

**DETERMINATION OF A DEVELOPMENT APPLICATION
FOR STATE SIGNIFICANT, DESIGNATED AND INTEGRATED DEVELOPMENT
PURSUANT TO SECTION 80 OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

I, the Minister for Planning, pursuant to section 80 of the *Environmental Planning and Assessment Act 1979* ("the Act") determine the development application ("the Application") referred to in Schedule 1 by granting partial **DEFERRED COMMENCEMENT** consent subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to:

- a) prevent, minimise, and/or offset adverse environmental impacts;
- b) ensure that appropriate approvals have been obtained for the transmission line prior to any construction activities on site;
- c) set standards and performance measures and mechanisms to set such standards and measures for acceptable environmental performance;
- d) require regular monitoring and reporting; and
- e) provide for the on-going environmental management of the development.

Signed by the Minister

Frank Sartor MP
Minister for Planning

Sydney, 17 January 2006

File No.9039038

SCHEDULE 1

Development Application:	DA No 241/04.
Applicant:	RES Southern Cross Pty Ltd ("the Applicant")
Consent Authority:	Minister for Planning ("the Minister")
Land:	Lots 27, 129, 131, 195, 99, 93, 91, 90, 6 DP 750046 Lots 193, 29, 187, 157, 156, 154, 150, 158 DP 750042 Lots 3, 4, 5 DP 587908 Lots 2, 3 DP 171929 Lot 16, 21 DP 750046 Conveyance No. 994, Book 3335 Folios 216, 217, Vol. 6796

Allocated portion 238 DP 750046
 Lots 216, 215, 55, 88, 48, 45 DP 750046
 Lots 22, 23, 87, 62, 61, 89, 38 DP 750046
 Lots 122, 121, 5, 58, 54 DP 750046
 Lot 18 DP 5254
 Lot 2 DP 773412
 Lot 2 DP 1018120
 Lot 2 DP 836457
 Lot 4 DP 955581
 Lot 7 DP 10897
 Lot 6 DP 8040
 Lot 1 DP 605482
 Lot 21 DP 733863

Proposed Development: Construction and operation of a wind farm consisting of 62 x 1.5 - 2 Mega Watt turbines and associated infrastructure, as described in the *Taralga Wind Farm Environmental Impact Statement* prepared by Geolyse, dated November 2004 and as amended by the Applicant on 1 March 2005.

Note:	The Conditions of this Consent have the effect of reducing the number of turbines to a maximum of 54. Of these 54 turbines, four will require further assessment under a staged consent process.
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State Significant Development On 15 December 2004, in accordance with section 88A of the *Environmental Planning and Assessment Act, 1979* (the EP&A Act), the then NSW Minister for Infrastructure and Planning declared that the proposal was to be assessed as State Significant.

Integrated Development: The proposal is classified as integrated development, under Section 91 of the EP&A Act, because it requires additional approvals from the Department of Environment and Conservation under the *Protection of the Environment Operations Act 1997*, the Department of Natural Resources under the *Rivers and Foreshores Improvement Act 1948*, the Roads and Traffic Authority, the Department of Lands, and Upper Lachlan Council under the *Roads Act 1993*.

Designated Development: The proposal is classified as designated development, under Clause 18(1)(c) of Schedule 3 of the *Environmental Planning & Assessment Regulation 2000*, because it constitutes an electricity generating station which will supply, or is capable of supplying more than 30MW of electrical power.

Lapsing of Consent Under Section 95(2) of the Act, this consent lapses three (3) years after the date from which it operates.

Note:

(1) To find out when this consent becomes effective, see Section 83 of the Act;

(2) To find out about appeal rights, see Section 97 of the Act.

SCHEDULE 2

In this consent, except in so far as the context or subject-matter otherwise indicates or requires, the following terms have the meanings indicated:

Act	<i>Environmental Planning and Assessment Act, 1979</i>
Applicant	RES Southern Cross Pty Ltd
AHD	Australian Height Datum
BCA	Building Code of Australia
CASA	Civil Aviation Safety Authority
CIP	Community Information Plan
Commissioning	commencement of testing and connection of any individual turbine(s) and may include concurrent ongoing construction activities
Conditions of Consent	The conditions set out in this Schedule
Consent	The Consent granted by the Minister for Planning to the development described in Schedule 1
CEMP	Construction Environmental Management Plan,
Construction	any activity requiring a Construction Certificate, the laying of a slab or significant excavation work
Council	Upper Lachlan Council
dB(A)	decibel (A-weighted scale)
the Department	NSW Department of Planning
Development	the development to which this consent applies, the scope of which is described in the documents listed under Condition 2 of this consent
DEC	NSW Department of Environment and Conservation (incorporates the former NSW Environment Protection Authority and National Parks and Wildlife Service)
DoP	Department of Planning (the Department)
Director General	Director-General of the NSW Department of Planning or delegate
DNR	Department of Natural Resources (formerly part of the Department of Infrastructure Planning and Natural Resources)
Dust	any solid material that may become suspended in air or deposited

EPA	Environment Protection Authority (part of DEC). DEC exercises certain statutory functions and powers in the name of the EPA.
EIS	Environmental Impact Statement entitled <i>Crookwell II Wind Farm Environmental Impact Statement</i> (three volumes) prepared by URS, dated July 2004
EPL	Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
L _{Aeq} (15-minute)	equivalent average sound pressure level that is measured over a 15 minute period
L _{A1} (1-minute)	equivalent average sound pressure level that is measured over a 1 minute period
Minister	NSW Minister for Planning, or delegate
NPW Act	<i>National Parks & Wildlife Act, 1974</i>
OEMP	Operational Environmental Management Plan.
Operation	Within three months of the commencement of commissioning, unless otherwise agreed to by the Director General
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Premises	Sub-areas of the site, as consistent with the relevant DEC licence.
Principal Certifying Authority	the Minister or an accredited certifier, appointed under section 109E of the Act, to issue a Part 4A Certificate as provided under section 109C of the Act
Reasonable and Feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of 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
Regulation	<i>Environmental Planning and Assessment Regulation, 2000</i>
Relevant Government Agencies	DoP, Department of Natural Resources, Department of Lands, RTA, SCA, and Upper Lachlan Council
RFS	Rural Fire Service
RTA	Roads and Traffic Authority
SCA	Sydney Catchment Authority
Site	the land to which this consent applies
SA Guidelines	the South Australian Environmental Protection Authority's <i>Wind Farms: Environmental Noise Guidelines</i> (2003)

GENERAL CONDITIONS

Deferred Commencement

- 1 In accordance with section 80(3) of the *Environmental Planning and Assessment Act 1979*, this development consent shall not operate until the Applicant has indicated to the satisfaction of the Director-General that it has obtained approvals for the construction of the transmission line and its connection to the electricity grid. For the purpose of this condition, approval means a consent or approval has been obtained under the Act and/or any relevant determining authority has completed its assessment obligations under Part 5 of the Act for the transmission line.

Note: At the time of lodgement of the Development Application, the Applicant had not determined the final alignment of the transmission line. Details of likely options are known and the Department considers that there are reasonable and likely options where a transmission line could be approved. However, as there are no final approvals, deferred commencement consent has been granted to permit the Applicant to satisfy the Director General that such approvals have been obtained prior to any commencement of construction works related to the development.

Obligations to Minimise Harm to the Environment

- 2 ¹The Applicant must implement all practicable measures to prevent and minimise any harm to the environment that may result from the Construction, Commissioning, Operation and decommissioning of the Development.

