

## Annexure A

**Bango Wind Farm Pty Ltd v NSW Minister for Planning****Development Consent****Section 4.38 of the *Environmental Planning & Assessment Act 1979***

The ~~Land and Environment Court of NSW~~ ~~Independent Planning Commission of NSW~~ approves the development application referred to in schedule 1, subject to the conditions in schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Sydney

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**SCHEDULE 1**

<b>Application Number:</b>	SSD 6686
<b>Applicant:</b>	Bango Wind Farm Pty Ltd
<b>Consent Authority:</b>	<b>Land and Environment Court of NSW</b> <b>Independent Planning Commission of NSW</b>
<b>Land:</b>	See Appendix 1
<b>Development:</b>	Bango Wind Farm

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## DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Ancillary infrastructure	All wind farm infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices and site compounds, underground and overhead electricity transmission lines and internal roads
Applicant	Bango Wind Farm Pty Ltd, or any person carrying out the development approved under this consent
BCA	Building Code of Australia
CASA	Civil Aviation Safety Authority
CCC	Community Consultative Committee
Conditions of this consent	Conditions contained in schedules 1 to 4 inclusive
Construction	All physical works to enable the operation, including, but not limited to, the construction of wind turbines, ancillary infrastructure and road upgrades carried out before the commencement of operation, excluding pre-construction minor works
Councils	Hilltops Council and Yass Valley Council
CPI	Consumer Price Index
Curtilage	The land immediately surrounding a residence, including any closely associated buildings or structures where domestic and/or recreational activities take place
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays
Decommissioning	The deconstruction and removal of wind turbines and above ground ancillary infrastructure
Department	Department of Planning and Environment
Development	The development as described in the EIS
Development corridor	The corridor shown in the figures in Appendix 2
EEC	Endangered ecological community, as defined under the TSC Act
EIS	The environmental impact statement for the Bango Wind Farm, prepared by CWP Renewables Pty Ltd and dated September 2016, as modified by the: <ul style="list-style-type: none"> <li>• <i>Bango Wind Farm Amended Development Application and Response to Submissions</i>, prepared by CWP Renewables Pty Ltd and dated May 2017;</li> <li>• Letter amending the development application, prepared by CWP Renewables Pty Ltd and dated 24 April 2018;</li> <li>• <i>Bango Wind Farm: Revised Environmental Noise Assessment S39558C16</i> prepared by Sonus Pty Ltd and dated October 2018;</li> <li>• <i>Bango Wind Farm – Comparison of biodiversity impacts for 71 versus 49 WTG layout prepared by Eco Logical Australia Pty Ltd</i> and dated 25 October 2018;</li> <li>• <b>SSD 6686 Bango Wind Farm Pty Ltd – Modification Application (Section 4.55 of the EP&amp;A Act) prepared by CWP Renewables Pty Ltd and dated 7 May 2019; and</b></li> <li>• <b>Letter from Bango Wind Farm Pty Ltd, dated 30 May 2019.</b></li> </ul>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence issued under the POEO Act
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heavy vehicle	As defined under the <i>Heavy Vehicle National Law (NSW)</i> , but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axles
Heritage Act	<i>Heritage Act 1977</i>
Heritage item	An item as defined under the Heritage Act and/or an Aboriginal Object or Aboriginal Place as defined under the NP&W Act

Incident	A set of circumstances that: <ul style="list-style-type: none"> <li>• causes or threatens to cause material harm to the environment; and/or</li> <li>• breaches or exceeds the limits or performance measures/criteria in this consent</li> </ul>
Material harm	Is harm that: <ul style="list-style-type: none"> <li>• involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or</li> <li>• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment</li> </ul>
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	Minister for Planning, or delegate
Mitigation	Activities associated with reducing the impacts of the development
Night	The period from 10.00pm to 7.00am on Monday to Saturday, and 10.00pm to 8.00am on Sundays and NSW Public Holidays
Non-associated residence	Any residence on privately-owned land where the landowner has not reached a financial or in kind agreement with the Applicant in relation to the development. In some cases, this agreement will be restricted. First, it may only cover certain aspects of the development (such as the noise or visual impacts). In such cases, the residence is only associated for those aspects covered by the agreement, and remains a non-associated residence for all those aspects that are not covered by the agreement. Second, while the agreement may cover a certain aspect of the development (such as noise impacts), it may limit the extent of any such impact (by setting absolute noise levels at a residence, for instance). In these cases, the residence is only associated to the extent that the impact is covered by the agreement, and is considered to be non-associated for any impacts that exceed the limits specified in the agreement
NP&W Act	<i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
OLS	Obstacle Limitation Surface
Operation	The carrying out of the approved purpose of the development upon completion of construction, but does not include commissioning trials of equipment or use of temporary facilities
Over-dimensional	Over-mass and/or over-size/length vehicles
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Pre-construction minor works	Includes the following activities: <ul style="list-style-type: none"> <li>• building/road dilapidation surveys;</li> <li>• investigative drilling, excavation or salvage;</li> <li>• minor clearing or translocation of native vegetation;</li> <li>• establishing temporary site office (in locations meeting the criteria identified in the conditions of this approval)</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor access roads and minor adjustments to services/utilities, etc.</li> </ul>
Privately-owned land	Land that is not owned by a public agency or publicly-owned commercial entity (or its subsidiary)
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
RAAF	Royal Australian Air Force – Aeronautical Information Services
Radiocommunications	Radio emission, or the reception of radio emission, for the purposes of communicating information as defined under the <i>Radiocommunications Act 1992</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, having regard to its condition prior to commencement of construction, to ensure it is safe, stable and non-polluting
Residence	Any dwelling in existence at the date of this consent, or a dwelling that is either the subject of a development consent or a development

	application that was lodged but not yet determined at the date of this consent once a final occupation certificate has been issued for the dwelling
RFS	Rural Fire Service
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Shadow flicker	The flickering effect caused by the intermittent shading of the sun by the rotating blades of the wind turbines
Site	The land defined in Appendix 1
Temporary facilities	Temporary facilities used for the construction and/or decommissioning of the development, including but not limited to temporary site offices and compounds, concrete batching plants, materials storage compounds, maintenance workshops, testing laboratories or material stockpiles
TSC Act	<i>Threatened Species Conservation Act 1995</i>
VPA	Voluntary Planning Agreement
Wind turbine	Turbines used for the generation of electricity by wind, including the tower, blades and associated components

## SCHEDULE 2 ADMINISTRATIVE CONDITIONS

### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the development.

### TERMS OF CONSENT

2. The Applicant must carry out the development:
  - (a) generally in accordance with the EIS; and
  - (b) in accordance with the conditions of this consent.

*Note: The general layout of the development is shown in the figures in Appendix 2.*

3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
  - (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent;
  - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
  - (c) the implementation of any actions or measures contained in these documents.

### LIMITS ON CONSENT

#### Wind Turbines

5. The Applicant may construct, operate and replace or upgrade as necessary up to ~~71~~ **46** wind turbines ~~from Layout Option 1 of the 49 wind turbines identified in APPENDIX 2.~~
6. This consent does not authorise the development of wind turbine numbers **17, 19, 21, 25, 26, 28, 36, 45, 48, 53, 55, 59, 62, 65, 69, 71, 72, and 79, 81, 83, 86, 91, 95, 102, 111 and 119** ~~in Layout Option 1.~~

#### Notes:

- To identify the wind turbines ~~in Layout Option 1~~ see the figures and corresponding GPS coordinates (for those wind turbines approved) in APPENDIX 2.
- To avoid any doubt, the Applicant does not require additional approval to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent.

7. No wind turbines may be located within 100 metres of the site boundary, unless otherwise agreed by the adjoining landowner.

#### Wind Turbine Height

8. No wind turbines may be greater than 200 metres in height (measured from ground level to the blade tip).

#### Micro-siting Restrictions

9. The Applicant may micro-site the wind turbines and ancillary infrastructure, provided:
  - (a) they remain within the development corridor shown on the figures in APPENDIX 2;
  - (b) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in APPENDIX 2;
  - (c) wind turbine numbers 76 and 98 are not moved any closer to residence 282, **unless it ceases to be a non-associated residence;**
  - ~~(d) wind turbine numbers 25, 62 and 111 in Layout Option 1 are not moved any closer to residences 60, 144 and 238;~~
  - (e) the revised location of the wind turbines listed in APPENDIX 3 are not any closer to the corresponding Wedge-tailed eagle (*Aquila audax*) nest; and
  - (f) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.

### Staging of the Development

10. The Applicant may construct, operate and decommission the development in stages.

Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

### Final Layout Plans

11. Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary for approval, including:
- (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure; and
  - (b) the GPS coordinates of the wind turbines.

Following approval, the Applicant must ensure that the development is constructed in accordance with the final layout plans.

12. The Applicant may revise the approved final layout plans. Prior to carrying out any such revisions, the Applicant must submit the plans to the Secretary for approval.

Following approval, the Applicant must ensure that the development is constructed in accordance with the revised final layout plans.

### NOTIFICATION

13. Prior to the commencement of the construction, operation and/or decommissioning of the development or the cessation of operations, the Applicant must notify both the Department and the Councils in writing of the date of commencement or cessation.

If the construction, operation and/or decommissioning of the development is to be staged, then the Applicant must:

- (a) notify both the Department and the Councils in writing prior to the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage; and
- (b) inform the local community and the Community Consultative Committee about the proposed staging plans.

### STRUCTURAL ADEQUACY

14. The Applicant must ensure that:
- (a) the wind turbines are constructed in accordance with the relevant standards, including the structural design requirements of *IEC 61400-1 Wind turbines – Part 1: Design Requirements* (or equivalent); and
  - (b) all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

#### Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

### DEMOLITION

15. The Applicant must ensure that all demolition work on site is carried out in accordance with *AS 2601-2001: The Demolition of Structures*, or its latest version.

### PROTECTION OF PUBLIC INFRASTRUCTURE

16. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.

**OPERATION OF PLANT AND EQUIPMENT**

17. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

**UPDATING & STAGING OF STRATEGIES, PLANS OR PROGRAMS**

18. With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.

To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.

*Notes:*

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.
- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

**COMMUNITY ENHANCEMENT**

19. Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must enter into VPAs with the Councils in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
  - (b) the terms of the applicable offer in APPENDIX 4.

