of the proposed Valve station. Oh joy!

Revised Submissions Report Part 3– 4 Preferred Project Report page 18

GEL intends to prime seal the route along Loop Road and Walsh's Road as we understand up until their property line. Andrew's parents live in the corner of Walsh's Road (R18-D, they are first contact) and as such will experience copious amounts of dust as the traffic will have to get to their site from Walsh's road past their residence before initial construction starts. There is no mention made of sealing all the way along Walsh's Road past their point of residence to combat the dust not to mention the noise from the traffic. Why!

As well, the dust which will get into the wool of the sheep in the paddocks aligning the sides of the road they will be driving through. Dust in the wool, weakens the microns and they are prone to splitting and breaking, making them useless for sale or if saleable well below what market value they would have. AGL have still not adequately addressed these concerns.

Revised Submissions Report Part 3 – 4.7 Noise Assessment page 5

There are no Noise Assessments done in the areas of R16 outwards to the 6km zone where most are residential. Why not? *Figure 4.13 page 6.* We live in this valley and echoing and high wind velocity are predominant factors in noise levels here.

Revised Submissions Report Part 2 – page 14 – Picture 3

View location R12 proposed view north west to west from residential dwelling R12 with screen planting – (Eucalypt spp. 5-10 year post planting).

Growth rate depends on the soil, climate and whether seedling, sapling or larger trees are planted. It would be impossible for the screen planting to achieve an effective maximum height to shield residents from the plant in the time designated on the submission unless AGL plants well established trees of a height already achieved of 2 metres. We have included photo examples of eucalypts growing on our property, the first one we planted over 18 years ago and is at a height of approximately 3 metres and others planted by Andrews family over 100 years ago, now at a height of over 10 metres, their assessment of plant screening is totally illogical.

Revised Submissions Report Part 4 – Preferred Project Report

Andrea Strong Community Submission 3

It is rumoured that AGL is negotiating with it's closest farming neighbours to increase noise emissions to their properties above the NSW INP limits....

This is true, we have first hand knowledge of this practice and this is not a company we want in our area. Using underhanded tactics to get profits for their shareholders are not what we are about. This area is built on the hard work, pioneering spirit and tenacity of our forefathers and we will not go quietly into the night.

Residential and Property Market Values

AGL have still not adequately addressed Market Value issues of our properties. For us there is no pension when we retire, only our super and our assets. Most people wanting to move to the country area come here for the serenity and unimpeded rural views which we will not have if the plant goes ahead. The town of Dalton is already feeling the effects of this proposal with a sale not going through because of the proposed power plant. Our understanding of the market values around other much smaller power plants are that they are being bought out by the companies. We do not want this. Andrews family have been in this area since the 1830's, there is a history here. But if the plant does go ahead , we would like to know if we are going to compensated when the market declines at a percentage rate increased year by year for the life of the plant, which I understand is 30 years.

Visual Impact EA Appendix K – page 33

Last paragraph

How can the exhaust stacks be generally visible for only a short duration? This isn't London, they will be visible always. Terrible supposition.

Health Concern

R18-D is Andrew's parents property and they are first contact. Andrew will in the next couple of years inherit this property, he already manages it, and our son will be living there. We are very concerned about the toxic emissions that will be emitted from the stacks. Has AGL done any research on what effect these toxic emissions will have on male sperm. My son is the last in a very long and proud family that were instrumental in helping settle the township of Dalton (Wesleyvale) and what assurety do we have that the emissions will not harm his right to reproduce. We don't want platitudes and it wouldn't happen scenarios, we want facts! We all know the repercussions of Asbestos use and Agent Orange from the Vietnam war, we don't want to get 40 years down the road and find all the health issues previously experienced by others.

Tourism

I have found nothing in the EA or updated submission reports that addresses this issue.