Scope of Development

- 3 ²The Applicant must carry out the development generally in accordance with the following documents:
 - (a) Development Application No. DA-241/04; lodged with Upper Lachlan Council on 10 November 2004;
 - (b) *Taralga Wind Farm Environmental Impact Statement* (two volumes) prepared by Geolyse, dated November 2004
 - (c) *Proposed Taralga Wind Farm: Response to DIPNR Questions*, RES Southern Cross, dated 28 January 2005, 4 February 2005, 17 February 2005, 28 February 2005, 11 March 2005;
 - (d) *Proposed Taralga Wind Farm: Response to RTA Questions*, RES Southern Cross, dated 31 January 2005;
 - (e) *Proposed Taralga Wind Farm: Response to Questions from Department of Lands*, RES Southern Cross, dated 25 January 2005;
 - (f) *Proposed Taralga Wind Farm: Response to DEC Questions*, RES Southern Cross, dated 28 January 2005, 17 February 2005, 3 March 2005, 15 March 2005;
 - (g) *Proposed Taralga Wind Farm: Amendment to Development Application*, RES Southern Cross, dated 1 March 2005;
 - (h) *Proposed Taralga Wind Farm: Additional Information on Amendment to Development Application*, RES Southern Cross, dated 15 March 2005, 21 March 2005; and
 - (i) Conditions of this Consent.

¹ Incorporates DEC's GTA A3.1

² Incorporates DEC GTA A1.1

If there is any inconsistency between the Conditions of this Consent and a document listed above, the Conditions of this Consent must prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the Conditions of this Consent) then the most recent document must prevail to the extent of the inconsistency.

- 4 Pursuant to sections 80(1), 80(4) and 80(5) of the Act:
 - (a) development consent is granted in respect of the following part of the development, subject to the conditions of this consent: The 50 turbines numbered T9 to T58 inclusive, as identified on Attachment 1;
 - (b) development consent may be sought in respect of the following part of the development, subject to compliance with Condition 6 of this consent: The four turbines numbered T5 to T8 inclusive, as identified on Attachment 1.
- 5 Turbines numbered T1, T2, T3, T4, T59, T60, T61 and T62, as identified on Attachment 1, may not be constructed.
- 6 Development consent may be sought in respect of that part of the development described in Condition 4(b) on completion of the following conditions:
 - (a) submission of a revised plan for Turbines numbered T5, T6, T7 and T8 in accordance with the Attachment 2;
 - (b) submission of additional information to the satisfaction of the Director General in respect of Turbines numbered T5, T6, T7 and T8 on noise, shadow flicker, cultural heritage, flora and fauna, electromagnetic interference, and visual impacts of the revised locations identified on Attachment 2. This additional information must include photomontages from key viewpoints and the nearest residences;
 - (c) undertaking appropriate consultation as determined by the Director General in respect of turbines numbered T5, T6, T7 and T8.

Note: The form and content of the additional information would be determined by the Director General, in consultation with the DEC and the Upper Lachlan Council. Any application for consent will be subject to an appropriate degree of public consultation including, as a minimum, with impacted neighbours and subject to conditions consistent with this consent.

- 7 Without limiting the requirements of Condition 6, any document required to be prepared under this consent may address the issues associated with turbines T5, T6, T7 and T8 prior to a consent issued under Condition 6 provided that:
 - (a) in preparing, consulting or seeking approval of any document required under these conditions of consent, the status of the consent to turbines T5, T6, T7 and T8 is clearly identified; and
 - (b) nothing in the document has a dependency or is reliant upon the construction or operation of these turbines. That is, the absence of any or all of these turbines would not in any way limit, restrict or constrain the level of impact mitigation and management measures proposed should any or all of these turbines not be given consent.

Should consent be granted to any of the turbines T5, T6, T7 and T8, the Applicant may also elect to obtain written confirmation from the Director General, relevant government agencies and/or Council (as appropriate), that issues relating to any of these turbines have been

adequately addressed in any documents submitted prior to the consent of any of these turbines.

Note: The purpose of this condition is to enable the Applicant to address in detail any potential cumulative impacts and issues of the Proposal which includes T5, T6, T7 and T8. It would also minimise the extent of potential additional documentation review that may be required by relevant government agencies and Council should consent be granted for any of all of these turbines without necessarily pre-empting a decision on these turbines.

Statutory Requirements

- 8 ³The Applicant must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

Dispute Resolution

- 9 In the event that a dispute arises between the Applicant and Council or the Applicant and a public authority other than the Department in relation to a specification or requirement applicable under this consent, the matter must be referred by either party to the Director General, or if not resolved, to the Minister, whose determination of the dispute must be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.

Note: Section 121 of the *Environmental Planning and Assessment Act 1979* provides mechanisms for resolution of disputes between the Department, the Director General, councils and public authorities.

Provision and Protection of Public Infrastructure

- 10 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.

Note: The Applicant must ensure that all works are carried out in accordance with the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993 (Approvals) Regulations* and the *Building Code of Australia*.

Compliance

General

- 11 The Applicant must be responsible for environmental impacts resulting from the actions of all persons on site associated with the development, including contractors, subcontractors and visitors.

³ Incorporates DNR's GTA 1

Pre-Construction Compliance Report

- 12 The Applicant must submit a Pre-Construction Compliance Report to the Director General at least two weeks prior to the commencement of construction (or within a time agreed to by the Director General). The Pre-Construction Compliance Report must include:
- (a) details of how the Conditions of Consent required to be addressed prior to construction have been complied with;
 - (b) details of when each relevant Condition of Consent was complied with, including submission dates of any required report and/or approval dates; and
 - (c) details of any approvals or licences required to be issued by Relevant Government Agencies prior to the commencement of construction.

Pre-Operation Compliance Report

- 13 The Applicant must submit a Pre-Operation Compliance Report to the Director General at least two weeks prior to the commencement of Operation (or within a time agreed to by the Director General). The Pre-Operation Compliance Report must include:
- (a) details of how the Conditions of Consent required to be addressed prior to commencement of operation have been complied with;
 - (b) details of when each relevant Condition of Consent was complied with, including submission dates of any required report and/or approval dates; and
 - (c) details of any approvals or licences required to be issued by Relevant Government Agencies prior to the commencement of operation.

Construction Compliance Report

- 14 The Applicant must provide the Director General with a Construction Compliance Report. The Environmental Representative, required under Condition 26, must certify the adequacy of the report before it is submitted to the Director General. The Construction Compliance Report must address the first six months of construction and be submitted within six weeks of the end of that reporting period (or at any other time interval agreed to by the Director General).

The Construction Compliance Report must include information on:

- (a) compliance with the CEMP and the Conditions of Consent;
- (b) compliance with any approvals or licences issued by relevant Government Agencies for Construction;
- (c) the implementation and effectiveness of environmental controls. The assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the CEMP;
- (d) a summary and analysis of environmental monitoring results;
- (e) the number and details of any complaints, including a summary of the main areas of complaint, action taken, response given and intended strategies to reduce recurring complaints;
- (f) details of any review and amendments to the CEMP resulting from construction during the reporting period; and

- (g) any other matter relating to compliance with the Conditions of Consent or as requested by the Director General.

The Construction Compliance Report must be made publicly available.

- 15 The Director General may require update report(s) on compliance with all, or any part, of the Conditions of Consent. The report (s) must meet the requirements of the Director General and be submitted within such period as the Director General may require.
- 16 The Applicant must meet the requirements of the Director General in respect of the implementation of any measure necessary to ensure compliance with the Conditions of Consent, and general consistency with the documents listed under Condition No. 2 of this consent. The Director General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the Conditions of Consent, within such time as the Director General may require.

Construction and Part 4A Certification

- 17 Prior to the commencement of construction associated with the development, the Applicant must erect at least two signs at the construction site and in a prominent place at the Site boundary where the signs can be viewed from the nearest public place. The signs must indicate:
- (a) the name, address and telephone number of the Principal Certifying Authority;
 - (b) the name of the person in charge of the construction site and telephone number at which the person may be contacted outside working hours; and
 - (c) a statement that unauthorised entry to the construction site is prohibited.

The signs must be maintained for the duration of construction works, and must be removed as soon as practicable after the conclusion of the construction works.

Note: The Applicant must ensure that all works are carried out in accordance with the *Environmental Planning and Assessment Act 1979* (the Act) and the *Local Government Act 1993 (Approvals) Regulations* and the *Building Code of Australia*.

