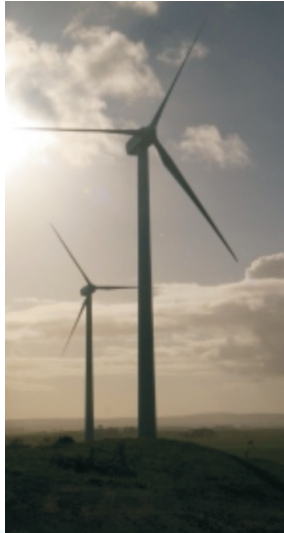


Woodlawn Wind Farm



Planning Context

C

Appendix

Appendix C – Planning Context and Approvals

Application for Modification

The application for modification of the current consent is sought under Section 96 of the EP&A Act.

96 Modification of consents—generally

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
 - b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
 - c) it has notified the application in accordance with:*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
 - d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be. Subsections (1) and (1A) do not apply to such a modification.*
- 3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.*

The proponent has described the proposed variations in the SEE and while the differences are clearly evident they do not significantly change the general form of the wind farm or the purpose of the development. As such it is considered the amended project is substantially the same development and only differs in its implementation to enable a more practical and effective project.

The Director General's Requirements also require an assessment of the proposed modifications by referencing the relevant matters in Clause 79C. This is provided in Table C1 below.

Table C1 – Applicability of Clause 79C (1) – Evaluation

Clause	Relevance
79C (1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a) the provisions of:	
(i) any environmental planning instrument, and (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	• Goulburn Mulwaree LEP • Mulwaree LEP • Yarrowlumla LEP • SEPP No. 44 – Koala Habitat Protection, • Drinking Water Catchments Regional Environmental Plan No 1 • Infrastructure SEPP
(iii) any development control plan, and	• Goulburn Mulwaree DCP – Wind Farms fall under special development types. (Refer Table C7)
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	Not applicable
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates	Broad requirement
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Likely impacts on noise, heritage (Aboriginal and non-Aboriginal), flora and fauna, telecommunications, social impacts etc have been addressed for the wind farm site in the 2004 EIS and for the proposed variations (adjustment to turbine array and new transmission line route) in this SEE. Mitigation measures have been provided to ensure that potential impacts are kept to a minimum
(c) the suitability of the site for the development,	While the project is within a rural area on private property it is also in the vicinity of an industrial facility, the Woodlawn Bioreactor and a mining operation. Rural residential settlement is set back from the development
(d) any submissions made in accordance with this Act or the regulations,	The Department is requested to review and consider all submissions it receives following notification and exhibition of the SEE and modification application
(e) the public interest.	The project will deliver 42 MW of renewable energy. Such developments where appropriately sited are generally consistent with national state and local planning objectives
Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.	
Note. If a biobanking statement has been issued in respect of a development under Part 7A of the <i>Threatened Species Conservation Act 1995</i> , the consent authority is not required to take into consideration the likely impact of the development on biodiversity values.	No biobanking statement has been issued

Goulburn Mulwaree LEP and DCP

The objectives applicable to Zone IN3 and Zone RU2 of the Goulburn Mulwaree LEP are set out in Table C2 together with an assessment of the relevance of the development to each of the Zones objectives. The development is considered as being consistent with the zone objectives.

