



10 October 2014

NSW Department of Planning and Environment  
Attn: Justin Woodhouse  
Planning Officer – Infrastructure Projects  
23-33 Bridge Street  
Sydney NSW 2000

Our ref: 41/27256  
Your ref: 204137

Dear Justin

### **Taralga Wind Farm Bannaby Road Intersection - Addendum to Modification 5**

As requested in your correspondence dated 9 October 2014, GHD Pty Ltd (GHD) on behalf of Taralga Wind Farm (TWF) is submitting this letter to the Department of Planning and Environment (DP&E), formally requesting the inclusion of the use of an existing access track (Track # 6) near Bannaby Road in the Modification 5 application for the Taralga Wind Farm project (the project) for consideration under Section 75W of the *Environmental Planning and Assessment Act 1979*.

Specifically, TWF are requesting the inclusion of the Track # 6 in the amended Condition 86 of the Conditions of Consent, permitting works associated with Modification 5 and Track # 6 (the Bannaby Road intersection) within 50 metres of Natural Temperate Grasslands (NTG). Condition 86 of the Conditions of Consent currently precludes construction within 50 metres of NTG.

As detailed in correspondence to DP&E dated 9 October in relation to the review of the draft Modification 5 Instrument of Approval, the inclusion of use of Track # 6 is critical for the construction of Stage 4 works and the works associated with Modification 5.

This letter provides:

- details of what TWF are proposing;
- justification for the proposal and why it is unavoidable;
- the potential impact of the proposal and why this is acceptable; and
- proposed mitigation measures to mitigate (where possible) and/or minimise the impacts associated with the proposal.

#### **1.1 What is being proposed?**

TWF are proposing that the amendment to Condition 86 permitting Modification 5 works is expanded to include the use of the existing access track # 6 in its current location at Bannaby Road. Track # 6 was an existing farm track and exits the project boundary at Bannaby Road within 50 metres of NTG, located within the road reserve of Bannaby Road (refer to Figure 1). Condition 86 currently prevents construction works within 50 metres of NTG as detailed below.

Condition 86 of the Conditions of Consent (Land and Environment Court of NSW Case Number 11216 of 2007) requires that "where Natural Temperate Grassland or *Diurus aequalis* is found to occur either on, or adjacent to these locations, the area must be fenced during construction and that component of the development (including construction components) must be relocated at least 50 metres from the

grassland or orchid population but no more than 250 metres from the original location of that component”.

## **1.2 Justification for the proposal**

### ***Critical for Stage 4 and Modification 5 works***

As previously discussed with DP&E and as detailed above, the use of the existing Track #6 at the Bannaby Road intersection is critical to the continued construction of the project for Stage 4 and Modification 5. Without the use of this access track, TWF contractors cannot provide heavy vehicle access to the Stage 4 construction sites north of Bannaby Road (track 10) or at Row 6 (track 11), directly east of the intersection.

The heavy vehicle traffic routes previously approved by DP&E do not provide for heavy vehicle access to Access Tracks 10 and 11 and any changes to the heavy vehicle traffic routes may have unnecessary additional impacts on local road users.

TWF note that the use of access track # 6 was included and assessed as part of the original Environmental Impact Statement (EIS) for the project. The track is an existing element of the landscape and will not be creating an additional disturbance footprint.

### ***Traffic siting distances***

TWF have investigated and assessed the relocation of the Track # 6 to the nearest suitable location, which was identified as a relocation west, to the 250 metre wind farm easement buffer. The relocation of Track #6 west was determined as *not feasible* as the relocation would not meet Austroads line of sight guidelines and would be non-compliant with Condition 69(c) of the Conditions of Consent. Condition 69(c) requires “construction of site access points and turning bay along the Bannaby Road with a minimum of 180m stopping sight distance for approaching traffic”. Figure 2 details the findings of the sighting study for the relocated access track.

TWF and its contractors also consulted the Upper Lachlan Shire Council in relation to relocation of Track # 6. Council did not approve of the relocation of Track #6 due to safety concerns with regard to sighting distances for road traffic.