Environmental Monitoring

General Monitoring Requirements

- 18 ⁴The Applicant must undertake all monitoring, including recording and reporting of monitoring results, as required under this consent and as may be specified in an Environment Protection Licence for the development.
- 19 ⁵The results of any monitoring required under this consent must be recorded and maintained, as set out below. All records kept must be:

⁴ Incorporates DEC's GTA M1.1

⁵ Incorporates DEC's GTA M1.2

- (a) in a legible form, or in a form which can be readily reduced to a legible form;
- (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- (c) produced in a legible form to any authorised officer of the DEC or the Department who asks to see them.

20 ⁶ The following records must be kept in respect of any samples required to be collected:

- (a) the date(s) on which the sample was taken;
- (b) the time(s) at which the sample was collected;
- (c) the location at which the sample was taken (including a description of the DEC identification point); and
- (d) the name of the person who collected the sample.

Environmental Impact Audits

Environmental Impact Audit Report – Construction

21 A Construction Environmental Impact Audit Report must be prepared and submitted to the Director General within three months of construction completion, or at any other time interval agreed to by the Director General. If requested, the Environmental Impact Audit Report – Construction must be provided to other Relevant Government Agencies.

The Construction Environmental Impact Audit Report must:

- (a) identify the major environmental controls used during construction and assess their effectiveness;
- (b) summarise the main environmental management plans and processes implemented during construction and assess their effectiveness;
- (c) identify any innovations in construction methods used to improve environmental management; and
- (d) discuss the lessons learnt during construction, including recommendations for future wind farm developments.

Environmental Impact Audit Report - Operation

22 An Operation Environmental Impact Audit Report must be prepared and submitted to the Director-General within three (3) months after a 24 month period of Operation and then at any additional periods requested by the Director-General. If requested, the report must be provided to other Relevant Government Agencies.

The Operation Environmental Impact Audit Report must:

- (a) be certified by an independent person at the Applicant's expense. The certifier must be approved by the Director General prior to the preparation of the audit report;
- (b) compare the operation impact predictions made in the EIS and documents identified in Condition 3;
- (c) assess the effectiveness of implemented mitigation measures and safeguards;
- (d) assess compliance with the systems for operation maintenance and monitoring; and

⁶ Incorporates DEC's GTA M1.3

- (e) discuss the results of consultation with the local community particularly any feedback or complaints.

The result of the audit report must also be used to update the OEMP where necessary. The need or otherwise to update the OEMP must be certified by the Environmental Representative, required under Condition 26. The Applicant must notify the Director General and Relevant Government Agencies of any updates to the OEMP and provide a copy on request.

Annual Performance Reporting

- 23 ⁷The Applicant must provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997*. In the annual return, the Applicant must report on the:
- (a) annual monitoring undertaken (where the activity results in pollutant discharges);
 - (b) provide a summary of complaints relating to the development;
 - (c) report on compliance with licence conditions; and
 - (d) provide a calculation of licence fees (administrative fees, and where relevant, load based fees) that are payable. If load based fees apply to the activity, the Applicant must be required to submit load-based fee calculation worksheets with the return.

ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

- 24 The Applicant must prepare and implement a Construction Environmental Management Plan (CEMP) in accordance with the Department's publication entitled *Guideline for the Preparation of Environmental Management Plans* (2004) or its latest revision. The Applicant must ensure that the mitigation and monitoring measures identified in the EIS and in these Conditions of Consent are incorporated into the CEMP.

The CEMP must be prepared in consultation with the Relevant Government Agencies and certified by the Environmental Representative, required under Condition 26, as being in accordance with the Conditions of Consent.

The CEMP must be submitted for the approval of the Director General at least one month prior to the commencement of Construction, or within such a period otherwise agreed by the Director General. Site preparation and construction associated with the development must not commence until written approval for the CEMP has been received from the Director General. Upon receipt of the Director General's approval, the Applicant must supply a copy of the OEMP to the DEC and Council as soon as practicable.

The CEMP is to be Publicly Available.

Operation Environmental Management Plan

- 25 The Applicant must prepare and implement an Operation Environmental Management Plan (OEMP) in accordance with the Department's publication entitled *Guideline for the*

⁷ Incorporates DEC's GTA R1.1

Preparation of Environmental Management Plans (2004) or its latest revision. The Applicant must ensure that the mitigation and monitoring measures identified in the EIS and in these Conditions of Consent are incorporated into the OEMP.

The OEMP must be prepared in consultation with the Relevant Government Agencies and certified by the Environmental Representative, required under Condition 26, as being in accordance with the Conditions of Consent.

The OEMP is to be submitted for the approval of the Director General no later than one month prior to the commencement of operation, or within such period otherwise agreed to by the Director General. Operation must not commence until written approval has been received from the Director General. Upon receipt of the Director General's approval, the Applicant must supply a copy of the OEMP to the DEC and Council as soon as practicable.

The OEMP is to be Publicly Available.

Environmental Representative

26 Prior to the commencement of Construction, and in consultation with Council, the Applicant must nominate a suitably qualified and experienced Environmental Representative(s) whose appointment requires the approval of the Director General. The Applicant must employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the Director General, during the construction, and commissioning. An Environmental Representative must also be employed during operation. The Environmental Representative must be:

- (a) the primary contact point in relation to the environmental performance of the development;
- (b) responsible for all management plans and monitoring programs required under this consent;
- (c) responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;
- (d) responsible for receiving and responding to complaints in accordance with this consent; and
- (e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

The Applicant must obtain approval from the Director General for changes to the appointment of the Environmental Representative during construction. The Applicant must notify the Director General of any changes to the appointment during operation.

COMMUNICATION AND CONSULTATION

Advice of Construction Activities

27 Subject to confidentiality, the Applicant must make all relevant documents required under this consent available for public inspection upon request, including provision of all documents at the site for inspection by visitors.

Construction Complaints Management System

- 28 ⁸Prior to the commencement of construction of the development, the Applicant must ensure that the following are available for the community for the life of the development:
- (a) a telephone number on which complaints about operations associated with the development on the site may be registered;
 - (b) a postal address to which written complaints may be sent; and
 - (c) an email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address must be advertised prior to the commencement of construction and quarterly until construction is completed.

- 29 ⁹The Applicant must keep a legible record of all complaints received in an up-to-date Complaints Register. The Register must record, but not necessarily be limited to:
- (a) the date and time, where relevant, of the complaint;
 - (b) the means by which the complaint was made (telephone, mail or email);
 - (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register must be made available for inspection on request of the Director General or an authorised officer of the Department of Environment and Conservation. The record of a complaint must be kept for at least four years after the complaint was made.

Community Information Plan (CIP)

- 30 A Community Information Plan (CIP) must be prepared prior to the commencement of Construction. The CIP must set out the community communications and consultation processes to be undertaken during the construction period of the project. The Plan must include but not be limited to:
- (a) procedures to inform the local community of planned investigations and construction activities, including planned construction activities outside standard construction hours;
 - (b) procedures to inform the relevant community of construction traffic routes and any likely disruptions to traffic flows and amenity impacts;
 - (c) procedures to consult with local landowners in regards to construction traffic to ensure safety of livestock and limited disruption to livestock movements;
 - (d) procedures to inform and consult with impacted residences subject to the Off-Site Landscape Plan; and
 - (e) procedures to notify relevant properties of the processes available to review potential impacts on television and radio transmission.

⁸ Incorporates DEC's GTA (Attachment)

⁹ Incorporates DEC's GTA (Attachment)

VISUAL AMENITY

Landscaping Requirements

- 31 Prior to the commencement of Operation, the Applicant must prepare an On-site Landscaping Plan. The On-Site Landscaping Plan is to address the visual impacts of the development as far as is Reasonable and Feasible including the turbines, site access roads, the substation, and the control and facilities building. The On-Site Landscaping Plan is to include, but not be limited to:
- (a) identification of locations for planting and landscaping;
 - (b) identification of species to be planted; and
 - (c) details of the maintenance program for on-site landscaping associated with the development.

