

30 May 2019

Nicole Brewer
A/Director, Resource and Energy Assessments
320 Pitt Street
GPO Box 39
Sydney NSW 2001

Dear Nicole,

RE: SSD 6686 Bango Wind Farm Pty Ltd – Section 4.55 Modification – Supplementary information

I refer to:

- The Land and Environment Court proceedings *Bango Wind Farm Pty Ltd v NSW Minister for Planning* (no. 149003 of 2019) seeking modification of the development consent granted by the Land and Environment Court of NSW on 6 December 2018 for the Bango Wind Farm project;
- the letter prepared by CWP Renewables Pty Ltd on behalf of Bango Wind Farm Pty Ltd (**BWF**) dated 7 May 2019 (**CWP Letter**); and
- the Applicant's Statement of Facts and Contentions in Reply filed on 30 May 2019 (**Applicant's SOFC in Reply**).

Modification involving mining environmental impact

TransGrid Subdivision

As set out in the Applicant's SOFC in Reply, there is no longer a need for a separate switching station lot as the switching station equipment can and will be contained within the same lot as the TransGrid substation (**Collector Substation**).

The area of land required for the Collector Substation will be as described in the EIS (as that term is defined in the Development Consent), being approximately 150m by 150m or 2.25ha. For each of the TransGrid Subdivision Options, the existing lot sizes and the residual lot sizes following subdivision are:

Lot	DP	Lot Size (ha)	Substation Size	Residual lot size (ha)
3	625384	24.151	2.25	239.26
3	1187122	21.32	2.25	19.07
2	1187122	49.98	2.25	47.73

Replacement maps showing the TransGrid Subdivision Options identifying only one lot for the Collector Substation and that remove references to the switching station are at **Annexure B** to the Applicant's SOFC in Reply and attached again at **Appendix A** of this letter.

A replacement map for the Layout of the Site showing only one lot for the Collector Substation and removing the identification of the turbine clusters is at **Annexure B** to the Applicant's SOFC in Reply, and attached again at **Appendix B** of this letter.

Deemed Lease Subdivision

The size of the leased area for each wind turbine generator will be approximately 144.5ha, being 46 x [3.142 x (100 x 100) / 10,000].

The size of the permanent operations building will be as described in the EIS (as that term is defined in the Development Consent), approximately 75m by 75m or 0.56ha.

The lease areas are depicted in the map at **Appendix C** of this letter.

Substantially the same development

As set out in the Applicant's SOFC in Reply, in respect of the TransGrid Subdivision and the Deemed Lease Subdivision, BWF has given an undertaking that the development as proposed to be modified will remain substantially the same as the development that was originally approved. A copy of the letter giving the undertaking is **Annexure D** to the Applicant's SOFC in Reply and it is attached again at **Appendix D** of this letter.

Modification involving minor error or misdescription

As set out in the Applicant's SOFC in Reply:

- the description of "Land" in the Development Consent is proposed to be modified by inserting two additional parcels of land to Appendix 1 to the Development Consent. These parcels of land will be subject to oversail by blades of the wind turbines identified below, collectively the Oversail Land:

Lot	DP	Landowners	WTG that would result in oversail
156	754143	Margaret Mary Dwyer Mary Jennifer Anne Dwyer	18
299	754135	Filippo Lo Conte Elisa Lo Conte Anthony Charles Lo Conte	54 + 58

- at the time of the lodgement of the EIS in 2016 with the much larger layouts for the Project, the landowners of the Oversail Land were going to be hosts of wind turbines;
- due to later reductions in the number of wind turbines, the landowners of the Oversail Land were no longer required to be hosts of wind turbines but following micrositing in accordance with Schedule 2 Condition 9 of the LEC Consent it was determined that the blades of three of the remaining approved wind turbines will oversail the parcels identified above;

- BWF has entered into agreements with the landowners of the Oversail Land in relation to the impacts of the Project, including oversail from wind turbine blades in accordance with Schedule 2 Condition 7 of the Development Consent.

This is a modification involving a minor error or misdescription as the Oversail Land should have been included in Appendix 1 to the Development Consent, and therefore can be considered by the Court under section 4.55(1) of the *Environmental Planning and Assessment Act 1979* (NSW).