**SUBDIVISION**

20. The Applicant may subdivide the land comprising the site for the purposes of carrying out the development, in the following manner:
- (a) to create a separate freehold title for the purposes of the collector substation from one of the options identified in APPENDIX 9; and
  - (b) to enable registration of long term leases of part of land on any title of the land comprising the site by:
    - (i) registration of plans of subdivision for lease purposes; or
    - (ii) such other manner as may be required under the Conveyancing Act 1919 (NSW) or the NSW Land Registry Services (or its successor),

as shown by the lease areas contained in APPENDIX 10, in accordance with the EIS and the requirements of the EP&A Act, EP&A Regulation, *Conveyancing Act 1919 (NSW)* and the NSW Land Registry Services (or its successor).

21. For the avoidance of doubt, other than as permitted by condition 20(a) of Schedule 2, this consent does not permit the creation of new individual freehold titles as a result of the subdivision of existing freehold titles.
22. Any subdivision certificate issued in relation to a plan of subdivision (or other plan prescribed or required by the NSW Land Registry Services or its successor) registered in accordance with condition 20(b) of Schedule 2 must contain a statement that the subdivision is only for the purposes of registering leases as set out in condition 20(b) of Schedule 2.
23. The consent for subdivision for lease purposes under condition 20(b) of Schedule 2 expires on the date the Secretary is satisfied that the site has been rehabilitated in accordance with condition 35 of Schedule 3.



**SCHEDULE 3  
ENVIRONMENTAL CONDITIONS - GENERAL**

**VISUAL**

**Visual Impact Mitigation**

1. For a period of 5 years from the commencement of construction, the owner of any non-associated residence within 4 km of any wind turbine may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage).

Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.

These mitigation measures must be reasonable and feasible, aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence.

All mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.

If the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

*Notes:*

- To avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.

**Visual Appearance**

2. The Applicant must:
  - (a) minimise the off-site visual impacts of the development;
  - (b) ensure the wind turbines are:
    - painted off white/grey, unless otherwise agreed by the Secretary; and
    - finished with a surface treatment that minimises the potential for glare and reflection;
  - (c) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape;
  - (d) implement vegetation screening comprised of suitable native species around substations and control buildings where they are visible from neighbouring non-associated residences and public viewpoints; and
  - (e) not mount any advertising signs or logos on wind turbines or ancillary infrastructure.

**Lighting**

3. The Applicant must:
  - (a) minimise the off-site lighting impacts of the development;
  - (b) ensure that any aviation hazard lighting complies with CASA's requirements;
  - (c) ensure that all external lighting associated with the development (apart from any aviation hazard lighting):
    - is installed as low intensity lighting (except where required for safety or emergency purposes);
    - does not shine above the horizontal;
    - uses best management practice for bat deterrence; and
    - complies with *Australian Standard AS 4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

**Shadow Flicker**

4. The Applicant must ensure that shadow flicker associated with wind turbines does not exceed 30 hours per year at any non-associated residence.

**NOISE**

**Construction & Decommissioning Noise**

5. The Applicant must:
  - (a) minimise the construction or decommissioning noise of the development, including any associated traffic noise; and
  - (b) ensure that the noise generated by any construction or decommissioning activities is managed in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.
6. Unless the Secretary agrees otherwise, the Applicant must only undertake construction or decommissioning activities between:
  - (a) 7.00 am to 6.00 pm Monday to Friday;
  - (b) 8.00 am to 1.00 pm Saturdays; and
  - (c) at no time on Sundays and NSW public holidays.

The following construction activities may be undertaken outside these hours without the approval of the Secretary:

- activities that are inaudible at non-associated residences;
- the delivery of materials requested by the NSW Police Force or other authorities for safety reasons; or
- emergency work to avoid the loss of life, property and/or material harm to the environment.

**Blasting**

7. The Applicant may only carry out blasting on site between 9.00 am and 5.00 pm Monday to Friday and between 8.00 am to 1.00 pm on Saturday. No blasting is allowed on Sundays or public holidays.
8. The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 1.

Table 1: Blasting criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Any non-associated residence	120	10	0%
	115	5	5% of the total number of blasts or events over a rolling period of 12 months

**Operational Noise Criteria – Wind Turbines**

9. The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 2 at any non-associated residence.

Table 2: Noise criteria dB(A)

Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)									
	3	4	5	6	7	8	9	10	11	12
26, 166	35	35	35	35	35	35	36	38	39	42
60	35	35	35	35	35	35	35	35	37	39
62, 76, 179, 235, 260	36	36	36	37	37	37	37	38	38	40
106, 152, 243	35	35	36	36	37	37	38	39	40	42
144, 276	35	35	35	35	35	35	35	36	37	40
165	35	35	35	35	35	35	36	38	39	42
170	35	35	35	35	35	35	35	35	36	38
282	35	35	35	35	35	35	35	35	35	37
43	35	35	36	37	37	37	37	38	39	40
48	35	35	37	38	39	40	40	41	42	43
138	36	36	36	36	37	37	38	39	40	42
All other non-associated residences	The higher of 35 dB(A) or the existing background noise level (LA90 (10-minute)) plus 5 dB(A)									

Note: To identify the residences referred to in Table 2, see the applicable figures in APPENDIX 2.

Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version), and the provisions in Appendix 5.

However, these criteria do not apply if the Applicant has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

#### Operational Noise Criteria – Ancillary Infrastructure

10. The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A)  $L_{Aeq}(15 \text{ minute})$  at any non-associated residence.

Noise generated by the operation of ancillary infrastructure is to be measured in accordance with the relevant requirements of the *NSW Noise Policy for Industry* (or its equivalent) as modified by the provisions in Appendix 5.

#### Operational Noise Monitoring

11. Within 3 months of the commencement of operations (or the commencement of operation of a cluster of turbines, if the development is to be staged), the Applicant must:
- (a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and
  - (b) submit a copy of the monitoring results to the Department and the EPA.
12. The Applicant must undertake further noise monitoring of the development if required by the Secretary.

#### AIR

13. The Applicant must:
- (a) minimise the off-site dust, fume and blast emissions of the development; and
  - (b) minimise the surface disturbance of the site.

#### SOIL & WATER

##### Water Supply

14. The Applicant must ensure that it has sufficient water for all stages of the development; and if necessary, adjust the scale of the development to match its available water supply.

*Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.*

##### Water Pollution

15. Unless an EPL authorises otherwise, the Applicant must comply with Section 120 of the POEO Act.

*Note: Section 120 of the POEO Act makes it an offence to pollute any waters.*

#### Operating Conditions

16. The Applicant must:
- (a) ensure the wind turbines and ancillary infrastructure, particularly any access roads on steep slopes, are designed, constructed and maintained to minimise any soil erosion;
  - (b) minimise any soil erosion associated with the construction and decommissioning of the development by implementing the relevant mitigation measures in *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004), or its latest version;
  - (c) ensure all waterway crossings are constructed in accordance with the:
    - *Water Guidelines for Controlled Activities on Waterfront Land (2012)*, or its latest version; and
    - *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004)*, or its latest version;
  - (d) store and handle all dangerous or hazardous materials on site in accordance with *AS1940-2004: The storage and handling of flammable and combustible liquids*, or its latest version;
  - (e) ensure the concrete batching plants and substation are suitably bunded; and
  - (f) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.

**BIODIVERSITY****Restrictions on Clearing and Habitat**

17. The Applicant must:
- (a) ensure that no more than ~~403.75~~ **84.2** hectares (ha) of *Box Gum Woodland EEC (LA103)*, including Box Gum Woodland derived grassland, is cleared for the development, unless the Secretary agrees otherwise;
  - ~~(b) undertake the removal of the Wedge-tailed eagle (*Aquila audax*) nest located in proximity to Turbine No.81 in Layout Option 1 outside the Wedge-tailed eagle breeding season (April to September);~~
  - (c) avoid impacts to the known locations of Yass Daisy (*Ammobium craspedioides*); and
  - (d) implement reasonable and feasible measures to minimise:
    - the impacts of the development on hollow-bearing trees;
    - the impacts of the development on threatened bird and bat populations; and
    - the clearing of native vegetation and key habitat within the approved disturbance footprint.

**Biodiversity Offset**

18. Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must:
- (a) update the baseline mapping of the vegetation and key habitat within the final disturbance area; and
  - (b) calculate the biodiversity offset credit liabilities for the development in accordance with the *Framework for Biodiversity Assessment* under the *NSW Biodiversity Offset Policy for Major Projects*, in consultation with OEH, and to the satisfaction of the Secretary.
19. Within two years of the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire the required biodiversity credits, to the satisfaction of OEH.

The retirement of the credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*, and can be achieved by:

- (a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
- (b) making payments into an offset fund that has been established by the NSW Government; or
- (c) providing suitable supplementary measures.

*Note: Following repeal of the TSC Act on 25 August 2017, credits created under that Act are taken to be 'biodiversity credits' under the Biodiversity Conservation Act 2016, in accordance with clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.*

**Biodiversity Management Plan**

20. Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with OEH; and
  - (b) include:
    - a description of the measures that would be implemented for:
      - minimising the amount of native vegetation clearing within the approved development footprint;
      - minimising the loss of key fauna habitat, including tree hollows;
      - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
      - minimising the potential indirect impacts on threatened and migratory species, including:
        - flora species, including the Yass Daisy (*Ammobium craspedioides*); and
        - fauna species, including the Golden Sun Moth (*Synemon plana*), Brown Tree-creeper (*Climacteris picumnus victoriae*), Diamond Firetail (*Stagonopleura guttata*), Grey-crowned Babbler (*Pomatostomus temporalis*), Scarlet Robin (*Petroica boodang*), Speckled Warbler (*Chthonicola sagittata*), Spotted Harrier (*Circus assimilis*), Square-tailed Kite (*Lophoictinia isura*), Superb Parrot (*Polytelis swainsonii*), Varied Sitella (*Daphoenositta chrysoptera*), Squirrel Glider (*Petaurus norfolcensis*), Eastern Bentwing Bat (*Miniopterus schreibersii oceanensis*) and Yellow-bellied Sheath-tail Bat (*Saccolaimus flaviventris*);
      - rehabilitating and revegetating temporary disturbance areas;
      - protecting native vegetation and key fauna habitat outside the approved disturbance area;
      - maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;

- collecting and propagating seed (where relevant);
- controlling weeds and feral pests;
- controlling erosion; and
- bushfire management;
- a detailed program to monitor and report on the effectiveness of these measures.

Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.

#### **Bird and Bat Adaptive Management Plan**

21. Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with OEH, and to the satisfaction of the Secretary. This plan must include:
- (a) at least 12 months' worth of baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could be affected by the development;
  - (b) a detailed description of the measures that would be implemented on site for minimising bird and bat strike during operation of the development, including:
    - minimising the availability of raptor perches on wind turbines;
    - prompt carcass removal;
    - controlling pests; and
    - using best practice methods for bat deterrence, including managing potential lighting impacts;
  - (c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations;
  - (d) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird and/or bat species or populations; including the implementation of measures to:
    - reduce the mortality of those species or populations; or
    - enhance and propagate those species or populations in the locality; and
  - (e) a detailed program to monitor and report on:
    - the effectiveness of these measures; and
    - any bird and bat strikes on site;
  - (f) provisions for a copy of all raw data collected as part of the monitoring program to be submitted to OEH and the Secretary.

Following the Secretary's approval, the Applicant must implement the Bird and Bat Adaptive Management Plan.

#### **HERITAGE**

##### **Protection of Heritage Items**

22. The Applicant must:
- (a) ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 in Appendix 6, or located outside the approved disturbance area; and
  - (b) minimise any impacts on the Aboriginal heritage items identified in Table 2 in Appendix 6.

*Note: The locations of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 6.*

##### **Heritage Management Plan**

23. Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;
  - (b) be prepared in consultation with OEH and Aboriginal stakeholders;
  - (c) include up to date baseline mapping of the heritage items within and adjoining the development disturbance area;
  - (d) include a description of the measures that would be implemented for:
    - protecting Aboriginal heritage items identified in Table 1 in Appendix 6 and any items located outside the project disturbance area;
    - minimising and managing the impacts of the development on heritage items identified in Table 2 in APPENDIX 6;
    - a contingency plan and reporting procedure if:
      - Aboriginal heritage items outside the approved disturbance area are damaged;
      - previously unidentified Aboriginal heritage items are found; or
      - Aboriginal skeletal material is discovered;

- ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
  - ongoing consultation with Aboriginal stakeholders during the implementation of the plan;
- (e) a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.

## TRANSPORT

### Designated Heavy and Over-Dimensional Vehicle Routes

24. The Applicant must ensure that all over-dimensional and heavy vehicle access to and from the site is via the Hume Highway and Lachlan Valley Way, as identified in the figures in Appendix 8, unless the Secretary agrees otherwise.

*Notes:*

- *The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.*

### Road Upgrades

25. The Applicant must implement the road upgrades identified in APPENDIX 7 in accordance with the relevant timing requirements, to the satisfaction of the relevant roads authority.

If there is a dispute about the road upgrades to be implemented, or the implementation of these upgrades, then either party may refer the matter to the Secretary for resolution.

### Road Maintenance

26. The Applicant must:
- (a) prepare a dilapidation survey in accordance with guidelines and standards established by Austroads of the designated vehicle route on Tangmangaroo Road, Wargeila Road and Yass Valley Way, as identified in the figures in APPENDIX 8:
    - prior to the commencement of any construction and/or decommissioning works, other than pre-construction minor works;
    - within 1 month of the completion of any construction and/or decommissioning works, other than pre-construction minor works;
  - (b) rehabilitate and/or make good any development-related damage:
    - identified during the carrying out of the relevant construction and/or decommissioning works if it could endanger road safety, as soon as possible after the damage is identified, but within 7 days at the latest; and
    - identified during any dilapidation survey carried out following the completion of the relevant construction and/or decommissioning works within 2 months of the completion of the survey, unless the relevant roads authority agrees otherwise,

to the satisfaction of the relevant roads authority.

If the construction and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of construction and/or decommissioning.

If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.

### Unformed Crown Roads

27. The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with the NSW Department of Industry – Crown Lands and Water.

### Traffic Management Plan

28. Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and the Councils, and to the satisfaction of the Secretary. This plan must:
- (a) detail the measures that would be implemented to:

- minimise the traffic safety impacts of the development and disruptions to local road users during the construction and decommissioning of the development, including:
    - consideration of potential interaction with Rye Park Wind Farm in consultation with the applicant of that project;
    - temporary traffic controls, including detours and signage;
    - notifying the local community about development-related traffic impacts;
    - minimising potential conflict between development-related traffic and:
      - rail services;
      - stock movements; and
      - school buses, in consultation with local schools;
    - implement measures to minimise development-related traffic on the public road network outside of standard construction hours;
    - implement measures to minimise dirt tracked onto the public road network from development-related traffic;
    - ensuring loaded vehicles entering or leaving the site have their loads covered or contained;
    - providing sufficient parking on site for all development-related traffic;
    - responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and
    - a traffic management system for managing over-dimensional vehicles; and
  - comply with the traffic conditions in this consent;
- (b) include a driver's code of conduct that addresses:
- travelling speeds;
  - procedures to ensure that drivers to and from the development adhere to the designated over-dimensional and heavy vehicle routes; and
  - procedures to ensure that drivers to and from the development implement safe driving practices;
- (c) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct.

Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.

## AVIATION

### Notification of Aviation Authorities

29. Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities):
- (a) co-ordinates in latitude and longitude of each wind turbine and mast;
  - (b) the final height of each wind turbine and mast in Australian Height Datum;
  - (c) ground level at the base of each wind turbine and mast in Australian Height Datum;
  - (d) confirmation of compliance with any OLS; and
  - (e) details of any proposed aviation hazard lighting.
30. Within 30 days of the installation of any wind turbine or mast, the Applicant must:
- (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or
  - (b) update the information previously provided.

## RADIOCOMMUNICATIONS

31. If the development results in the disruption to any radio communications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services as soon as possible following the disruption, but no later than 1 month following notification of the disruption of the service unless the relevant service provider or user or Secretary agrees otherwise.

If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.

## BUSHFIRE

32. The Applicant must:
- (a) ensure that the development:
    - provides for asset protection in accordance with the RFS's *Planning for Bushfire Protection 2006* (or equivalent); and
    - is suitably equipped to respond to any fires on site;
  - (b) develop procedures to manage potential fires on site, in consultation with the RFS; and

- (c) assist the RFS and emergency services as much as possible if there is a fire in the vicinity of the site.

**SAFETY**

- 33. The Applicant must:
  - (a) prepare a Safety Management System for the development in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'* prior to the commencement of operation; and
  - (b) implement, and if necessary update, the system over the remaining life of the development.

**WASTE**

- 34. The Applicant must:
  - (a) minimise the waste generated by the development;
  - (b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
  - (c) store and handle all waste generated on site in accordance with its classification;
  - (d) not receive or dispose of any waste on site; and
  - (e) ensure all waste is disposed of at appropriately licensed waste facilities.

**REHABILITATION & DECOMMISSIONING**

**Rehabilitation Objectives - Decommissioning**

- 35. Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 3.

Table 3: Rehabilitation Objectives

Feature	Objective
Development site (as a whole)	<ul style="list-style-type: none"> <li>• Safe, stable and non-polluting</li> <li>• Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use as far as is reasonable and feasible</li> </ul>
Revegetation	<ul style="list-style-type: none"> <li>• Restore native vegetation generally as identified in the EIS</li> </ul>
Above ground wind turbine infrastructure (excluding wind turbine pads)	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul>
Wind turbine pads	<ul style="list-style-type: none"> <li>• To be covered with soil and/or rock and revegetated</li> </ul>
Above ground ancillary infrastructure	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul>
Internal access roads	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul>
Land use	<ul style="list-style-type: none"> <li>• Restore or maintain land capability as described in the EIS</li> </ul>
Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul>

**Progressive Rehabilitation**

- 36. The Applicant must:
  - (a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning;
  - (b) minimise the total area exposed at any time; and
  - (c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.

**Dismantling of Wind Turbines**

- 37. Any individual wind turbines which cease operating for more than 12 consecutive months must be dismantled within 18 months after that 12 month period, unless the Secretary agrees otherwise.



## SCHEDULE 4 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Environmental Management Strategy

1. Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
  - (a) provide the strategic framework for environmental management of the development;
  - (b) identify the statutory approvals that apply to the development;
  - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (d) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise;
    - respond to any non-compliance;
    - respond to emergencies; and
  - (e) include:
    - copies of (or reference to) any strategies, plans and programs approved under the conditions of this consent; and
    - a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this consent.

Following the Secretary's approval, the Applicant must implement the Environmental Management Strategy.

#### Revision of Strategies, Plans and Programs

2. Within 3 months of the submission of:
  - (a) an incident report under condition 4 below;
  - (b) an independent environmental audit report under condition 6 below; or
  - (c) any modification to the conditions of this consent (unless the conditions require otherwise),

the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval.

*Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.*

#### Community Consultative Committee

3. The Applicant must operate a Community Consultative Committee for the development to the satisfaction of the Secretary and in accordance with the *Community Consultative Committee Guidelines for State Significant Project (2016)*, or its latest version.

### INCIDENT NOTIFICATION

4. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of the incident. The notification must identify the development, including the development application number and the name of the development, and set out the location and nature of the incident.

### NON-COMPLIANCE NOTIFICATION

5. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within 7 days after the Applicant becomes aware of any non-compliance. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be undertaken, to address the non-compliance.

**INDEPENDENT ENVIRONMENTAL AUDIT**

6. Within 6 months of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. These audits must:
- be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
  - be carried out in consultation with the relevant agencies;
  - assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
  - recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

Within 3 months of commencing an audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.

The recommendations must be implemented to the satisfaction of the Secretary.

**ACCESS TO INFORMATION**

7. The Applicant must:
- make the following information publicly available on its website as relevant to the stage of the development:
    - the EIS;
    - the final layout plans for the development;
    - current statutory approvals for the development;
    - approved strategies, plans or programs required under the conditions of this consent;
    - the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
    - a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
    - a complaints register, which is to be updated on a monthly basis;
    - minutes of CCC meetings;
    - the annual Statement of Compliance with the EPL;
    - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
    - any other matter required by the Secretary; and
  - keep this information up to date.