The On-Site Landscaping Plan is to be implemented within six months of commencement of Operation.

- 32 The Applicant must develop and implement an Off-Site Landscape Plan and address visual impacts of the Development. Any owner of an existing or approved rural residential dwelling with views of a turbine(s) located within four kilometres of their dwelling, may request, no later than six months after commencement of operation, inclusion of their property in the Off-Site Landscape Plan. The Applicant must notify in writing all owners of a residential dwelling with views of turbines located within two kilometres of their residential dwelling, prior to the commencement of commissioning. The Applicant must consider and implement any reasonable requirements for landscape works to provide screening.

The Off-Site Landscape Plan is to be submitted to the Director General for approval within nine (9) months of the commencement of operation or within a period otherwise agreed by the Director General. The Off-Site Landscape Plan is to be fully implemented within 18 months of the commencement of operation of the Development.

- 33 The wind turbines must be painted matt off-white/grey. The blades are to be finished with a surface treatment that minimises any potential for glare or reflection.
- 34 No advertising, signs or logos are to be mounted on the turbines, except where required for safety purposes.

Lighting

- 35 During Construction, the Applicant must take all practicable measures to minimise any off-site lighting impacts from the development. In particular, the Applicant must ensure that no lights cause an adverse impact to any private residences or public roads.

Shadow-flicker

- 36 Shadow flicker from the Development must not exceed 30 hours/annum at any residence not associated with the development.

NOISE AND VIBRATION

Construction Noise and Vibration Management Sub Plan

- 37 As part of the CEMP for the Development, the Applicant must prepare and implement a Construction Noise and Vibration Management Plan. The Plan must include, but not be limited to:
- (a) details of construction activities, including timing, duration and predicted noise levels (including likely consistency with the EPA's Environmental Noise Control Manual goals);
 - (b) best management practices to minimise noise resulting from construction activities;
 - (c) reasonable and feasible noise mitigation measures including consideration of the need for structural measures such as acoustic shielding;
 - (d) compliance monitoring methods and program;
 - (e) community consultation and a community information program to inform residents when they are likely to be affected by construction noise. This must include consideration of traffic noise impacts. In particular, residences adjoining site access routes east of Taralga Road must be notified in writing at least two weeks in advance of concrete pour activities and the details of such activities;
 - (f) a complaints handling and complaints monitoring program, including details of a contact person to follow up complaints; and
 - (g) contingency measures to deal with incidents when noise complaints have been received, including feedback on appropriate noise amelioration processes put in place in response to complaints and the timeframe for the introduction of these measures. The feedback must be provided to the complainant.

Construction Hours

- 38 ¹⁰Construction activities associated with the Development, including heavy vehicles entering and exiting the site, may only be carried out between 7:00 am and 6:00 pm, Monday to Friday inclusive, and between 8:00 am and 1:00 pm on Saturdays. No work is to be carried out on Sundays and public holidays. The following activities may be carried out in association with construction outside of these hours:
- a) any works that do not cause noise emissions to be audible at any nearby residences not located on the site;
 - b) the delivery of materials as requested by Police or other authorities for safety reasons; and
 - c) emergency work to avoid the loss of lives, property and/or to prevent environmental harm.

Any work undertaken outside the specified construction hours, other than those specified in (a) – (c) of this Condition, must not be undertaken without prior consent of the DEC.

Operational Noise Criteria

- 39 ¹¹Noise generated from the Development must not exceed the predicted equivalent noise level ($L_{Aeq,10}$) minute noise levels in the table below.

¹⁰ Incorporates DEC's GTA L6.6, L6.7, L6.8

¹¹ Incorporates DEC's GTA L6.1 and 6.2

Wind Speed at (m/s) at 10m height ¹²	Noise Levels L _{Aeq} (10 minutes) at receiver locations (day and night)				
	H1	H5	H7	H12	'the Farm'
3	35	35	35	35	35
4	35	35	35	35	35
5	35	35	35	35	35
6	35	35	35	35	35
7	37	35	35	35	35
8	38	35	35	37	36
9	38	35	35	37	37

The residential receivers H1, H5, H7 and H12 are located as identified in Attachment 1. 'The Farm' is located as identified in a letter to the EPA from the Department (dated 6 June, 2005).

- 40 ¹³At all other sensitive receiver locations, noise from the Taralga Wind Farm, at any given integer wind speed, must not exceed a level of L_{Aeq}(10 minute) 35dB(A).
- 41 ¹⁴ For the purposes of Conditions 39 and 40, a positive adjustment of 5dB(A) must be applied to the measured noise levels where audible tones are present. The presence of audible tones must be determined using the methodology in the document "*Wind Turbine Generator Systems – Part 11: Acoustic noise measurement techniques*" (IEC 61400-11:2002).
- 42 Noise from the Development is to be measured at the most affected point within the residential boundary, or at the most affected point within 20 metres of the dwelling, where the dwelling is more than 20 metres from the boundary, to determine compliance with the noise level limits in Conditions 39, 40 and 41.
- 43 ¹⁵The noise limits specified in Condition 40 do not apply to on site residences H2, H4, H6, H8, H9, H10, H11 and H20 whilst agreements are in place between the Applicant and the respective owners of the residences. For this condition to take effect, the agreements must satisfy the requirements of Section 2.3 of the SA Guidelines.

Noise Compliance

Noise Compliance Assessment Plan

- 44 ¹⁶The Applicant must prepare a Noise Compliance Assessment Plan which must be submitted to, and approved by the EPA, prior to Commissioning. The Noise Compliance Assessment Plan must outline how the noise compliance assessment will be achieved and be consistent with the data acquisition methods outlined in the SA Guidelines.

¹² Measured at the turbine location.

¹³ Incorporate DEC's GTA L6.3

¹⁴ Incorporates DEC's GTA L6.4

¹⁵ Incorporates DEC's GTA L6.6 and L6.7

¹⁶ Incorporates DEC's GTA S1.1, S1.2 and S1.3

Compliance with Noise Limits during the Operation

- 45 ¹⁷Within six months of Commissioning, compliance monitoring of noise from the development is to be undertaken at the locations identified in Condition 39. If prevailing meteorological conditions do not allow the required monitoring to be undertaken in this period, the EPA must be notified and an extension of time may be sought.
- 46 ¹⁸A Noise Compliance Assessment Report must be submitted to the EPA within one month of completing the compliance monitoring outlined in Condition 45. The Noise Report must include, but not be limited to:
- (a) an assessment of the performance of the Development against the noise limits contained in Condition 39; and
 - (b) in the event that the assessment indicates that noise from the wind turbines exceeds the noise limits, the Noise Compliance Assessment Report must investigate and propose the mitigation and management measures that are available to achieve compliance.

Noise Mitigation – Vacant Lots

- 47 Where Reasonable and Feasible, noise mitigation measures are to be provided by the Applicant for no more than one new dwelling, built on any vacant lot legally existing at the date of this consent, upon which a residential dwelling would be permissible at the same date. Noise mitigation is to be provided if the noise levels from the development at the approved location of the new residential dwelling would exceed the SA Guidelines.

Note:	The intention is that this condition does not apply to any potential future subdivision(s) that may be approved after the date of this consent.
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Blasting and Vibration

- 48 ¹⁹The overpressure level from blasting operations associated with the development must not:
- (a) exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over the period of any relevant DEC licence; and
 - (b) exceed 120dB (Lin Peak) at any time.

The above values apply when the measurements are performed with equipment of a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency, then a correction of 5dB should be added to the measured value. Equipment with a lower cut-off frequency exceeding 10 Hz should not be used for the purpose of measuring overpressure.

- 49 ²⁰Ground vibration (peak vector sum) from the blasting operations associated with the Development must not:
- (a) exceed 5mm/s for more than five percent of the total number of blasts during construction; and
 - (b) exceed 10 mm/s at any time.