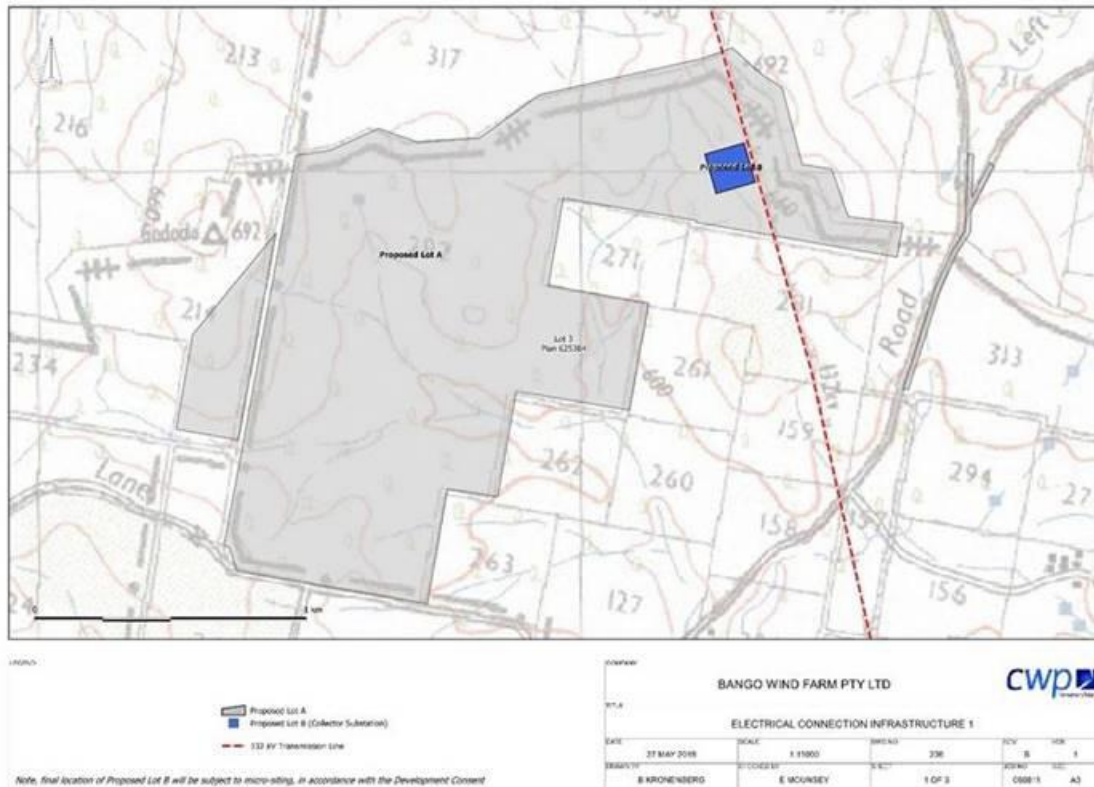
Maps of the Oversail Land are at **Annexure C** to the Applicant's SOFC in Reply, and attached again as **Appendix E** to this letter.