**APPENDIX 1  
SCHEDULE OF LAND**

<i>Lot</i>	<i>DP</i>	<i>Lot</i>	<i>DP</i>
13	113987	216	754143
169	754135	256	754143
202	754135	242	754109
213	754135	297	754109
222	754135	115	754109
2	802580	263	754109
318	754135	309	754109
319	754135	276	754143
1	625384	31	754109
3	625384	48	754109
1	625285	139	754109
271	754135	287	754109
281	754135	87	754135
317	754135	88	754135
167	754143	162	754135
183	754143	163	754135
212	754143	238	754135
2	1048648	300	754135
2	1187122	301	754135
3	1187122	1	83173
5	240710	268	754109
279	754109	224	754143
220	754135	234	754143
228	754135	<u>156</u>	<u>754143</u>
233	754135	<u>299</u>	<u>754135</u>
2	625384		
2	625285		
1	742223		

Note: The project site will also be taken to include:

- any crown land, and any road reserves contained within the project site; and
- any land which is required for the road upgrades specified in Appendix 7

Lot	DP	Lot	DP
43	113987	433	754143
169	754135	216	754143
202	754135	256	754143
213	754135	242	754109
222	754135	297	754109
223	754135	415	754109
224	754135	263	754109
309	754135	284	754109
318	754135	285	754109
319	754135	309	754109
4	625284	276	754143
3	625284	31	754109
4	625285	48	754109
271	754135	439	754109
281	754135	287	754109
317	754135	87	754135
167	754143	88	754135
183	754143	462	754135
212	754143	463	754135
2	4048648	238	754135
2	4187422	300	754135
3	4187422	304	754135
5	240710	4	83173
279	754109	268	754109
220	754135	224	754143
228	754135	234	754143
233	754135	214	754135
2	625284	231	754135
2	625285	433	754143
4	742223	4	517174

Note: The project site will also be taken to include:

- any crown land, including road reserves, contained within the project site; and
- any land which is required for the road upgrades specified in Appendix 7.

**APPENDIX 2  
DEVELOPMENT LAYOUT**

<b>Kangara Cluster</b>		
<b>Wind Turbine ID</b>	<b>Coordinates</b>	
	<b>Easting</b>	<b>Northing</b>
11	664944	6171739
14	664721	6172733
18	663673	6172786
27	664756	6172455
35	663756	6172505
49	664831	6175855
63	663056	6174030
73	665140	6172054
76	665306	6176655
87	663831	6172255
88	663806	6174730
89	663681	6173030
94	664806	6174530
96	664131	6173380
97	664781	6175530
98	665231	6176430
104	664806	6173505
114	663956	6173205
115	664704	6175039
118	664806	6173805

<b>Mt Buffalo Cluster</b>		
<b>Wind Turbine ID</b>	<b>Coordinates</b>	
	<b>Easting</b>	<b>Northing</b>
1	671618	6174752
2	672551	6169350
3	671220	6172725
5	672506	6168805
7	671261	6169917
22	670581	6170580
24	671306	6169580
32	672716	6167943
33	672070	6170045
34	672357	6170336
46	671465	6170340
47	671217	6169267
50	671015	6173890
54	671435	6174584
57	670581	6170855
58	671320	6174118
60	671481	6173130
61	672625	6168300
67	672228	6170535
80	671402	6173443

<b>Mt Buffalo Cluster</b>		
<b>Wind Turbine ID</b>	<b>Coordinates</b>	
	<b>Easting</b>	<b>Northing</b>
85	670956	6171280
100	670756	6171080
107	672458	6168591
110	671328	6172413
122	672508	6169040

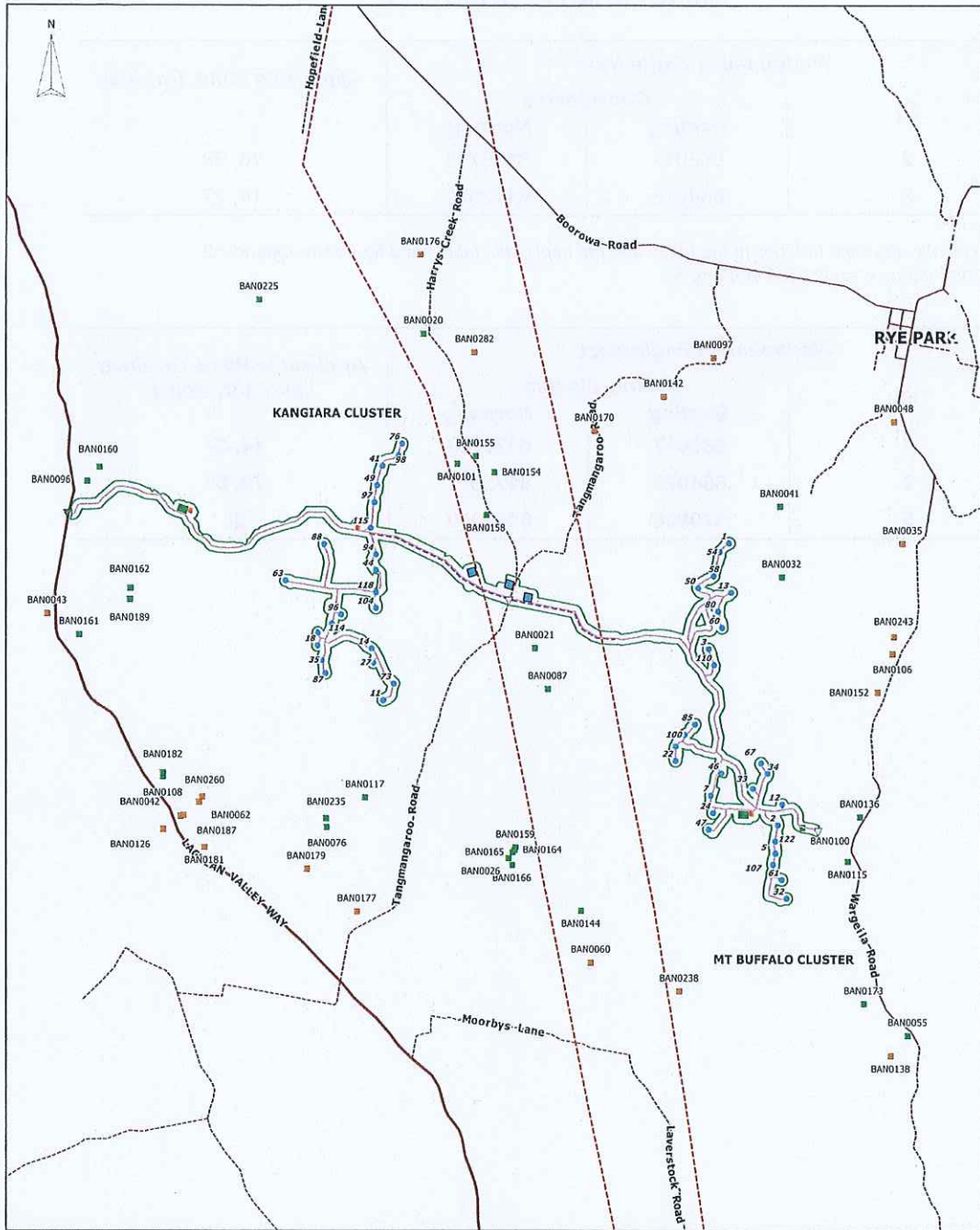
*Note: Coordinate system is GDA 94  
Zone 55*

Kangiarra Cluster		
Wind Turbine ID	Coordinates	
	Easting	Northing
11	664944	6171739
14	664721	6172733
18	663673	6172786
21	662281	6173305
27	664756	6172455
35	663756	6172505
41	664931	6176230
44	664806	6174230
49	664831	6175855
63	663056	6174030
73	665140	6172054
76	665306	6176655
86	665621	6171497
87	663831	6172255
88	663806	6174730
89	663681	6173030
94	664806	6174530
96	664131	6173380
97	664781	6175530
98	665231	6176430
104	664806	6173505
114	663956	6173205
115	664704	6175039
118	664806	6173805
119	662440	6173814

Mt Buffalo Cluster		
Wind Turbine ID	Coordinates	
	Easting	Northing
1	671618	6174752
2	672551	6169350
3	671220	6172725
5	672506	6168805
7	671261	6169917
12	672635	6169745
13	671656	6173805
17	672377	6168142
22	670581	6170580
24	671306	6169580
25	671131	6168379
26	669892	6171233
28	670292	6173495
32	672716	6167943
33	672070	6170045
34	672357	6170336
36	672238	6168456
45	671006	6168951
46	671465	6170340
47	671217	6169267
48	669615	6171540
50	671015	6173890
53	670056	6172655
54	671435	6174584
55	669956	6172306
57	670581	6170855
58	671320	6174118
59	670190	6172964
60	671481	6173130
61	672625	6168300
62	671668	6167651
67	672228	6170535
69	669424	6173513
71	669565	6173814
80	671402	6173443
81	669706	6171830

Mt Buffalo Cluster		
Wind Turbine ID	Coordinates	
	Easting	Northing
83	669934	6172005
85	670956	6171280
91	669715	6174088
95	670354	6173243
100	670756	6171080
102	672301	6167831
107	672458	6168581
	110	
	671328	
	6172413	
111	671558	6167971
122	672508	6169040

Note: Coordinate system is GDA 94 Zone 55



**LEGEND**

<b>PROPOSED INFRASTRUCTURE</b>		<b>EXISTING INFRASTRUCTURE</b>	
<ul style="list-style-type: none"> <li>● Layout (46 WTG)</li> <li>● WTG</li> <li>▽ Main Site Access</li> <li>▽ Access (no oversize)</li> <li>— Access Track</li> <li>- - - Overhead Transmission Line</li> </ul>	<ul style="list-style-type: none"> <li>■ Construction Facilities</li> <li>■ Construction Compound Option</li> <li>■ Concrete Batching Plant Option</li> <li>■ Rock Crushing Facility Option</li> <li>■ Collector Substation Option</li> <li>○ Development corridor</li> </ul>	<ul style="list-style-type: none"> <li>- - - Unsealed Road</li> <li>— Sealed Road</li> <li>- - - 132 kV Transmission Line</li> <li>■ Residences</li> <li>■ Associated Residence</li> <li>■ Non-Associated Residence</li> </ul>	

Image, roads and houses: derived from GEODATA Topo250K; Transmission lines: 132 kV - TransGrid; All other data: CWPR.