¹⁷ Incorporates DEC's GTA S2.1, S2.2

¹⁸ Incorporates DEC's GTA S2.3 and S2.4

¹⁹ Incorporates DEC's GTA L7.1

²⁰ Incorporates DEC's GTA L7.2

when measured at any point within 1 metre of any affected residential boundary or any other noise sensitive location such as a school or hospital.

50 ²¹Blasting operations associated with the development may only take place:

- (a) between 9.00am and 5.00pm Monday to Friday;
- (b) between 9.00am to 12.00pm Saturday; and
- (c) at such other times or frequency as may be approved by the DEC.

TRAFFIC

Traffic Management

51 ²²As part of the CEMP, a Construction Traffic Management Plan must be prepared in consultation with Upper Lachlan Council, the RTA and NSW Police, to manage traffic related issues associated with the development during Construction. The Plan must identify:

- (a) designated transport routes for heavy vehicles to the site associated with the development;
- (b) heavy vehicle movements at the junction of Lagoon Street (MR676) and Union Street (MR256), including demonstration that junction accommodates turning movements in accordance with AUSTROADS standards.
- (c) details of procedures to minimise traffic disruption;
- (d) procedures to minimise disturbance from traffic noise, particularly during night periods;
- (e) procedures to manage construction traffic to ensure the safety of:
 - (i) livestock and limit disruption to livestock movement;
 - (ii) school children and limit disruption to school bus timetables;
- (f) a community information program to inform the community of traffic disruptions resulting from the construction program; and
- (g) details of complaints management procedures for traffic impacts.

52 ²³Should any vehicle accessing the site during Construction or Operation of the development exceed the road limit for length or mass on any road, the applicant must apply for Specific Oversized/Over Mass Permit from the RTA.

53 ²⁴No advertising signs or structures within Taralga Road (MR256) road reserve are to be erected.

54 ²⁵A Section 138 Approval from Council with RTA concurrence within the Classified Road Reserve must be obtained.

55 All large construction vehicles associated with the Development must only utilise the transport routes identified in Figure 5.16 of the EIS.

²¹ Incorporates DEC's GTA L7.3, L7.4

²² Incorporates Council's GTA 1 and RTA's GTA dated 20 May 2005.

²³ Incorporates RTA's GTA dated 20 May 2005.

²⁴ Incorporates RTA's GTA dated 20 May 2005

²⁵ Incorporates RTA's GTA dated 20 May 2005

Road Occupancy

- 56 ²⁶The Applicant must apply for a Road Occupancy Licence (ROL) from the RTA Traffic Operations Unit (TOU) before commencing work within the classified road reserve. Should the Traffic Management Plan, identified in Condition 51, require a reduction of the speed limit, a Direction to Restrict must be obtained from the TOU at least two weeks prior to using the road reserve.

Road Dilapidation

- 57 ²⁷Prior to the commencement of Construction, the Applicant must undertake a 'before' road dilapidation report utilising the ARRB 'laser car', to assess the existing condition of the Taralga Road (MR256), Bannaby Road and Old Showground Road. The report is required for the respective lengths of road that are to be utilised for heavy vehicle access. It must be undertaken in conjunction with Council's Director of Works.
- 58 ²⁸Following completion of Construction, and prior to the commencement of Operation, an 'after' road dilapidation report utilising the ARRB 'laser car' and road video images (i.e. RTA "gypsy"cam car) must be prepared in consultation with Council to determine the works required by the Applicant to restore the road to at least its pre-development condition.
- 59 ²⁹The Applicant must restore the roads to a standard not less than recorded in the initial dilapidation report, unless the damage can be reasonably attributed to influences other than the development. The Applicant must restore the road to at least its pre-development condition, to the satisfaction of Council within three (3) months of the commencement of operation, unless otherwise agreed by Council.

Road Upgrades

- 60 ³⁰In the event that the turning movements of heavy vehicles at the junction of Lagoon Street (MR676) and Union Street (MR256) cannot be achieved, the Applicant must upgrade the junction in accordance with the RTA Road Design Guide.
- 61 ³¹Prior to the commencement of any transport to the site associated with the development from Taralga Road involving heavy vehicles, the Applicant must construct site access points along Taralga Road to a minimum 'BAL', 'BAR' treatment, to the satisfaction of Council and RTA. Detailed drawings of the access points along Taralga Road must be approved by the RTA prior to the commencement of these works.
- 62 ³²Prior to heavy vehicle movements to and from the Site associated with the development, the Applicant must complete the following works along the designated route, to the satisfaction of Council:
- (a) a condition survey of all bridges and drainage structures along the proposed access roads for construction heavy vehicles by a competent and qualified person, to

²⁶ Incorporates RTA's GTA dated 20 May 2005

²⁷ Incorporates Council's GTA 3

²⁸ Incorporates Council's GTA 3

²⁹ Incorporates Council's GTA 3

³⁰ Incorporates RTA's GTA dated 20 May 2005.

³¹ Incorporates Council's GTA 5

³² Incorporates Council's GTA 6

- determine the adequacy of the bridges and drainage structures to withstand the proposed loads;
- (b) implement a program of works as necessary to reinforce and strengthen bridges and drainage structures identified in (a) above to permit heavy vehicles to pass without causing damage;
 - (c) construction of site access points and turning bay along the Bannaby Road with a minimum of 180m stopping sight distance for approaching traffic;
 - (d) construction of site access points and turning bay along the Alders and Crees Road with a minimum of 160m stopping sight distance for approaching traffic;
 - (e) road improvements and realignment of roads as identified by Council to permit the safe passage of over length and overweight vehicles;
 - (f) strengthening of a major twin cell culvert at Bannaby Road (chainage 0.87km) by additional temporary supports for the duration of the construction period, if this culvert is identified to be on the route used by Construction vehicles.
- 63 ³³All roadwork is to be designed and constructed to Upper Lachlan Council's version of AUS-SPEC Design and Construction specification or alternative specifications that meet the minimum requirements of AUS-SPEC. Detailed drawings of the access points along Bannaby Road must be approved by the Council prior to the commencement of these road works.
- 64 ³⁴Prior to the commencement of Construction, site road work design and specifications shall be completed and certified by an appropriately qualified person that all roads within the site associated with the development are of an acceptable standard for traffic generating requirements of the development.

Road Maintenance

- 65 ³⁵During Construction, designated gravel access roads shall be maintained in a safe and satisfactory condition at all times by the provision of regular maintenance and grading. The maintenance can be undertaken by the Applicant as a work in kind and or by Council at agreed rates.
- 66 ³⁶During Construction, designated bitumen road access shall be maintained in a safe and satisfactory condition. Should any of the roads fail due to construction traffic, immediate maintenance must be undertaken by the Applicant as work in kind and or by Council at agreed rates to maintain the road in a safe trafficable condition.
- 67 ³⁷Should Construction materials be sourced locally such as road-base, the access route will be jointly inspected with Council's officers to determine the suitability of the route and the extent of improvement works required prior to Construction. Should the route be approved for use, maintenance of the route during Construction shall be undertaken in accordance with Conditions 65 and 66.

³³ Incorporates Council's GTA 7

³⁴ Incorporates Council's GTA 8

³⁵ Incorporates Council's GTA 14

³⁶ Incorporates Council's GTA 15

³⁷ Incorporates Council's GTA 16

Crown Roads

- 68 ³⁸The Applicant must indemnify and keep indemnified the Crown and the Minister for Lands against all claims arising out of the use and occupation of the Crown Public Roads in relation to works associated with this development.
- 69 ³⁹No works must be undertaken on any Crown roads until any necessary authorities, easements, licences or approvals, as required by the Department of Lands, have been obtained.
- 70 ⁴⁰In the event of a transfer of ownership, the terms and conditions imposed by approval from the Department of Lands shall also apply to future owners of the development. Following a change of ownership, any existing tenures will be terminated and new tenures granted. The Department of Lands reserves the right to vary the terms and conditions of a new tenure or any authority or consent previously granted.
- 71 ⁴¹Public access along Crown roads must not be denied, impeded or obstructed when the development is completed. Alternative access is to be provided, if required, during the construction period.
- 72 ⁴²The Applicant and any subsequent owner of the Development must be responsible for the maintenance and rehabilitation of Crown roads used for access, construction and installation of works throughout the term of the occupancy.
- 73 ⁴³Upon decommissioning of the project, or parts thereof, all structures and works on Crown roads must be removed to the satisfaction of the Department of Lands. A maintenance period of two years shall apply for the rehabilitation work after the works have been removed and the site associated with the development rehabilitated.