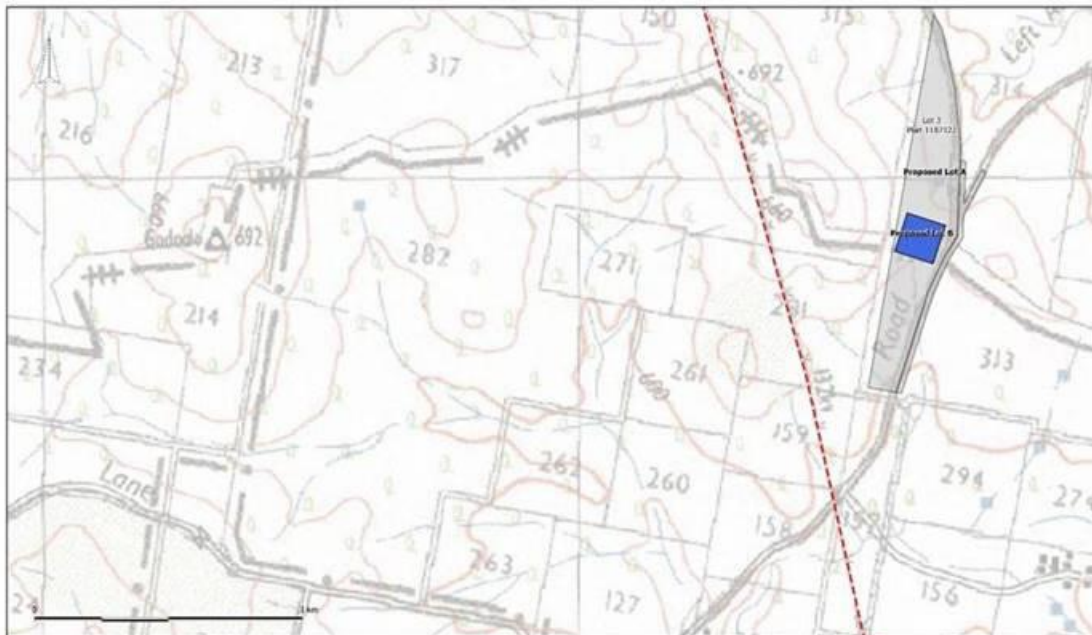
Yours sincerely,



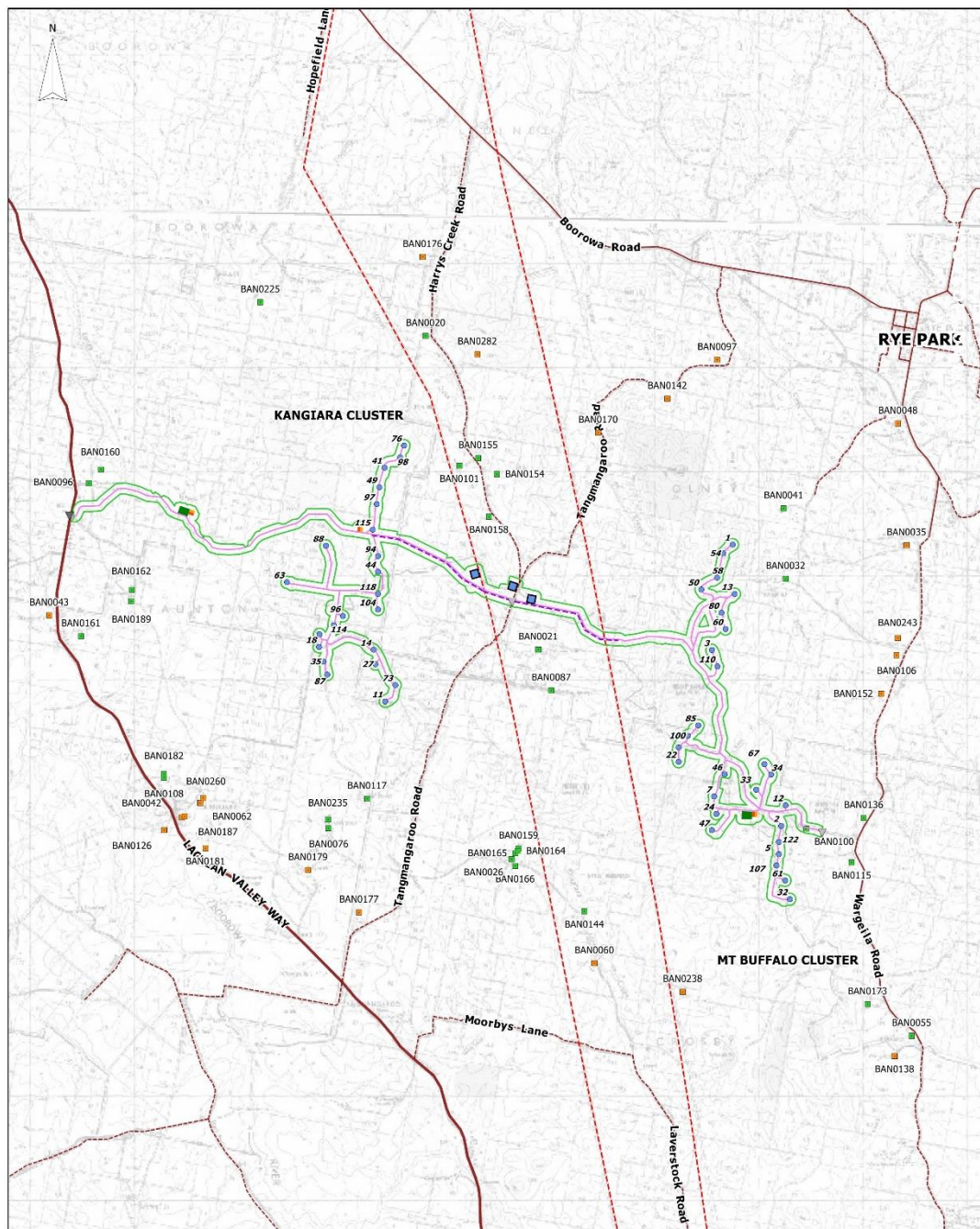
Ed Mounsey
Chief Operating Officer & Head of Development
CWP Renewables Pty Ltd