**COMPANY**  
BANGO WIND FARM PTY LTD

**TITLE**  
LAYOUT - APPENDIX 2

DATE	DRAWN BY	CHECKED BY	SIZE SHEET
28 MAY 2019	K OLD	E MOUNSEY	A3 1 OF 1
SCALE BAR		4 km	SCALE
0			1:74000

2019

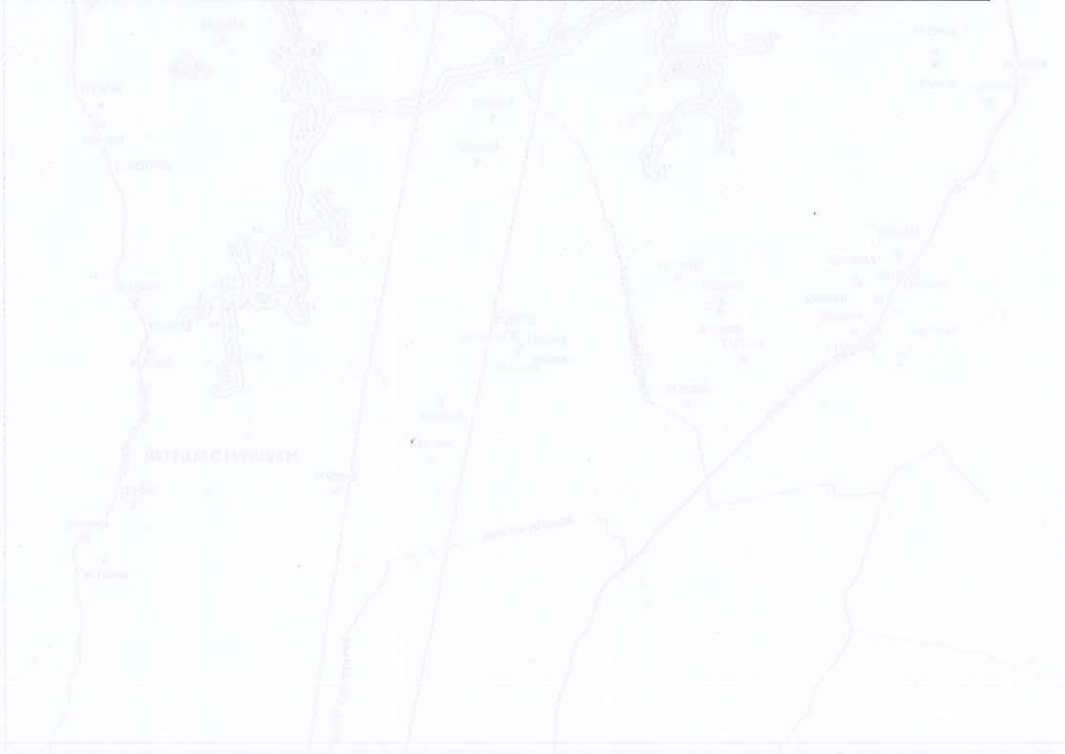
**APPENDIX 3  
MICRO-SITING RESTRICTIONS**

<b>Wedge-tailed Eagle Nest</b>			<b>Applicable Wind Turbines</b>
<b>ID</b>	<b>Coordinates</b>		
	<b>Easting</b>	<b>Northing</b>	
2	665017	6176798	76, 98
3	664978	6172571	14, 27

Note:

- To identify the wind turbines in the table, see the applicable tables and figures in Appendix 2.
- Coordinate system is GDA 94 Zone 55.

<b>Wedge-tailed Eagle Nest</b>			<b>Applicable Wind Turbines Layout Option 1</b>
<b>ID</b>	<b>Coordinates</b>		
	<b>Easting</b>	<b>Northing</b>	
2	665017	6176798	14, 27
3	664978	6172571	76, 98
5	670906	6168050	25



Map navigation and legend area containing various icons and text, including a scale bar and a legend with colored boxes corresponding to different map features.



**APPENDIX 4  
GENERAL TERMS OF APPLICANT'S VPA OFFER**

The VPAs must include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community projects in the area surrounding the project site.

<i><b>Council</b></i>	<i><b>Payment Details</b></i>
Hilltops Council	\$2,825 per wind turbine built per annum within the Hilltops Council local government area over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent, and CPI adjusted from 1 July commencing on the first anniversary of the operational date.
Yass Valley Council	\$2,825 per wind turbine built per annum within the Yass Valley Council local government area over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent, and CPI adjusted from 1 July commencing on the first anniversary of the operational date.

**APPENDIX 5  
NOISE COMPLIANCE ASSESSMENT**

**Applicable Meteorological Conditions – Wind Turbines**

1. The noise criteria in Table 2 of condition 9, Schedule 3, are to apply under all meteorological conditions.

**Applicable Meteorological Conditions – Other Facilities**

2. The noise criteria in condition 10, Schedule 3, are to apply under all meteorological conditions except the following:
  - a) wind speeds greater than 3 m/s at 10 m above ground level; or
  - b) temperature inversion conditions between 1.5 °C and 3°C/100m and wind speeds greater than 2 m/s at 10 m above ground level; or
  - c) temperature inversion conditions greater than 3°C/100m.

**APPENDIX 6  
ABORIGINAL HERITAGE ITEMS**

*Table 1: Aboriginal heritage items – avoid impacts*

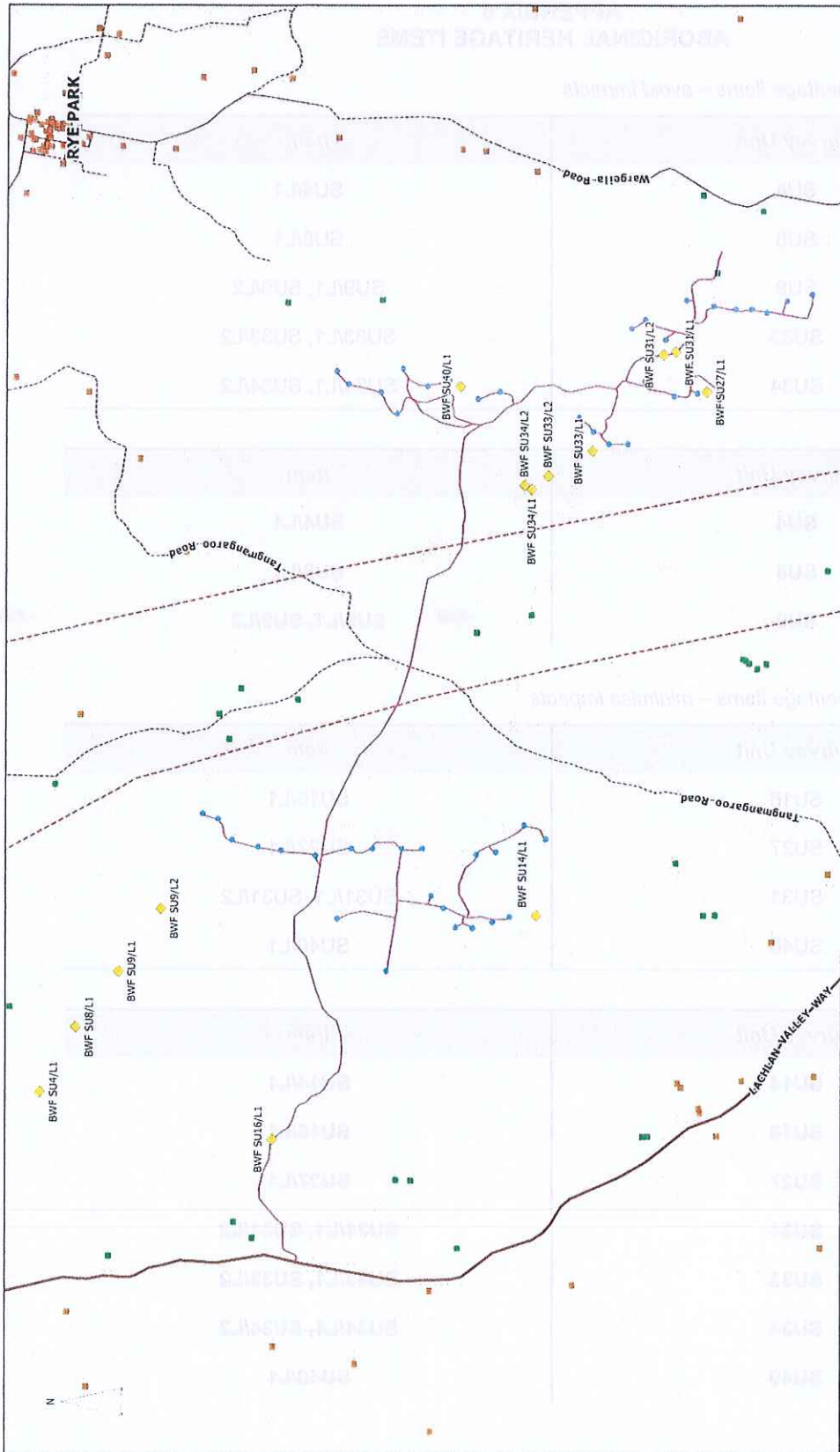
<i>Survey Unit</i>	<i>Item</i>
SU4	SU4/L1
SU8	SU8/L1
SU9	SU9/L1, SU9/L2
SU33	SU33/L1, SU33/L2
SU34	SU34/L1, SU34/L2

<i>Survey Unit</i>	<i>Item</i>
<b>SU4</b>	<b>SU4/L4</b>
<b>SU8</b>	<b>SU8/L4</b>
<b>SU9</b>	<b>SU9/L1, SU9/L2</b>

*Table 2: Aboriginal heritage items – minimise impacts*

<i>Survey Unit</i>	<i>Item</i>
SU16	SU16/L1
SU27	SU27/L1
SU31	SU31/L1, SU31/L2
SU40	SU40/L1

<i>Survey Unit</i>	<i>Item</i>
<b>SU14</b>	<b>SU14/L1</b>
<b>SU16</b>	<b>SU16/L1</b>
<b>SU27</b>	<b>SU27/L1</b>
<b>SU31</b>	<b>SU31/L1, SU31/L2</b>
<b>SU33</b>	<b>SU33/L1, SU33/L2</b>
<b>SU34</b>	<b>SU34/L1, SU34/L2</b>
<b>SU40</b>	<b>SU40/L1</b>



