



Planning & Environment

Mr Alwyn Roweth
[REDACTED]

15/02797

Dear Mr Roweth

I refer to your letter to the Hon. Pru Goward, MP, Minister for Planning, concerning the Flyers Creek Wind Farm Project. The Minister has asked me to thank you for bringing these matters to her attention, and to respond on her behalf.

You raise two matters in your letter: commercial matters between you and Infigen, and planning matters concerning the length of time taken to assess and approve the Flyers Creek Wind Farm Project.

While I have noted the difficulties you are experiencing with Infigen on the commercial matters, this is essentially a private contractual matter between you and Infigen. The Department is unable to provide any assistance on private contractual matter except to recommend that you should seek your own independent commercial or legal advice on the matters you have raised. Further, I can say that these matters would have arisen regardless of the deferred commencement conditions in the project approval.

On the planning matters, I can advise that the environmental impact for the statement was exhibited in late 2011. During exhibition, it attracted 130 submissions. Infigen provided a response to the issues raised in these submissions in June 2013, nearly one and a half years after the exhibition period. After receiving this response, the Department completed its assessment of the merits of the application and referred it to the independent Planning Assessment Commission (PAC) for determination in November 2013. The PAC then approved the application in March 2014, following public meetings.

As you can see the primary delay in the assessment was due to the delay in receiving the response to submissions, which was Infigen's responsibility. In fact, the time taken by the Department compares favourably with the average timeframes for the assessment of projects of a similar scale and nature.

If you would like to discuss any of these matters further, I suggest you contact Mr Mike Young, acting Director of the Department's Resource Assessments team on [REDACTED].

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

02/03/2015