Andrew, our son Matthew, our daughter Kahlie (on weekends), and I all work in Gunning. I work at the Service Station and tourism is what runs Gunning. The town took a massive downturn in economy when the Hume Hwy bypass went through and it took many years to recover. But recover it has, and it is doing very well for a small community. Approximately 90 people work in Gunning, not counting the ULSC Gunning Depot staff of about 30, in all forms, eg. Service Station, Cafes, Service Centres, Rural Centre, Hotel, Butcher, Health Centre, Chinese Restaurant, Motel etc. Many Dalton residents also benefit from tourism, either working in Gunning or tourists coming out to visit our little village. These are all local people with local jobs reliant on the tourists that come to town. Through the tourist information centre which is also housed at the Service Station tourists have expressed much concern on what the impact of traffic and noise would be on the quiet hamlet they love to come and stay at. Approval of this power plant would severely diminish our tourist numbers and in all likelihood effect a mass termination of employment.

Traffic

I was at the last meeting held in Gunning where AGL presented the 'fluid' TMP and one part I cannot understand is how they think they are going to get those trucks over the train bridge from Grosvenor Street without breaking the law by crossing the lines?

On another point, we leave to go to work and school anytime from 6.15 am till 7.30 am, how is AGL going to make sure that we get to work on time with all their trucks on the road. They have given us platitudes about working around the school bus times etc, but this won't be regulated and no mention is made of those who cannot afford to be late to work, eg. if I don't get to work on time then the Service Station doesn't open and that puts many locals and tourists out, not to mention I could lost my job because of it.

Crime

There has also been no mention of the possible crime rate increase with that many people working on the construction site. Dalton is a quiet town, where we don't have to lock our doors, install alarms and brace the windows. And we like it like that. There is a reason we live here, to raise our children in a safe and happy environment. Most of us work and are not always home, so our homes would be left unprotected for most of the day, sometimes weekends and holidays. We have a teenage daughter who has had the freedom of growing up in this rural area safe from harassment, what's to say that those employed by AGL or their contractors are upstanding citizens. Having already lost a child and enduring the worst nightmare a mother can experience I never want to repeat it, nor do I want anyone else to have to live through it. We would like to know what precautions AGL has taken or would put in place to safeguard our community from any possible repercussions of their staff, whether employed directly or indirectly by them.

Community Initiatives

There has been very little to nothing in consultation about any community initiatives for our town. If they aren't doing to do it, then don't put in the Reports.

In closing I leave you with this;

A Federal Minister recently commented, "We don't need more power plants, what we need is to manage the ones we have more efficiently".

Thank you for your time

Andrew, Leslie, Matthew & Kahlie Bush

31 Felled Timber Road
Dalton NSW 2581
02- 48456339 or leslieabush@hotmail.com

C

Appendix C Gas Pipeline (southern portion) preferred route

C.1 Additional Ecology Survey

URS

Memorandum

Date: 23 August 2011

To: Neil Cooke

From: URS Ecology Team

Subject: Dalton Project – Gas Pipeline (southern portion) Ecological Constraints Assessment

1. Summary of outcomes

As a result of the ecology field survey undertaken by URS in August 2011 of the gas pipeline (southern portion) options, the following conclusions are provided:

1. Alternative route option one would result in disturbance and clearing of NSW *Threatened Species Conservation Act 1995* (TSC Act) listed Threatened Ecological Community Box Gum Woodland vegetation necessary to allow construction and operation of the pipeline through the eastern lots. Along with clearing of TSC Act listed Threatened Ecological Community vegetation, there would be disturbance to numerous habitat features (**Figure 1**), which potentially provide habitat to a number of native fauna species.

2. Revised route option two does not impact any TSC Act listed Threatened Ecological Community vegetation, given the existing degraded nature of the exotic pasture within the Lots, and the lack of habitat resources present within the proposed route corridor (**Figure 1**).

2. Introduction

The URS Ecology Team was commissioned by AGL to undertake an ecological constraints survey of the Gas Pipeline (southern portion) for the proposed Dalton Project in the Southern Highlands, NSW.

AGL is considering the ecological constraints involved with location options for the placement of the Gas Pipeline (southern portion) that extends from the Valve Station to the intersection with the Gas Pipeline (northern) and Access Road. The ecological constraints survey looked at the location options for the placement of Gas Pipeline (southern portion) in the following property 'Lot' areas, which form the Study Area (**Figure 1**):

- 23/DP754111;
- 24/DP754111.
- 26/DP754111;
- 27/DP754111; and
- 30/DP754111;

Please note terminology used in this memorandum has been guided by the AGL Dalton Power Project Environmental Assessment, July 2011 (URS).