Table C2 – Relevance of Development to Goulburn Mulwaree Zones IN3 and RU2

Objective	Relevance
Objectives of Zone IN3 Heavy Industrial	
To provide suitable areas for those industries that need to be separated from other land uses	Also located within the heavy industrial zone is the Woodlawn mine void and currently operational Bioreactor site. The Woodlawn Wind Farm would have no impact on the operation of the bioreactor as the northern array of wind turbines is located on the ridgeline.
To encourage employment opportunities.	It is expected that 45-60 staff would be employed during construction and three to four staff would be employed for the day to day operation of the wind farm after commissioning.
To minimise any adverse effect of heavy industry on other land uses	The Woodlawn Bioreactor would not have any impact on the proposed variations to the Woodlawn Wind Farm.
To recognise and provide for the diverse demands and implications of industry, warehousing, transport and servicing activities and ancillary land uses	The designation of the land for heavy industry is more relevant to the mining and waste to energy activities as wind farms able to coexist with rural activities.
Objectives of Zone RU2 Rural Landscape	
To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. <i>(Note: Wind energy facilities are a form of sustainable primary industry that harness a natural and renewable energy resource to produce electricity)</i>	The project would supply electricity to the grid using an available renewable energy source while still allowing grazing to continue and not impacting the existing waste to energy activities or potential mining activities. The development represents a commercially viable project that will support the State's infrastructure and provide benefits to the local community including some improvement to local roads. A detailed assessment of the site's flora, fauna and heritage was undertaken and measures to mitigate the project's impacts have been provided (Chapter 7 and 8)
To maintain the rural landscape character of the land.	The constructed wind farm would be visible to surrounding neighbours as the turbines would be located along the top of a major ridgeline, however, visual impacts of the wind turbines and access roads would be minimised with careful siting, minimisation of cut and fill and rehabilitation of the site after construction. Woodlawn Wind Pty Ltd has selected a turbine colour that has the least visual contrast with the surrounding sky.
To provide for a range of compatible land uses, including extensive agriculture.	The wind farm development will not adversely affect the continued use of the land for its existing use of grazing.
To protect, manage and restore areas with high conservation, scientific, cultural or aesthetic values.	An assessment of Aboriginal and non-Aboriginal was undertaken. A number of Aboriginal sites have been identified. Measures to avoid or mitigate impacts on heritage aspects are included in Chapter 9. Potential visual impacts have been addressed in Chapter 6.

Objective	Relevance
To protect and enhance the water quality of receiving watercourses and groundwater systems and reduce their degradation.	The proposed site is located in the Sydney Catchment Authority catchment making SEPP 58 – Protecting Sydney Water Supply applicable to the development. A Soil and Water Management Plan would be developed for the construction works and will incorporate controls to prevent sediment discharge to creeks. Controls will also be incorporated to provide oil containment for areas of oil or fuel storage to avoid the risk of water pollution.
To preserve environmentally sensitive land, including catchment areas, and prevent development likely to result in environmental harm.	A detailed assessment of the site's flora, fauna and heritage has been undertaken and constraints identified. Mitigation measures are provided in Chapter 8 and 9. No permanent watercourses would be affected by the development
To minimise the potential for conflict between adjoining land uses.	The wind farm development will not adversely affect the continued use of the land for its existing use of grazing.

Goulburn Mulwaree Development Control Plan

Locational guidelines and constraints for wind energy facilities are contained in the Goulburn Mulwaree Development Control Plan (DCP). These are provided in Table C3 below.

Table C3 – Locational guidelines and constraints for wind energy developments

Guideline / Constraint	Relevance
proposals must be permissible under <i>the LEP</i> , compatible with the existing uses of the subject land and surrounding land and avoid areas identified for future urban development.	Section 4.3.1 addresses the permissibility for the wind farm in accordance with the Goulburn Mulwaree LEP
proposals should avoid areas of high environmental value such as: Lands protected under the <i>National Parks and Wildlife Act (NPW) 1974</i> including National Parks, reserves and other areas covered by a Conservation Agreement or Aboriginal place declaration	The wind farm site is located on private property and no areas have been identified and being protected under the NPW Act or covered by a Conservation Agreement or Aboriginal place declaration. Wildlife refuges have been declared for two of the properties on which the project is located. These issues have been considered in the determination of the existing consent.
World Heritage Areas, other historic/heritage areas, buildings or sites. - Wilderness areas identified or declared under the <i>Wilderness Act 1987</i> - Areas of National Environmental Significance as identified under the Environmental Protection and Biodiversity Conservation Act 1999 - Areas affected by State Environmental Planning Policy No 44 – Koala Habitat	Most of the wind farm site is located on private property and no areas have been identified or declared Wilderness areas under the <i>Wilderness Act 1987</i> No issues of National Environmental Significance have been identified for the project area. See Chapter 8 and 9 The site does not contain either koala habitat or core koala habitat and therefore the provisions of SEPP 44 are not applicable. Chapter 9 and 2004 EIS