Operational Traffic

- 74 ⁴⁴Prior to commencement of Operation, all works relating to permanent vehicle access to the site associated with the development must be completed. In the case of Bannaby Road, permanent access must be completed to the satisfaction of Council and comply with the following requirements:
- (a) access points must have an adequate sight stopping distance (180 metres minimum) available in both directions;
 - (b) any gate must be located so that there is sufficient distance for a vehicle (rigid truck) to stand clear of the road; and
 - (c) the access shall be sealed for a minimum distance of 50m measured from the edge of Bannaby Road pavement.

³⁸ Incorporates Department of Lands GTA 1

³⁹ Incorporates Department of Lands GTA 2

⁴⁰ Incorporates Department of Lands GTA 4

⁴¹ Incorporates Department of Lands GTA 5

⁴² Incorporates Department of Lands GTA 6

⁴³ Incorporates Department of Lands GTA 7

⁴⁴ Incorporates Council's GTA 17

- 75 ⁴⁵The Applicant must, in consultation with the RTA and Council, identify any road safety changes along the Taralga Road, Bannaby Road, Old Showground Road, Alders and Crees Road that may have arisen during the first 12 months of Operation. Road safety changes must include, but not be limited to, any change in motor vehicle accident rates. The Applicant must implement any reasonable and feasible mitigation measures as required by Council and the RTA, to address the road safety impacts that could be attributed to the development.

HERITAGE

Indigenous Heritage Management

- 76 In the event that an Aboriginal object (as described in the NPW Act) or a relic is uncovered during the Construction, all work in the vicinity of the object must cease and the Applicant must contact the DEC as soon as practicable. The Applicant must meet the requirements of the DEC with respect to the treatment, management, and/or preservation of any such object.

Historical Relics

- 77 In the event that a non-indigenous heritage item is uncovered during Construction, all work in the vicinity of the object must cease and the Applicant must contact the NSW Heritage Council to determine an appropriate course of action prior to the recommencement of work in the vicinity of the item.

FLORA AND FAUNA

Construction

- 78 A Construction Flora and Fauna Management Sub Plan must be prepared as part of the CEMP. The Sub Plan must be prepared in consultation with the Department and include:
- (a) plans showing:
 - terrestrial vegetation communities; important flora and fauna habitat areas; habitat trees, locations where threatened species, populations or ecological communities were recorded; and areas to be cleared. The plans must also identify vegetation adjoining the development where this contains important habitat areas and/or threatened species, populations or ecological communities;
 - (b) methods to manage impacts on flora and fauna species (terrestrial and aquatic) and their habitat which may be directly or indirectly affected by the development. These must include:
 - procedures for vegetation clearing, soil management and managing other habitat damage (terrestrial and aquatic) during construction;
 - methods to protect vegetation both retained within, and also adjoining, the development from damage during construction;
 - methods to protect rocky outcrops and other potential reptile habitat both retained within, and also adjoining, turbines and ancillary development from damage during construction;

⁴⁵ Incorporates Council's GTA 18

- a habitat tree management program including fauna recovery procedures and habitat maintenance (e.g. relocating hollows or installing nesting boxes); and
- performance criteria against which to measure the success of the methods;
- (c) details of how structures associated with the development will be designed to reduce the risk of bird and bat strike;
- (d) rehabilitation details including:
 - identification of locally native species to be used in rehabilitation and landscaping works, including flora species suitable as a food resource for threatened fauna species;
 - the source of all seed or tube stock to be used in rehabilitation and landscaping works including the identification of seed sources within the site. Seed of locally native species should be collected before construction commences; and
 - methods to re-use topsoil (and where relevant subsoils) and cleared vegetation;
- (e) a Weed Management Strategy including:
 - identification of weeds within the site and adjoining areas;
 - weed eradication methods and protocols for the use of herbicides;
 - strategies to control the spread of weeds during construction; and
- (f) a program for reporting on the effectiveness of terrestrial and aquatic flora and fauna management measures against the identified performance criteria. Management methods must be reviewed where found to be ineffective.

79 Prior to Construction, vegetation and habitat to be protected is to be fenced off with clearly visible, durable and appropriately signposted exclusion fencing.

Operation

- 80 An Operation Flora and Fauna Management Sub Plan must be prepared as part of the OEMP. The Sub Plan must be prepared in consultation with the Department and include:
- (a) plans showing terrestrial vegetation communities, important flora and fauna habitat areas, areas to be protected, and areas to be planted;
 - (b) methods to be adopted on the Site to manage impacts on flora and fauna species (terrestrial and aquatic) and their habitats which may be directly or indirectly affected by the Development. These must include:
 - habitat management procedures including rehabilitation requirements and active re-planting of windrows;
 - operation stage measures to minimise bird and bat disturbance, in particular reducing the incidence of bird/bat strike. Management measures that must be considered for areas near the turbines include:
 - i. minimising the availability of raptor perches;
 - ii. modifying structures to prevent perching;
 - iii. management of lambing;
 - iv. swift carcass removal;
 - v. pest control, including rabbits;
 - vi. management of stock (grain) feeding;
 - vii. filling in of small dams that might attract insects and birds;
 - viii. use of deterrents (eg. flags, marker balls);
 - ix. minimising external lighting;

- x. turbine management, that might include the turning off of turbines that are predicted to cause unacceptable bird/bat mortality at identified times;
 - xi. measures identified from research undertaken at other wind farms to reduce the incidence of bird/bat strike;
- (c) performance criteria against which to measure the success of the methods; and a programme for reporting on the effectiveness of management measures against the identified performance criteria. Management methods must be reviewed where found to be ineffective.

81 A Bird and Bat Adaptive Management Program must be prepared and undertaken, which takes account of bird/bat monitoring methods identified in the current editions of *AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia* and *Assessing the Impacts of Windfarms on Birds - Protocols and Data Set Standards*. The Program must be undertaken by a suitably qualified expert, approved by the Director General.

The Program must incorporate Monitoring, and a Decision Matrix that clearly sets out how the Applicant will respond to the outcomes of monitoring. It must:

- (a) incorporate an ongoing role for the suitably qualified expert;
- (b) set out monitoring requirements. The requirements must account for natural and human changes to the surrounding environment that might influence bird and/or bat behaviour such as changes in land use practices, and significant changes in water levels in nearby water bodies;
- (c) incorporate a decision making framework that sets out specific actions and when it may be required to reduce identified impacts on birds and bats;
- (d) set out available mitigation measures;
- (e) incorporate reporting requirements on the outcomes of monitoring, on the application of the decision making framework, the need for mitigation measures, progress with implementation of such measures, and their success. Reports must be prepared on an annual basis, from the commencement of operation, and must be prepared within 2 months of the end of the reporting period and be provided to the Director General. The Director General may vary the reporting requirement or period by notice in writing to the Applicant;
- (f) identify any necessary mitigation measures and implementation strategy including, but not limited to, those referred in Condition 80.

The Applicant is required to implement reasonable and feasible mitigation measures where the need for further action is identified through the Bird and Bat Adaptive Management Program.

PHYSICAL ISSUES

Soil, Water and Riparian Management

82 ⁴⁶Construction must not commence until a Permit under Part 3A of the *Rivers & Foreshores Improvement Act* is obtained from DNR.