**CWP RENEWABLES**

**DP&E ASSESSMENT - BANGO ABORIGINAL HERITAGE**

COMPANY: CWP RENEWABLES

TITLE: DP&E ASSESSMENT - BANGO ABORIGINAL HERITAGE

DATE: 23 NOV 2018

SCALE: 1:54000

DRAWN BY: B. KRONENBERG

CHECKED BY: K. OLD

DATE: 159

SHEET: 1 OF 1

JOB NO: 090811

SIZE: A3

SCALE BAR: 0 to 8 km

LEGEND:

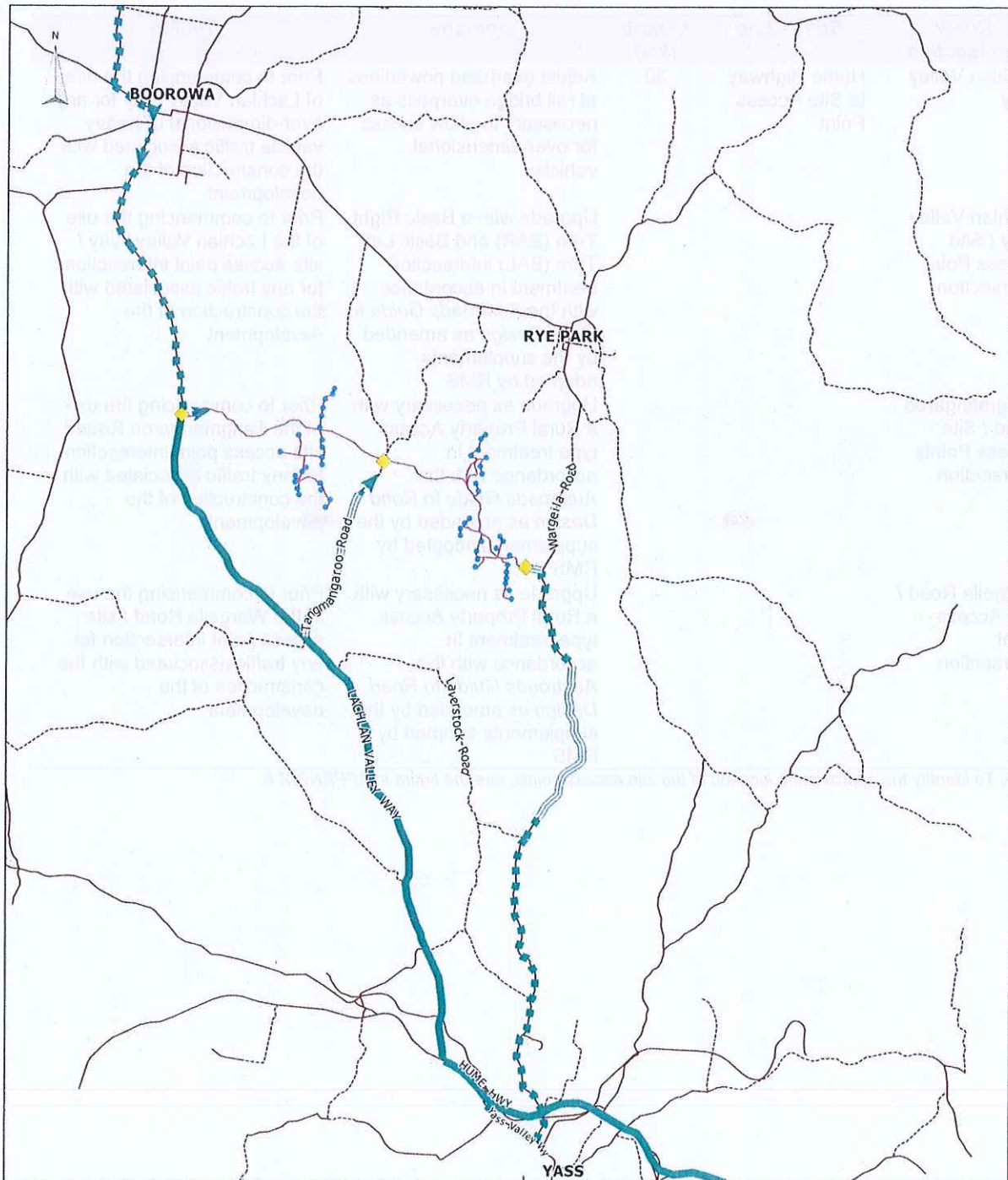
- Archaeological Survey Unit
- WTG LOI (49 turbines)
- Wind Farm Access Tracks
- Existing Infrastructure
  - Unsealed Road
  - Sealed Road
  - 132 kV Transmission Line
- Dwellings
  - Involved Residence
  - Non-Involved Residence

**APPENDIX 7  
SCHEDULE OF ROAD UPGRADES**

<b>Road/ Intersection</b>	<b>Start – End</b>	<b>Length (km)</b>	<b>Upgrade</b>	<b>Timing</b>
Lachlan Valley Way	Hume Highway to Site Access Point	30	Adjust overhead powerlines at rail bridge overpass as necessary to allow access for over-dimensional vehicles	Prior to commencing the use of Lachlan Valley Way for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Lachlan Valley Way / Site Access Point Intersection	-	-	Upgrade with a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment in accordance with the <i>Austrroads Guide to Road Design</i> as amended by the supplements adopted by RMS	Prior to commencing the use of the Lachlan Valley Way / site access point intersection for any traffic associated with the construction of the development
Tangmangaroo Road / Site Access Points Intersection	-	-	Upgrade as necessary with a Rural Property Access type treatment in accordance with the <i>Austrroads Guide to Road Design</i> as amended by the supplements adopted by RMS	Prior to commencing the use of the Tangmangaroo Road / site access point intersection for any traffic associated with the construction of the development
Wargeila Road / Site Access Point Intersection	-	-	Upgrade as necessary with a Rural Property Access type treatment in accordance with the <i>Austrroads Guide to Road Design</i> as amended by the supplements adopted by RMS	Prior to commencing the use of the Wargeila Road / site access point intersection for any traffic associated with the construction of the development

Note: To identify the approximate location of the site access points, see the figure in APPENDIX 8.

### APPENDIX 8 OVER-DIMENSIONAL AND HEAVY VEHICLE ACCESS ROUTE RESTRICTIONS



LEGEND

- WTG Layout
- Layout 1 (49 WTGs)
- ◆ Access Point
- Access Tracks
- ..... Light vehicle route (sealed)
- Light vehicle route (unsealed)
- Oversized vehicle route (sealed)