Appendix A – TransGrid Subdivision Options





Appendix B – Site Layout Map

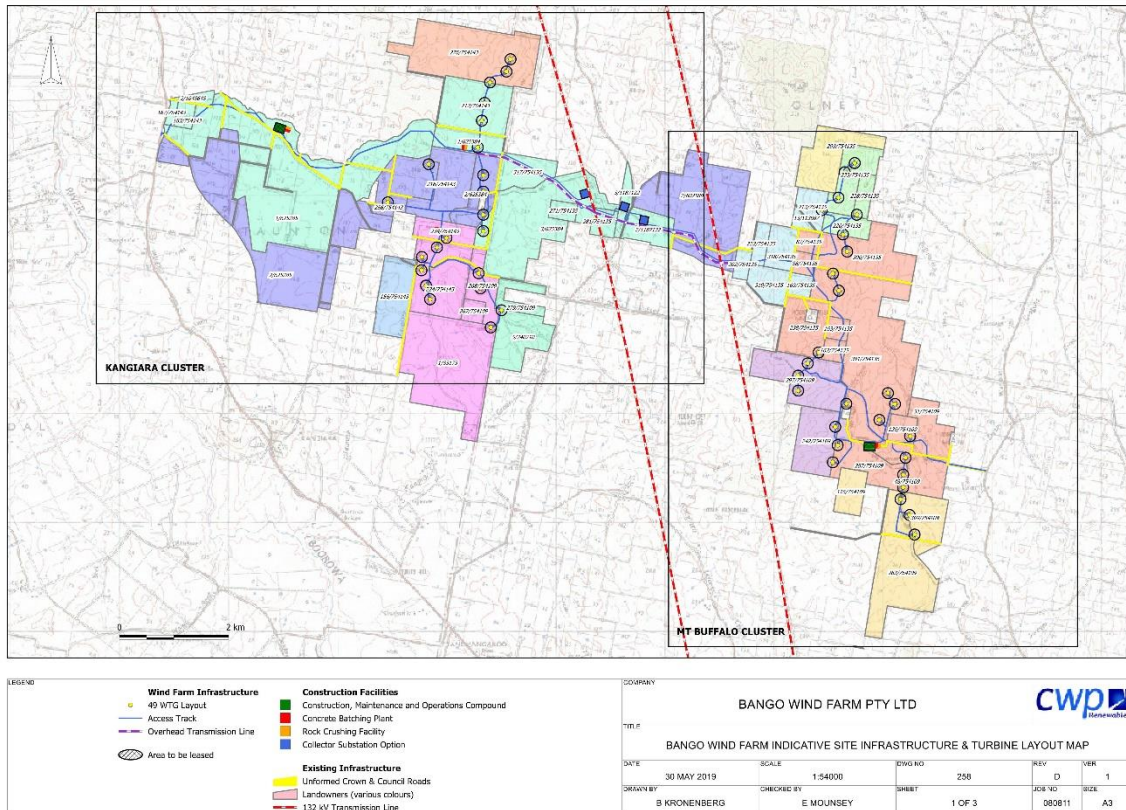


LEGEND			COMPANY	
PROPOSED INFRASTRUCTURE			BANGO WIND FARM PTY LTD 	
Layout (46 WTG)			TITLE	
● WTG	■ Construction Compound Option	--- Unsealed Road	LAYOUT - APPENDIX 2	
▼ Main Site Access	■ Concrete Batching Plant Option	— Sealed Road		
▼ Access (no oversize)	■ Rock Crushing Facility Option	--- 132 kV Transmission Line	DATE	
— Access Track	■ Collector Substation Option	■ Associated Residence	28 MAY 2019	DRAWN BY
--- Overhead Transmission Line	○ Development corridor	■ Non-Associated Residence		K OLD
			CHECKED BY	E MOUNSEY
			SCALE BAR	0 4 km
			SIZE SHEET	A3 1 OF 1
			SCALE	1:74000

Image, roads and houses: derived from GEODATA Topo250k; Transmission lines: 132 kV - TransGrid; All other data: CWPRL.