⁴⁶ Incorporates DNR's GTA 1

- 83 ⁴⁷A Riparian Vegetation Management Sub Plan must be prepared as part of the CEMP and be developed in consultation with DNR. This Sub Plan is to outline details of the protected riparian zone(s) including, but not limited to:
- (a) requirements of the Permit under Part 3A of the *Rivers & Foreshores Improvement Act*;
 - (b) drawings demonstrating the locations and extent of the zone(s), remnant vegetation, and where areas will be revegetated/regenerated;
 - (c) plant species list to be utilised for revegetation; and
 - (d) maintenance and performance monitoring.
- 84 ⁴⁸Soil and Water Management Sub Plans must be prepared as part of the CEMP and OEMP and in consultation with Relevant Government Agencies. The Sub Plans must:
- (a) be prepared by a person or persons with the experience, skills and training in the development and implementation of such plans;
 - (b) where relevant, be in accordance with Landcom's "Managing Urban Stormwater" (2004), and other relevant guidelines including the RTA's "Guidelines for the Control of Erosion and Sedimentation in Roadworks" and the Department's "Constructed Wetlands Manual";
 - (c) identify the activities that could cause soil erosion or discharge sediment or water pollutants from the site associated with the development;
 - (d) describe management methods to minimise soil erosion or discharge of sediment or water pollutants from the site associated with the development including strategies to minimise the area of bare surfaces and to achieve NIL or minimal harm to aquatic and riparian environments;
 - (e) describe the location and capacity of erosion and sediment control measures;
 - (f) identify the timing and conditions under which controls will be decommissioned;
 - (g) include contingency plans to be implemented for events such as fuel spills; and
 - (h) identify how the effectiveness of the sediment and erosion control system will be monitored, reviewed and updated.
- 85 The turbines, substation and access tracks in high erosion hazard areas must be fenced off from livestock. The location of fencing and high erosion hazard areas must be identified in the OEMP.
- 86 ⁴⁹Design and construction of any crossings over protected waters and riparian zones must be consistent with the Department's *Draft Guidelines – Watercourse Crossing Design & Construction* and NSW Fisheries' *Why do Fish Need to Cross the Road? – Fish Passage Requirements for Waterway Crossings (2004)* and *Policy and Guidelines for Fish Friendly Waterway Crossings (2004)*.
- 87 ⁵⁰Except as may be expressly provided by a licence under the POEO Act in relation to the development, the Applicant must comply with Section 120 of the POEO Act (prohibition of the pollution of waters), which prohibits pollution of waters.

⁴⁷ Incorporates DNR's GTA 21 to 30

⁴⁸ Incorporates DNR's GTA 2, 33 and 34

⁴⁹ Incorporates DNR's GTA 18

⁵⁰ Incorporates DEC's GTA L1.1

Air Quality

- 88 ⁵¹The Applicant must design, construct, operate and maintain the development in a manner that minimises dust emissions from the site associated with the development.
- 89 The Applicant must take all practicable measures to ensure that all vehicles associated with the development entering or leaving the site and carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles must be covered or enclosed in a manner that prevents emissions from the vehicle at all times.

Spoil and Fill Management

- 90 For the purposes of the development, imported fill must be Virgin Excavated Natural Material as defined in the Environment Protection Authority's guideline *Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

MISCELLANEOUS REQUIREMENTS

Aviation

- 91 Prior to the commencement of Operation, the following details are to be submitted to CASA, Department of Defence, and the Australian Aerial Agricultural Association:
- (a) 'as constructed' coordinates of the wind turbines in latitude and longitude;
 - (b) final height of the wind turbines as per AHD;
 - (c) ground level at the base of each of the wind turbines as per AHD; and
- must comply with any reasonable requirements of CASA and Department of Defence.
- 92 In the event that required aerial weed control and/or fertilizer application is restricted on any property surrounding the site due to the location of turbines, the Applicant must fully fund the cost difference between aerial weed spraying/fertilizer application and a reasonable alternative weed control/fertilizer application method in the restricted area, unless otherwise agreed to by the Director General.

Hazards

Bush Fire Fighting

- 93 As part of the CEMP, the Applicant must provide details of measures to prevent fires igniting during construction activities. These measures must include, but not be limited to:
- prohibition of work involving risk of ignition during total fire bans;
 - availability of fire suppression equipment; and
 - storage and maintenance of fuels and other flammable materials.
- 94 During Construction, the Applicant is to consult with the local RFS in periods of high fire danger, to verify that proposed activities to be undertaken during this period, will not

⁵¹ Incorporates DEC's GTA 01.1

adversely increase the risk of bushfire. The Applicant must comply with any reasonable request of the local RFS.

- 95 The Applicant must consult with the RFS after the commencement of operation and any other time thereafter as required by the RFS, to ensure that the local RFS is familiar with the development, including location and identification of wind turbines for the purpose of fast access in emergencies.

Safety Management System

- 96 At least two month prior to the commencement of commissioning, the Applicant must prepare a report outlining a comprehensive Safety Management System, covering all on-site systems related to ensuring the safe operation of the development. The report must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Department upon request. The Safety Management System must be developed in accordance with the Department's Hazardous *Industry Planning Advisory Paper No. 9, 'Safety Management'*, and should include:
- (a) procedures and programs for the maintenance and testing of the safety related equipment to ensure its integrity over the life of the wind farm;
 - (b) an outline of a documented procedure for the management of change;
 - (c) procedures and programs for liaison and regular drills with the local RFS; and
 - (d) procedures for regular fire prevention inspections by the local RFS and implementation of recommendations.

Telecommunications

- 97 Prior to the erection of any wind turbine(s) on site, the Applicant must undertake an assessment of the existing quality of the television transmission available at a representative sample of residential dwellings located within five kilometres of a wind turbine.
- 98 The Applicant must undertake any Reasonable and Feasible mitigation measures to rectify any television transmission problems reasonably attributable to the Development, including but not limited to:
- (a) installation and maintenance of a parasitic antenna system;
 - (b) provision of a land line between the affected receiver and an antenna located in an areas of favourable reception; or
 - (c) other feasible measures.

In the event of interference not being able to be overcome by measures outlined in (a) to (c), the Applicant must negotiate with the impacted landowner about installing and maintaining a satellite receiving antenna.

Any requested works must be completed within three months of the completion of the relevant television and/or radio reception assessment, unless otherwise agreed by the landowner. The Applicant must be responsible for all costs associated with undertaking any mitigation measures.