SCALE BAR



COMPANY

BANGO WIND FARM PTY LTD

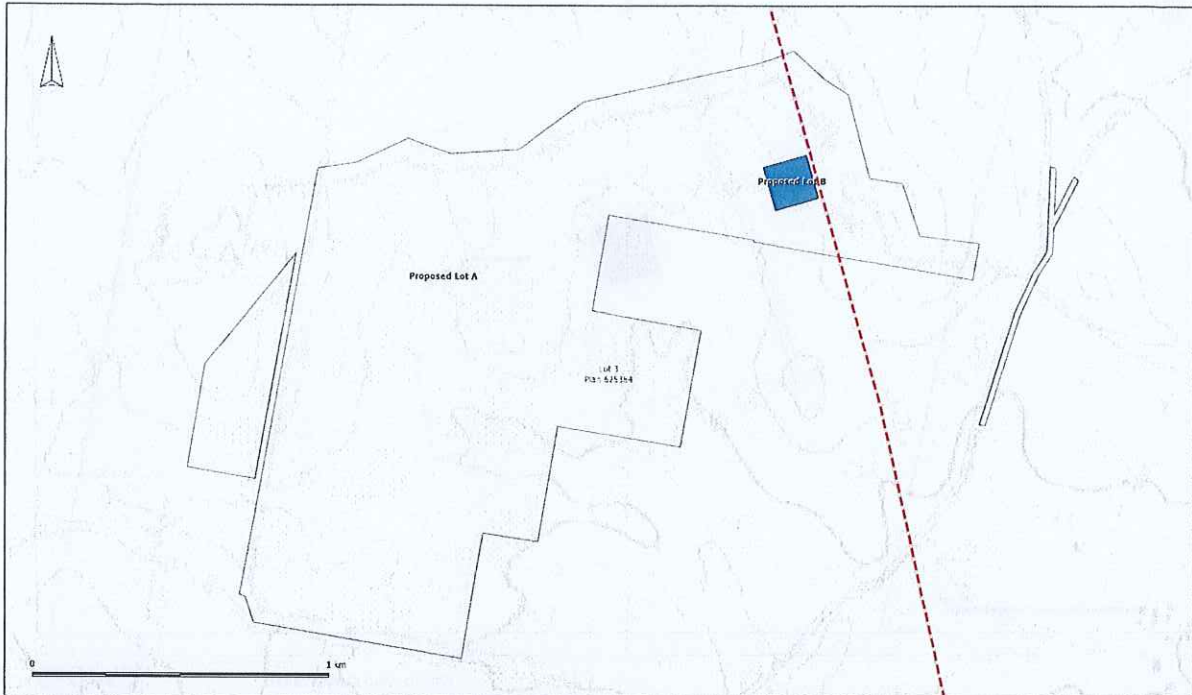



TITLE

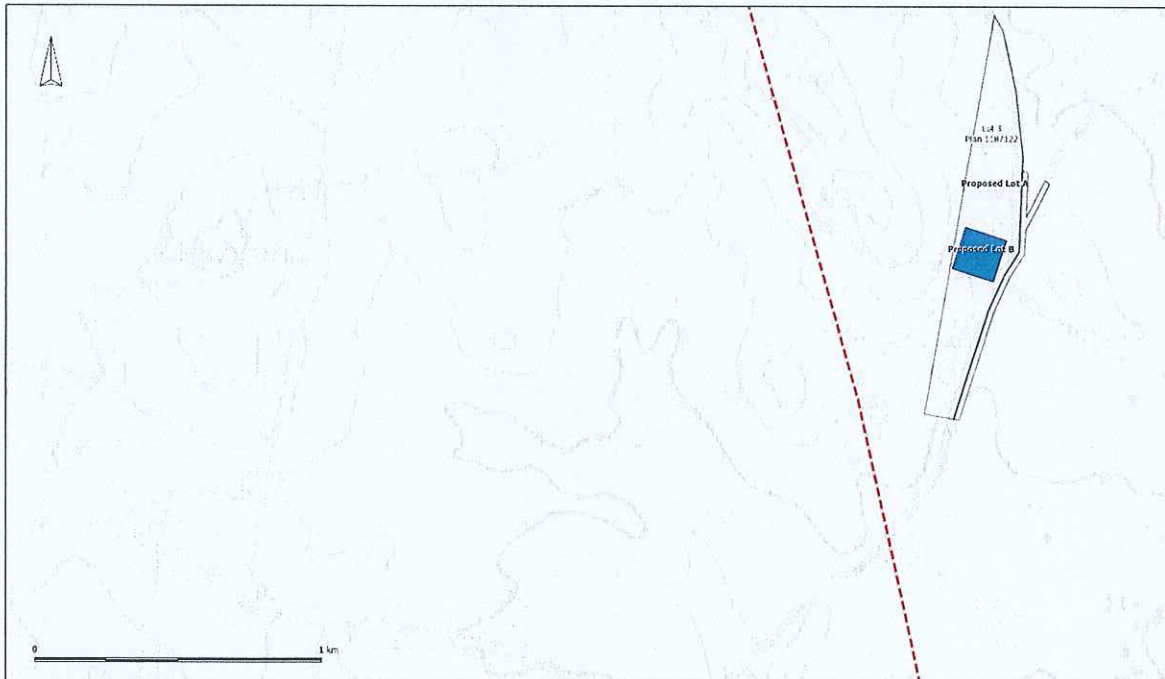
BANGO TRANSPORT SUMMARY


DATE	SCALE	DWG NO	REV	VER
23 NOV 2018	1:150000	BAN-146	A	3
DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE
B KRONENBERG	K OLD	1 OF 1	080811	A3

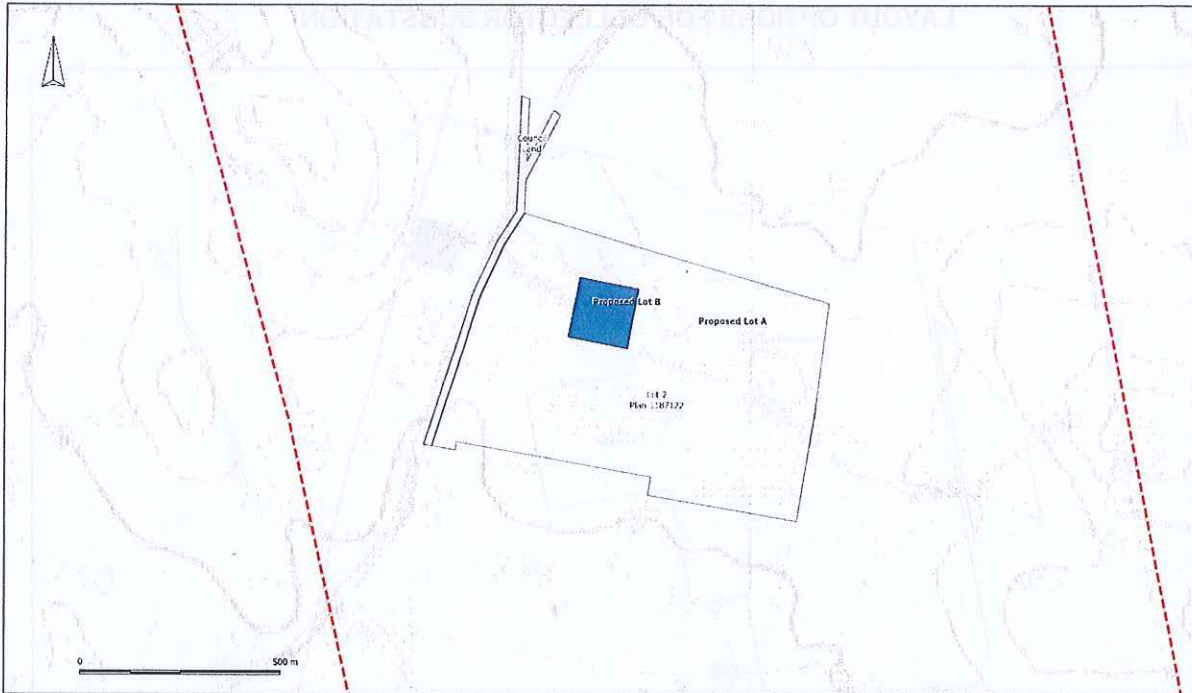
### APPENDIX 9 LAYOUT OPTIONS FOR COLLECTOR SUBSTATION



<p>Legend</p> <ul style="list-style-type: none"> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Proposed Lot A</li> <li><span style="background-color: blue; color: white; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Proposed Lot B (Collector Substation)</li> <li><span style="border-bottom: 1px dashed red; width: 20px; margin-right: 5px;"></span> 132 kV Transmission Line</li> </ul> <p><i>Note, final location of Proposed Lot B will be subject to micro-siting, in accordance with the Development Consent</i></p>	<p>COMPANY</p> <p style="text-align: center;"><b>BANGO WIND FARM PTY LTD</b></p>			
	<p>TITLE</p> <p style="text-align: center;"><b>ELECTRICAL CONNECTION INFRASTRUCTURE 1</b></p>			
DATE	SCALE	DWG NO	REV	VER
27 MAY 2019	1:11000	236	B	1
DESIGN BY	CHECKED BY	SHEET	JOB NO	SIZE
B KRONENBERG	E MOUNSEY	1 OF 3	080811	A3



<p>Legend</p> <ul style="list-style-type: none"> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Proposed Lot A</li> <li><span style="background-color: blue; color: white; display: inline-block; width: 10px; height: 10px; margin-right: 5px;"></span> Proposed Lot B (Collector Substation)</li> <li><span style="border-bottom: 1px dashed red; width: 20px; margin-right: 5px;"></span> 132 kV Transmission Line</li> </ul> <p><i>Note, final location of Proposed Lot B will be subject to micro-siting, in accordance with the Development Consent</i></p>	<p>COMPANY</p> <p style="text-align: center;"><b>BANGO WIND FARM PTY LTD</b></p>			
	<p>TITLE</p> <p style="text-align: center;"><b>ELECTRICAL CONNECTION INFRASTRUCTURE 2</b></p>			
DATE	SCALE	DWG NO	REV	VER
27 MAY 2019	1:11000	236	B	1
DESIGN BY	CHECKED BY	SHEET	JOB NO	SIZE
B KRONENBERG	E MOUNSEY	2 OF 3	080811	A3

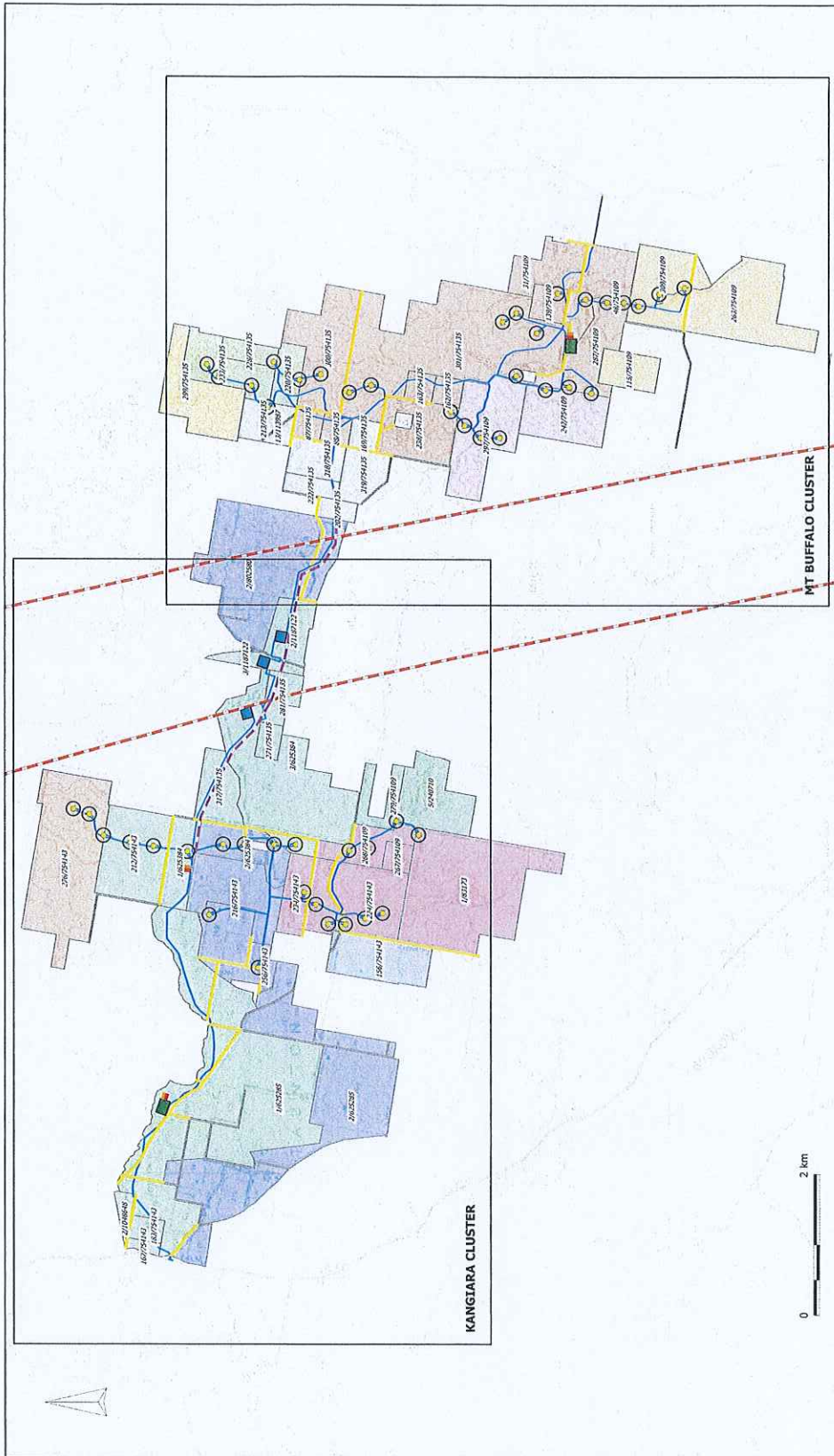


<b>LEGEND</b> Proposed Lot A Proposed Lot B (Collector Substation) 132 kV Transmission Line	<b>COMPANY</b> BANGO WIND FARM PTY LTD			
	<b>TITLE</b> ELECTRICAL CONNECTION INFRASTRUCTURE 3			
<b>DATE</b> 27 MAY 2019	<b>SCALE</b> 1:7800	<b>DWG NO</b> 230	<b>REV</b> B	<b>VER</b> 1
<b>DRAWN BY</b> B KRONENBERG	<b>CHECKED BY</b> E MOUNSEY	<b>SHEET</b> 3 OF 3	<b>DATE</b> 08/01/11	<b>SIZE</b> A3