2019

Appendix C – Lease Areas Map



Appendix D – Substantially the Same Development Undertaking

23 May 2019

May Patterson
Team Leader
Resources and Energy Assessments
Department of Planning, Industry and Environment
320 Pitt Street
Sydney NSW 2001

Dear May,

Bango Wind Farm Pty Ltd v NSW Minister for Planning – Land and Environment Court proceedings no. 149003 of 2019

I refer to the above proceedings seeking modification of the development consent granted by the Land and Environment Court of NSW on 6 December 2018 for the Bango Wind Farm project.

I also refer to the letter prepared by CWP Renewables Pty Ltd dated 7 May 2019 in Annexure D to the Affidavit of Noni Shannon dated 10 May 2019 in relation to the notice of motion for a truncated timetable (**CWP Letter**).

The CWP Letter:

1. describes the proposed modification as administrative in nature because it will not introduce any new, greater or changed environmental impacts beyond those considered for the purposes of the grant of the Development Consent or change any other aspect of the Project as approved; and
2. requests that the modification be considered under section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (NSW).

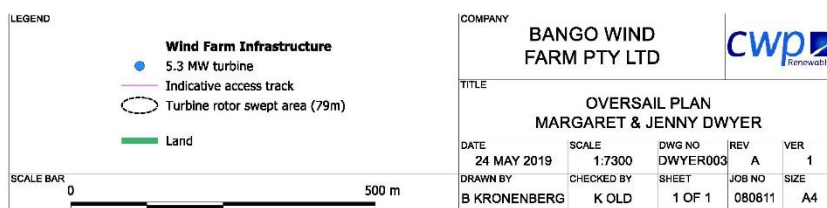
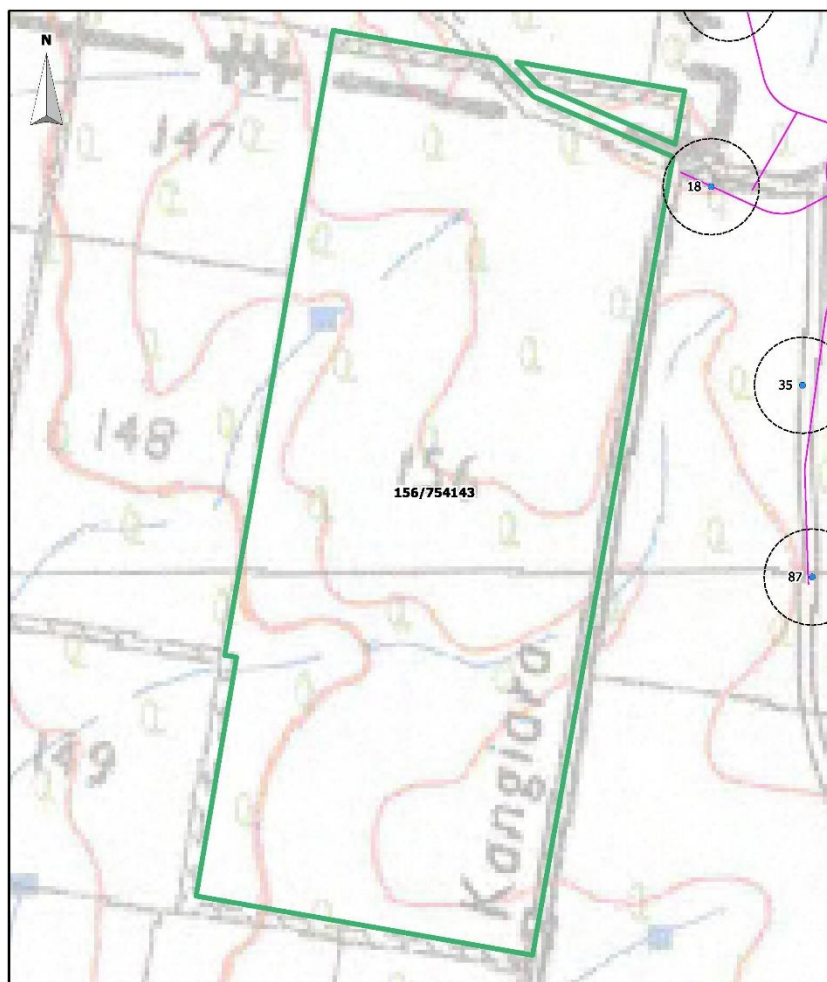
Further to that letter, and as required by clause 115(1)(g) of the *Environmental Planning and Assessment Regulation 2000* (NSW), I confirm that Bango Wind Farm Pty Ltd undertakes that the development as proposed to be modified will remain substantially the same as the development that was originally approved. I provide this confirmation in my capacity as a director of Bango Wind Farm Pty Ltd.