### ***Negligible impact on Natural Temperate Grassland***

TWF is confident that Contractors and site staff can access Bannaby Road from Access Track 6 and vice versa without impacting the NTG located within the road reserve. Mitigation measures detailed in Section 1.4 below will be implemented to mitigate impacts on the NTG.

### ***Why is the proposal unavoidable?***

The proposal is unavoidable as there are no safe alternatives for the location of Track # 6 that meet the requirements of the Austroads line of sight guidelines or Condition 69(c) of the Conditions of Consent.

## **1.3 What is the impact and is it acceptable?**

The proposal has the potential to disturb, damage or destroy a small area of NTG within the road reserve located immediately adjacent to the Track # 6 if works are not managed appropriately. TWF will work with its contractors to mitigate any impact on the NTG within the road reserve through the implementation and review of mitigation measures detailed in Section 1.4.

The area of NTG within the road reserve at Bannaby Road has also been incorporated in the project Biodiversity Offset Package. The Offset Package has been developed in consultation with OEH. TWF have previously consulted with DP&E in relation to the Offset Package and following the approval of the Modification 5, the offset package will be provided to DP&E for approval prior to commissioning.

In the event that NTG is disturbed during an accidental intrusion into the fenced area of NTG, the likely impact is considered to be minimal and acceptable when considered with the offset associated with the Biodiversity Offset Package.

#### **1.4 Mitigation Measures**

TWF propose the following mitigation measures to minimise and/or mitigate potential on the NTG located adjacent to Track # 6:

- Installation of fencing with fluorescent bunting to delineate the area of NTG within the road reserve;
- Ongoing maintenance of the access track to provide safe access;
- Heavy vehicle drivers accessing Bannaby Road for the first time will be guided by a spotter to provide additional support in avoiding the fenced NTG;
- Inspections of the fenced area of NTG to confirm that no impacts have been caused to the NTG; and
- TWF have included the NTG located within the road reserve at the Bannaby Road intersection in the project Biodiversity Offset Package and will provide suitable offset for any disturbance of the NTG.

## 1.5 Conclusion

The proposal to modify Condition 86 of the Conditions of Consent to include the use of Track # 6 in addition to the works associated with Modification 5 is considered justified on the basis that:

- the impact on NTG within the road reserve is likely to be negligible;
- any impacts on NTG will be offset as part of the Biodiversity Offset Package; and
- there are no safe alternatives to the position of the access track that will meet Austroads line of sight guidelines of Condition 69(c) of the Conditions of Consent, requiring a minimum line of sight of 180 metres.

I trust that the information provided above is sufficient to facilitate the inclusion of the use of Track # 6 as an addendum to Modification 5. Should you have any queries, or require any additional information, please do not hesitate in contacting Ashley Robinson (02) 9239 7089 (in Pedro Vozzone's absence) or David Smith (02) 8297 2323.

Sincerely

A handwritten signature in blue ink, appearing to read 'A. J. F. Robinson', with a long horizontal flourish extending to the right.

**Ashley Robinson**

Principal Environmental Scientist  
02 9239 7089

Attachments:

Figure 1 – Location of NTG within the Bannaby Road road reserve

Figure 2 – Line of sight drawings for Bannaby Road intersection



**Figure 1** Location of NTG within the Bannaby Road road reserve



Taralga Wind Farm Pty Ltd

Suite 2, Level 2  
53 CROSS STREET,  
DOUBLE BAY, NSW 2028

Project Title:  
TARALGA WIND FARM

Drawing Title:  
Natural Temperate Grassland on Bannaby Road

|                 |                        |
|-----------------|------------------------|
| Scale : 1:2,500 | Original Plot Size: A3 |
|-----------------|------------------------|

Coords: GDA94 - ZONE 55

Disclaimer  
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Purpose: Information

KEY

- Vestas Design
- Access Track
  - Electrical Reticulation
- Constraints
- Heritage Areas
  - 50m Access Track Buffers
  - Natural Temperate Grassland