*Note, final location of Proposed Lot B will be subject to micro-siting, in accordance with the Development Consent*



APPENDIX 10  
INDICATIVE SITE LAYOUT SHOWING LEASE AREAS



<b>BANGO WIND FARM PTY LTD</b>	
<b>BANGO WIND FARM INDICATIVE SITE INFRASTRUCTURE &amp; TURBINE LAYOUT MAP</b>	
DATE	30 MAY 2019
SCALE	1:54000
DRAWN BY	B KRONENBERG
CHECKED BY	E MOUNSEY
DWG NO	258
SHEET	1 OF 3
REV	D
VER	1
JOB NO	080811
SIZE	A3

- Construction Facilities**
- Construction, Maintenance and Operations Compound
  - Concrete Batching Plant
  - Rock Crushing Facility
  - Collector Substation Option
- Existing Infrastructure**
- Uniformed Crown & Council Roads
  - Landowners (various colours)
  - 132 kV Transmission Line

- Wind Farm Infrastructure**
- 49 WTG Layout
  - Access Track
  - Overhead Transmission Line
  - Area to be leased



## Annexure B

**Bango Wind Farm Pty Ltd v NSW Minister for Planning**Index of material comprising the "EIS" as defined in the Development  
Consent

NO.	DOCUMENT
<b>Provided to DPE in approx. September 2016 (122 turbine layout)</b>	
1.	Bango Wind Farm – Application Form
2.	Bango Wind Farm EIS - Main Report.pdf (17.65 MB)
3.	Bango Wind Farm EIS - A3 Figures - Part 1 Project description.pdf (10.05 MB)
4.	Bango Wind Farm EIS - A3 Figures - Part 2 Justification and consultation.pdf (5.666 MB)
5.	Bango Wind Farm EIS - A3 Figures - Part 3 Visual.pdf (15.84 MB)
6.	Bango Wind Farm EIS - A3 Figures - Part 4a Visual Photomontages.pdf (17.24 MB)
7.	Bango Wind Farm EIS - A3 Figures - Part 4b Visual Photomontages.pdf (12.91 MB)
8.	Bango Wind Farm EIS - A3 Figures - Part 5 Noise.pdf (4.984 MB)
9.	Bango Wind Farm EIS - A3 Figures - Part 6a Ecology.pdf (19.39 MB)
10.	Bango Wind Farm EIS - A3 Figures - Part 6b Ecology.pdf (19.50 MB)
11.	Bango Wind Farm EIS - A3 Figures - Part 7 Land use communications.pdf (7.952 MB)
12.	Bango Wind Farm EIS - Appendix 01 - Land Tenure.pdf (3.140 MB)
13.	Bango Wind Farm EIS - Appendix 02 - Wind Farm Coordinates.pdf (322.4 KB)
14.	Bango Wind Farm EIS - Appendix 03 - GHG Tool.pdf (106.7 KB)
15.	Bango Wind Farm EIS - Appendix 04 - SEARs.pdf (8.255 MB)
16.	Bango Wind Farm EIS - Appendix 05 - Stakeholder Responses.pdf (8.633 MB)
17.	Bango Wind Farm EIS - Appendix 06 - CCC Correspondence.pdf (1.536 MB)
18.	Bango Wind Farm EIS - Appendix 07 - Newsletters.pdf (2.674 MB)
19.	Bango Wind Farm EIS - Appendix 08 - Landscape & Visual Assessment Part 1.pdf (19.23 MB)
20.	Bango Wind Farm EIS - Appendix 08 - Landscape & Visual Assessment Part 2.pdf (19.81 MB)
21.	Bango Wind Farm EIS - Appendix 08 - Landscape & Visual Assessment Part 3.pdf (2.148 MB)

NO.	DOCUMENT
22.	Bango Wind Farm EIS - Appendix 09 - Noise Guidelines.pdf (230.3 KB)
23.	Bango Wind Farm EIS - Appendix 10 - Noise Assessment.pdf (7.750 MB)
24.	Bango Wind Farm EIS - Appendix 11 - Low Frequency Noise Assessment.pdf (180.4 KB)
25.	Bango Wind Farm EIS - Appendix 12 - Ecological Assessment Part 1.pdf (19.94 MB)
26.	Bango Wind Farm EIS - Appendix 12 - Ecological Assessment Part 2.pdf (18.49 MB)
27.	Bango Wind Farm EIS - Appendix 12 - Ecological Assessment Part 3.pdf (17.10 MB)
28.	Bango Wind Farm EIS - Appendix 13 - Cultural Heritage.pdf (14.17 MB)
29.	Bango Wind Farm EIS - Appendix 14 - Traffic & Transport Assessment.pdf (2.662 MB)
30.	Bango Wind Farm EIS - Appendix 15 - Aviation Assessment.pdf (3.743 MB)
31.	Bango Wind Farm EIS - Appendix 16 - Civil Aviation Authority Guideline.pdf (145.5 KB)
32.	Bango Wind Farm EIS - Appendix 17 - Communications Assessment.pdf (8.404 MB)
33.	Bango Wind Farm EIS - Appendix 18 - Communications Responses.pdf (1.383 MB)
34.	Bango Wind Farm EIS - Appendix 19 - Bushfire Risk Assessment.pdf (4.242 MB)
35.	Bango Wind Farm EIS - Appendix 20 - Bushfire Evacuation Plan.pdf (1.207 MB)
36.	Bango Wind Farm EIS - Appendix 21 - Soil Water Assessment.pdf (2.812 MB)
37.	Bango Wind Farm EIS - Appendix 22 - Trigonometrical Guidelines.pdf (102.7 KB)
38.	Bango Wind Farm EIS - Appendix 23 - RFS Wind Farm Bushfires Position Statement.pdf (202.0 KB)
<b>Provided to DPE in approx. May 2017 (amending to 75 turbine layout comprised of two layouts, Layout Option 1 and Layout Option 2)</b>	
39.	Bango Wind Farm Amended DA - Main Report.pdf (8.202 MB)
40.	Bango Wind Farm Amended DA - Appendix A1 - Layout Option 1 Overview.pdf (10.74 MB)
41.	Bango Wind Farm Amended DA - Appendix A2 - Layout Option 1 Constraints.pdf (11.13 MB)
42.	Bango Wind Farm Amended DA - Appendix A3 - Layout Option 2 Overview.pdf (10.73 MB)
43.	Bango Wind Farm Amended DA - Appendix A4 - Layout Option 2 Constraints.pdf (11.00 MB)
44.	Bango Wind Farm Amended DA - Appendix A5 - Photomontages.pdf (19.37 MB)
45.	Bango Wind Farm Amended DA - Appendix A6 - Wireframes.pdf (2.034 MB)
46.	Bango Wind Farm Amended DA - Appendix B1 - Main Site Access Design.pdf (1.615 MB)
47.	Bango Wind Farm Amended DA - Appendix B2 - Biodiversity Assessment.pdf (11.27 MB)

NO.	DOCUMENT
48.	Bango Wind Farm Amended DA - Appendix B3 - Noise Assessment.pdf (4.156 MB)
49.	Bango Wind Farm Amended DA - Appendix B4 - Visual Assessment.pdf (453.0 KB)
50.	Bango Wind Farm Amended DA - Appendix B5 - Council.pdf (2.509 MB)
51.	Bango Wind Farm Amended DA - Appendix B6 - Airservices Australia.pdf (512.2 KB)
52.	Bango Wind Farm Amended DA - Appendix B7 - Heritage Assessment.pdf (689.9 KB)
53.	Bango Wind Farm RTS - Main Report.pdf (4.324 MB)
54.	Bango Wind Farm RTS - Appendix 1 - Main Site Access Design.pdf (1.615 MB)
55.	Bango Wind Farm RTS - Appendix 2 - Biodiversity Assessment.pdf (11.27 MB)
56.	Bango Wind Farm RTS - Appendix 3 - Noise Assessment.pdf (4.156 MB)
57.	Bango Wind Farm RTS - Appendix 4 - Visual Assessment.pdf (453.0 KB)
58.	Bango Wind Farm RTS - Appendix 5 - Council communications.pdf (2.509 MB)
59.	Bango Wind Farm RTS - Appendix 6 - AirServices communications.pdf (512.2 KB)
60.	Bango Wind Farm RTS - Appendix 7 - Heritage Assessment.pdf (689.9 KB)
<b>Provided to DPE on 24 April 2018 (maximum of up to 75 turbines but electing Layout Option 1 only)</b>	
61.	Letter from CWP Renewables Pty Ltd dated 24 April 2018
<b>Provided to DPE on approx. 22 October 2018</b>	
62.	Bango Wind Farm: Revised Environmental Noise Assessment S3958C16 prepared by Sonus Pty Ltd and dated October 2018
63.	Bango Wind Farm – Comparison of biodiversity impacts for 71 versus 49 WTG layout prepared by Eco Logical Australia Pty Ltd and dated 25 October 2018
<b>Provided to DPE on 7 May 2019</b>	
64.	<b>SSD 6686 Bango Wind Farm Pty Ltd – Section 4.55 Modification prepared by CWP Renewables on behalf of Bango Wind Farm Pty Ltd and dated 7 May 2019</b>
<b>Provided to DPE on 30 May 2019</b>	
65.	<b>Letter from Bango Wind Farm Pty Ltd dated 30 May 2019</b>