URS Australia Pty Ltd (ABN 46 000 691 690)
Level 4, 407 Pacific Highway
Artarmon
NSW 2064
Australia
Tel: 61 2 8925 5500
Fax: 61 2 9922 6977

3. Methodology

Two URS Ecologists undertook a field survey of the lots identified by AGL as potential location options for the proposed gas pipeline leading from the valve station on Walshs Road, north to the intersection of Darby's Road.

The aim of the field survey was to map and describe ecological constraints within the five lots, in order to guide AGL in the selection of a potential alternative pipeline route with the least ecological constraints, hence the least ecological impact. The focus of the survey was on the southern portion of the proposed pipeline.

Techniques used during the field survey included:

- Vegetation community mapping, with a focus on the presence/absence of threatened ecological communities;
- Habitat resource mapping, including;
    - Hollow bearing trees,
    - Coarse Woody Debris,
    - Rocky outcrops,
    - Stags, and
    - Water resources such as dams and creeks;
- Noxious weed mapping; and
- Threatened species habitat assessment.

The five lots were surveyed by two URS Ecologists who walked and traversed with a vehicle at low speed throughout the Study Area. Any ecological constraints were mapped using a hand held GPS device accurate to within 3 metres (m) accuracy.

4. Results

The field survey was undertaken on 11 and 12 August, 2011. Weather conditions during the field survey were predominately overcast and rainy. According to a summary of climate data collected at Yass by the Bureau of Meteorology for 11 – 12 August 2011, a total average of 4.6 mm of rain was received during this period, with an average daily temperature of between 5 – 15°C, and light south-westerly winds[1].

4.1 Ecological Constraints

A number of ecological constraints were identified within the Study Area as a result of the field visit, including:

- Vegetation;

[1] Bureau of Meteorology (2011) August 2011 Daily Weather Observations for Yass, NSW. Viewed online 18/8/2011 - http://www.bom.gov.au/climate/dwo/IDCJDW2152.latest.shtml

- Hollow bearing trees;
- Coarse woody debris;
- Rocky outcrops;
- Stages;
- Water resources;
- Plantation; and
- Noxious weeds.

These ecological constraints are outlined below and mapped in **Figure 1**.

4.1.1 Vegetation

Vegetation within the Study Area was largely restricted to either exotic pasture, or White Box Yellow Box Blakely's Red Gum Woodland (referred to as Box Gum Woodland), as defined by the NSW *Threatened Species Conservation Act 1995* (TSC Act) (**Figure 1**).

Box Gum Woodland

Box Gum Woodland is listed under the TSC Act as an endangered ecological community. This community comprises much of the woodland vegetation in surrounding areas, and is an important potential habitat resource for a number of threatened and common native fauna species. This community provides a number of habitat resources, including coarse woody debris, hollow bearing trees, rocky outcrops and stags, and is also likely to provide resources such as foraging, nesting and feeding resources throughout the year. There were several noxious weeds recorded within this community, but overall, the condition of this community was quite good, with some native species present in the understorey, and regeneration of canopy species.

It should be noted that this community also is protected under the EPBC Act; however the vegetation surveyed did not meet the EPBC Act requirements for either patch size or understorey diversity and therefore was only considered to be Box Gum Woodland of TSC Act status. **Plate 1** shows some typical Box Gum Woodland, as observed within the Study Area.

Plate 1 Box Gum Woodland (TSC Act) within the Study Area (URS 2011)

Exotic Pasture

Exotic pasture dominates the Study Area, and ranges in condition from entirely exotic species, through to exotic with a scattering of native species. The exotic pasture showed signs of heavy grazing in some areas of all property Lots, with the majority of exotic pasture within Lot 26/DP754111 having been slashed. Given the current land use of the Study Area mapped as exotic pasture, there is likely to be little resilience or native seed bank left, with slashing and grazing preventing natural regeneration of many native species. **Plate 2** shows some heavily grazed exotic pasture within the Study Area.