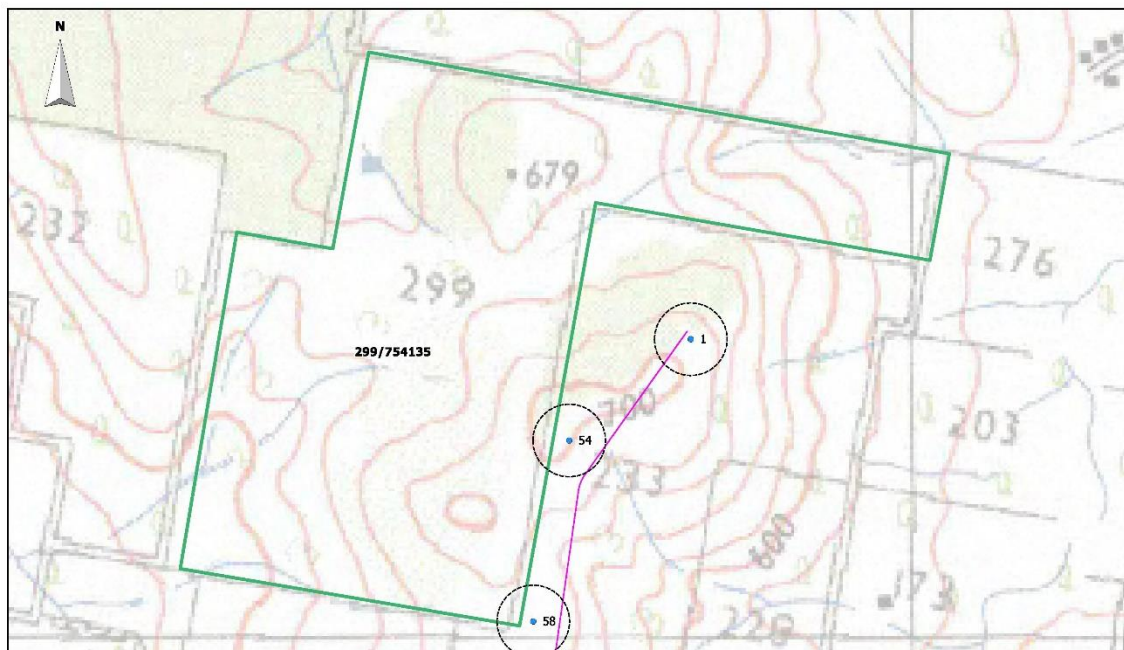
Yours sincerely








Edward Charles Mounsey
Director
Bango Wind Farm Pty Ltd

Appendix E – Oversail Land Maps





LEGEND		COMPANY	
Wind Farm Infrastructure  5.3 MW turbine  Indicative access track  Turbine rotor swept area (79m)		BANGO WIND FARM PTY LTD 	
Land 		TITLE OVERSAIL PLAN FILIPPO, ELISA & ANTHONY LOCONTE	
SCALE BAR 0 500 m		DATE 24 MAY 2019	SCALE 1:9100
		DRAWN BY B KRONENBERG	CHECKED BY K OLD
		SHEET 1 OF 1	REV A
		ING. NO. 080811	VED 1
			SIZE A4