**Figure 2 Line of sight drawings for Bannaby Road intersection**

Figure 2A - Intersection Line of Site as currently built

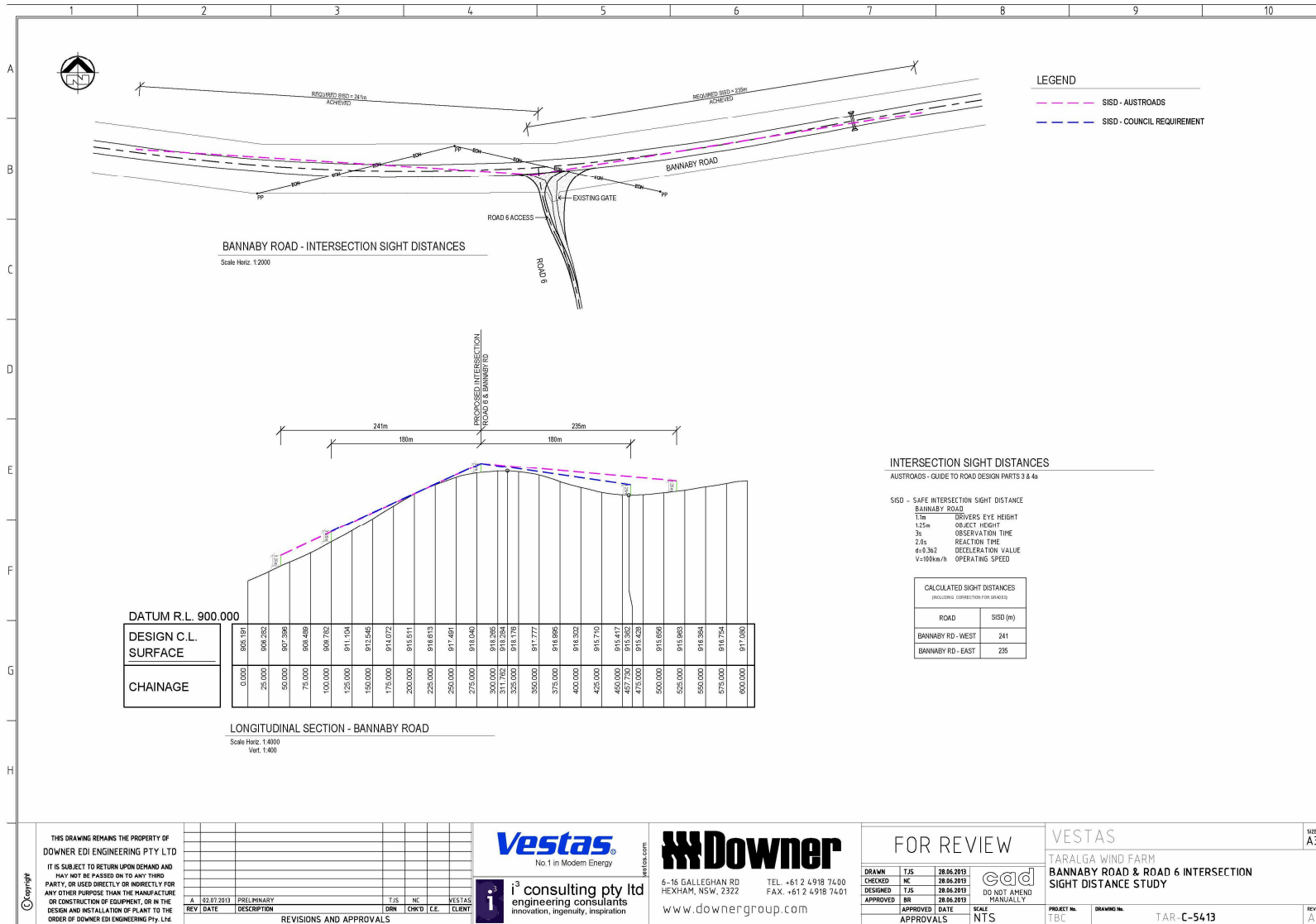




Figure 2B - Intersection line of site if moved 50m away from NTG