Plate 2 Exotic pasture within the Study Area (URS 2011)

4.1.2 Hollow Bearing Trees

A total of 12 hollow bearing trees (HBTs) were recorded across the five lots that comprise the Study Area (**Figure 1** and **Plate 3** and **4**). The majority of HBTs were recorded within Box Gum Woodland on the eastern side of Lot 24/DP754111. No hollow bearing trees were recorded along Walshs Road itself. **Plate 1** and **Plate 2** provide and example of HBTs recorded during the field survey. HBTs provide an important habitat feature for a range of native fauna species, including arboreal mammals, microbats and birds.

Plates 3 and 4 Hollow bearing trees within the Study Area (URS 2011)

4.1.3 Coarse Woody Debris

A large amount of coarse woody debris (CWD) was recorded in Lot 24/DP754111 within the Box Gum Woodland vegetation located across the northern and eastern portion of this property Lot (**Figure 1**). The CWD was concentrated in these areas, potentially resulting from previous land management activities. Additional CWD was recorded within Lot 23/DP754111, although this CWD was largely sparse, and fragmented from other habitat resources. CWD also occurs along the fringes of Walshs Rd (**Figure 1**). **Plates 5** and **Plate 6** provide an indication of typical CWD found within the Study Area. CWD forms an important habitat component for a range of native fauna species, including birds, reptiles, amphibians, small mammals and monotremes.


Plates 5 and 6 Coarse woody debris within the Study Area (URS 2011)

4.1.4 Rocky Outcrops

Few rocky outcrops were observed within the Study Area during the field survey. Where they occurred, they were isolated and scattered. Rocky outcrops were recorded within Lot 23/DP754111 and 24/DP754111 (**Figure 1**). No rock outcrops were observed within Lot 27/DP754111, 26/DP75411 or within approximately 50 m to Walshs Rd (**Figure 1**). **Plates 7** and **Plate 8** show rocky outcrops observed within the Study Area. Rocky outcrops provide habitat resources for a range of native fauna, however are most commonly used by reptiles and amphibians.


Plates 7 and 8 Rocky outcrops within the Study Area (URS 2011)

4.1.5 Stags

Two stags were recorded within the Study Area (**Figure 1**). One stag is located in Lot 23/DP754111, and the second stag in Lot 24/DP754111. Each stag is located at least 200 m away from Walshs Rd (**Figure 1**). **Plate 9** and **Plate 10** show the two stags recorded within the Study

Area. Stag trees can form an important habitat resource through the provision of nesting resources, hollows, perches and refuge sites for a range of native fauna species, including microbats, birds and arboreal mammals.


Plates 9 and 10 Stags within the Study Area (URS 2011)

4.1.6 Water Resources

A number of small dams exist within the Study Area, each up to approximately 15 m in diameter, and in varying conditions. **Figure 1** indicates their location within each of the lots. At the time of the field visit, the majority of dams contained varying amounts of water; however none of the dams were full. Each of the dams is located within a paddock used for sheep grazing, and shows signs of some trampling and compaction around the waters edge. The dams within the Study Area typically support some riparian vegetation, including a number of fringing sedges and tussock grass species. **Plates 11** and **Plate 12** show typical dams within the Study Area.


Plates 11 and 12 Dams within the Study Area (URS 2011)

The study area also contained a small creek line, in addition to some ephemeral creek lines. These creek lines were typically quite eroded, with some steep banks and signs of trampling by

livestock. These creek lines supported some riparian vegetation, including some rushes, sedges and tussock grasses. **Plate 13** shows a creek line from within the Study Area and **Plate 14** shows an ephemeral creek line within the study area.

Plates 13 and 14 Water resources within the Study Area (URS 2011)

4.1.7 Plantation

A small area of planted *Eucalyptus* spp. was observed along the western side of Walshs Rd, approximately 75 m north of the Valve Station (**Figure 1**). This area, referred to as the plantation, is unlikely to provide significant habitat features, but may provide a small refuge resource, and at times, may provide some foraging resources in the form of flowering or fruiting plants. This plantation area is also likely to provide potential future habitat resources once the saplings mature. **Plate 15** shows the small plantation area.

Plate 15 Plantation within the Study Area (URS 2011)

4.1.8 Noxious Weeds

Several noxious weeds (also referred to as Weeds of National Significance (WoNS) by the Department of Primary Industry NSW) were observed within Lot 26/DP754111 and 24/DP754111 within the Study Area;

- *Rubus fruticosus aggregate* (Blackberry)[2]*;* and
- *Salix sp.* (Willow)[3].