Wastewater Management

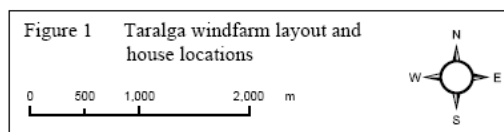
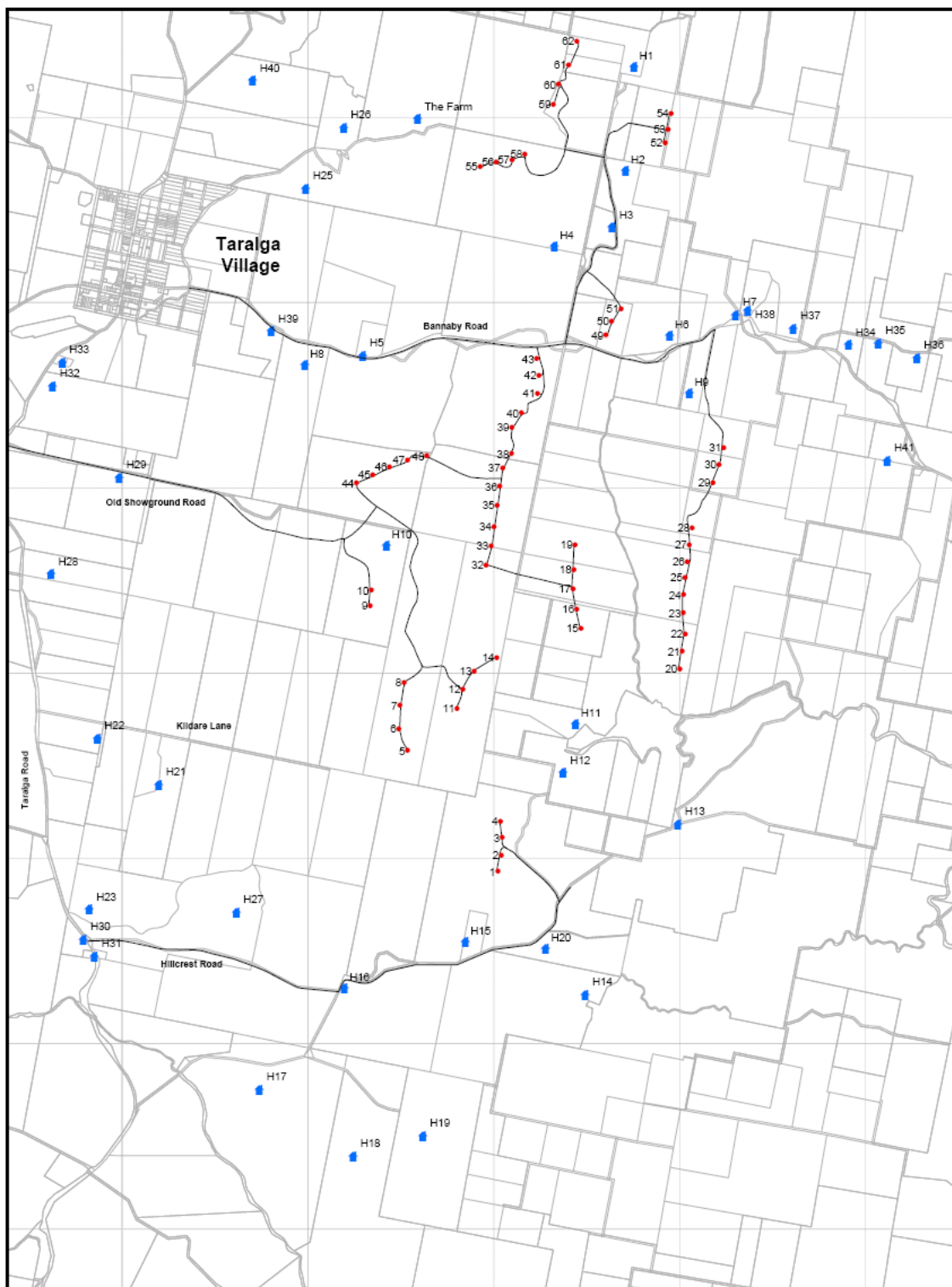
- 99 The human wastewater management system is to be designed in consultation with the SCA, in accordance with the principles contained within the guidelines *On-site Sewage Management for Single Households*, and the *AS/NZS 1547-2000 On-site Domestic Wastewater Management*. The system, including any effluent management areas, is to be located at least 100 metres from watercourses and 40 metres from drainage depressions.
- 100 AAA-rated water conservation devices are to be installed in the site control room/facilities building to minimise the volume of wastewater produced.
- 101 All stormwater is to be diverted away from any effluent management area associated with the Development.

Decommissioning

- 102 Prior to the commencement of Construction, the Applicant must provide written evidence to the satisfaction of the Director General, that the lease agreements with the site landowners have adequate provisions to require that decommissioning occurs in accordance with this Consent.
- 103 If any wind turbine(s) is not used for the generation of electricity for a continuous period of 12 months, it must be decommissioned unless otherwise agreed to by the Director General. The Applicant must keep independently verified annual records of the use of turbines for electricity generation. These records must be provided to the Director General upon request. The relevant wind turbine and any associated infrastructure is to be dismantled and removed from the site within 18 months from the date that the turbine was last used to generate electricity.
- 104 Within one year of decommissioning, the site must be returned, as far as practicable, to its condition prior to the Construction. All turbines and associated above ground structures including but not limited to, the substation, the control and facilities building and electrical infrastructure, including associated transmission lines, must be removed from the site unless otherwise agreed by the Director General. All other elements associated with the development, including site roads, must be removed unless otherwise agreed to by the site owner(s).

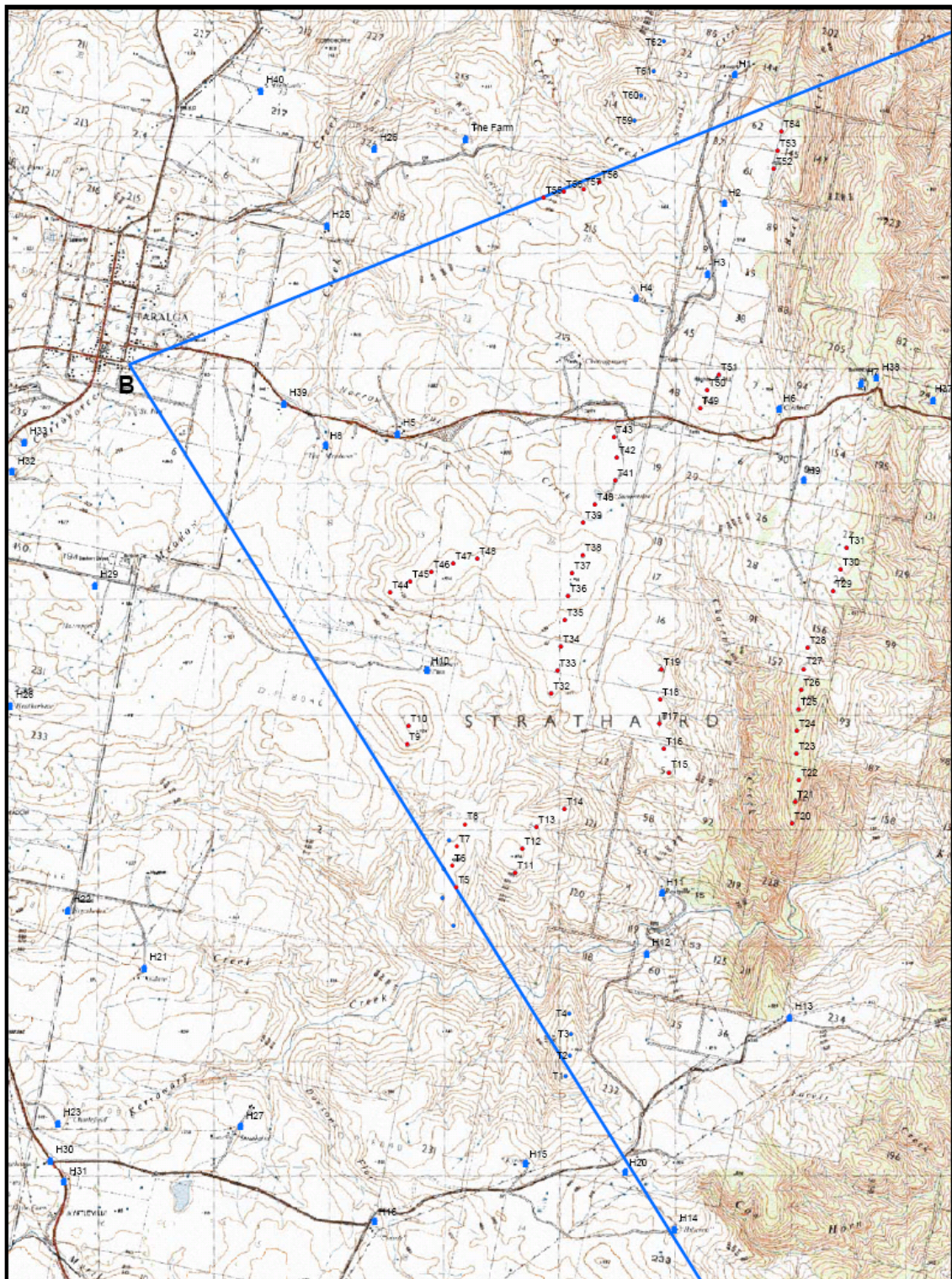
Attachment 1

Taralga Wind Farm Layout and House Locations



Attachment 2

Proposed Relocations of T5, T6, T7 and T8



- houses
- proposed relocated wind turbines
- original wind turbines

Taralga Wind Farm

80 degree sector from Viewpoint B