Blackberry was observed close to an ephemeral drainage line that fed into a farm dam, as well as within a patch of Box Gum Woodland. Willow was observed alongside a farm dam in a seasonally wet area. The location of the noxious weeds is provided on **Figure 1**. **Plate 16** shows a large infestation of Blackberry within the Study Area. Thistles were seen throughout most of the exotic pasture within the study area, and may have been species classified as noxious; however given the season of survey, they were not identifiable as they had died off significantly.

Plate 16 Blackberry within the Study Area (URS 2011)

5. Route Options

5.1 Existing Route Option

The existing proposal for the location of the Gas Pipeline (southern portion), presented in the AGL Dalton Power Project Environmental Assessment July 2011 (URS) extends from the intersection of Walshs Rd and Darby's Road to the Moomba –Sydney pipeline along the western side of the existing Walshs road easement until the connection point is reached at the valve station. The gas pipeline would connect to the Moomba – Sydney pipeline at this point. The maximum area of the Gas Pipeline (southern section) footprint, as part of the existing option, would be approximately 0.6 ha.

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[2] DEH (2003) Weeds of National Significance - Blackberry (*Rubus fruticosus aggregate*) Weed Management Guide. Viewed online 18/8/2011 - http://www.weeds.gov.au/publications/guidelines/wons/r-fruticosus.html

[3] DEH (2003) Weeds of National Significance - Willow (*Salix spp.*) Weed Management Guide. Viewed online 18/8/2011 - http://www.weeds.gov.au/publications/guidelines/wons/salix.html

5.2 Alternative Route Option One

Alternative route option one involves locating the proposed Gas Pipeline (southern portion) within the lots to the eastern side of Walshs Road. This option has been considered to provide an alternative to placement of the Gas Pipeline within the road easement, and would utilise privately held land rather than the road easement.

This route option would be located within two Lots that are currently used for livestock grazing, and supports both Exotic Pasture and Box Gum Woodland. This route option would result in an impact to TSC Act listed Threatened Ecological Community (TEC) Box Gum Woodland, along the northern and western boundaries of property lots (24/DP754111 and 26/DP754111) (**Figure 1**). Relocating the route to this location would result in increased clearing of TEC vegetation, which would likely result in additional offset requirements. **Plate 17** shows some of the Box Gum Woodland that would need to be cleared to enable this route option to be utilised.

Plate 17 Box Gum Woodland to be impacted by revised route option one (URS 2011)

5.3 Alternative Route Option Two

Alternative route option two would involve the placement of the proposed Gas Pipeline (southern portion) in to the lots that are on the western side of Walshs Road (23/DP754111, 27/DP754111 and 30/DP754111) (**Figure 1**). The proposed route would be located from the corner of Walshs Road and Darby's Road and would form a straight line to connect with the Valve station, within land classed as Exotic Pasture. This route option would avoid using the existing road easement, avoid all mapped ecological constraints, and would result in no additional impact to any TEC vegetation.

Plate 18 illustrates the view heading north towards the corner of Walshs Road and Darby's Road along the potential revised route option two, showing exotic pasture.

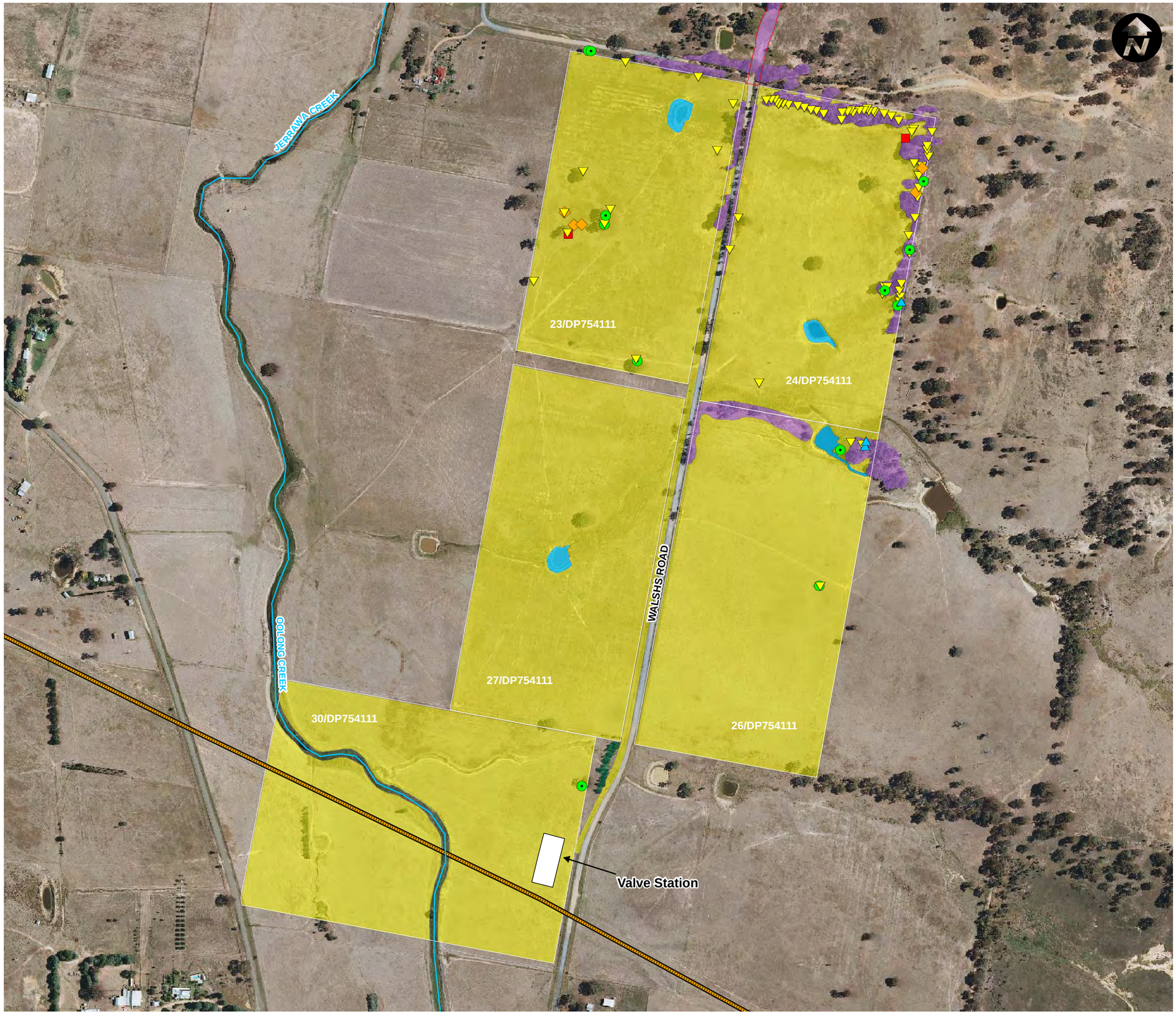
Plate 18 Revised route option two through exotic pasture (URS 2011)

6. Conclusions

As a result of the field survey undertaken by URS in August 2011, the following conclusions are provided:

3. Alternative route option one would result in disturbance and clearing of TEC Box Gum Woodland vegetation necessary to allow construction and operation of the pipeline through the eastern lots. Along with clearing of TEC vegetation, there would be disturbance to numerous habitat features (**Figure 1**), which potentially provide habitat to a number of native fauna species.

4. Revised route option two does not impact any TEC vegetation, given the existing degraded nature of the exotic pasture within the Lots, and the lack of habitat resources present within the proposed route corridor (**Figure 1**).



Legend

- Gas Pipeline (northern) and Access Road
- Valve Station
- Moomba-Sydney Pipeline
- Waterways / Dams
- Hollow bearing trees
- Coarse woody debris
- Rock outcrops
- Noxious weeds
- Stag

Vegetation Communities (URS):

- Plantation
- Box Gum Woodland*
- Exotic Pasture

* TSC Act Listed Community

0 250

Metres

Source: Aerial Imagery from AGL

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Project

DALTON POWER PROJECT

Title

ECOLOGICAL CONSTRAINTS - GAS PIPELINE (SOUTHERN)

Figure: 1

URS