Guideline / Constraint	Relevance
Developers will: investigate bird and bat habitat and flight paths. Advice should be sought from past studies, literature reviews, field investigations, local wildlife groups and DECC and other NRM Agencies and then undertake the necessary assessments and document the impact and appropriate mitigation measures in the statement of environmental effects, environmental impact statement or supporting the development application	Bird and bat habitats and flight paths were assessed as part of the 2004 EIS. A number of mitigation measures have been identified and will form part of the bird and bat adaptive management program required by the Consent Conditions
have regard to chapters 3.1 (European Heritage) and 3.2 (Indigenous Heritage and archaeology) of this plan.	Heritage aspects were assessed by the 2004 EIS and an additional assessment has been undertaken for the 33 kV transmission line. Findings are summarised in Chapter 9
have regard to the recommendations of the Goulburn Mulwaree Biodiversity Strategy 2007.	Biodiversity issues were addressed in the 2004 EIS and are also reviewed in this SEE. The determination of the application will address these matters
Noise amenity impact upon nearest existing or proposed dwelling is not to exceed 5 dBA above ambient background noise or an absolute level of 35 dBA, whichever is greater. Notwithstanding, the minimum setback of towers from residential development shall be 350 m.	Noise assessments have been undertaken. See Chapter 7. Predicted noise levels (L_{Aeq}) indicate that no exceedances of noise criteria have been predicted at neutral or worse case meteorological conditions. The closest residence is located more than 2 km away from the turbines. The determination of the application will address these matters.
To minimise visual impact, avoid locations where turbines are seen by many people. To this end towers are not to protrude beyond ridgelines within view of land visible from areas of existing and future closer settlement such as residential land, large lot residential land, the range of rural lifestyle blocks and the villages of Bungonia, Lake Bathurst, Tallong and Tarago. Similarly, the visual impact of new transmission lines must be evaluated.	The determination of the existing consent addressed the visual impact of the project. The amended project involves a lesser number of turbines and the overall visual impact is considered to be marginally less than the approved project. An updated visual assessment has been undertaken and is described in Chapter 6 of this SEE. The transmission line route has been located to minimise visual impact and as a single pole 33 kV line will have low visibility at distances greater than two kilometres.
Avoid landing strips and airport facilities especially aircraft flight paths. The Civil Aviation Safety Authority is to be consulted about the need for warning lights on any proposed towers (this is a mandatory requirement for development over 110 m in height).	Nearest airfields to the site are Goulburn about 32 km to the north and Canberra about 41 km to the south-west. the wind farm development was not considered to represent a hazard to users. CASA confirmed this at the time of the 2004 EIS
Site access and road construction will lead to noise, dust and interference with watercourses and vegetation. A total management plan including water management (neutral or beneficial test), road design and management of ecologically sensitive areas needs to be properly addressed and presented to Council as part of the development application and finalised as part of the Construction Certificate application.	Due to the construction of Capital Wind Farm and the development of Woodlawn Bioreactor minimum modifications will be required for site access. Preparation of a Soil and Water Management Plan forms part of the consent conditions and will be completed and submitted for approval before construction activities commence.
Essential guidelines for reference are the SEDA NSW Wind Energy Handbook 2002 and the former DIPNR EIA Guidelines for Wind Farms, June 2002.	The guidelines have been taken into account during the design phase of the project.

Mulwaree LEP zoning

The proposed transmission line from the Woodlawn Wind Farm to the Capital Wind Farm station is located within the former Mulwaree LEP Zone 1(a) – General Rural. The objectives are set out in Table C4 together with an assessment of the relevance of the development of the proposed transmission line to each of the Zone 1(a) objectives.

Table C4 – - Relevance of Development to Mulwaree Zone 1(a) – General Rural objectives

Objectives	Relevance of development
e) promoting, enhancing and conserving:	
(i) agricultural land, particularly prime crop and pasture land, in a manner which sustains its efficient and effective agricultural production potential	The transmission line will have a relatively small overall 'footprint' – involving a single pole double circuit structure with poles spaced approximately 100 m apart. The existing grazing activities will continue and the landowners will benefit through income from leases easements. Pastoral activities will be unaffected on neighbouring lands.
(ii) soil stability by controlling and locating development in accordance with soil capability, as identified by the Department of Conservation and Land Management / Soil Conservation Service	The areas of soil disturbance would be limited and erosion control measures would be put in place to minimise erosion during construction. Excess material from excavations may also be used for repair of existing soil erosion. A Soil and Water Management Plan will be developed for the construction works and will incorporate controls to prevent sediment discharge to creeks.
(iii) forests of existing and potential commercial value for timber production	No commercial forests would be impacted. The development will involve minimal clearing for foundations.
(iv) valuable deposits of minerals, coal, petroleum, and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits	Woodlawn Mine is no longer operational. The locality has been subject to intensive exploration and the Woodlawn Wind Farm and transmission line is more than 6 km south-west of the mine. A mining lease SML 20 was transferred to Tri Origin in 2006. It is understood that future mining may involve reworking material in the tailings dams as well as some underground mining. The underground mining is indicated to be away from the area of the proposed wind farm.
(v) trees and other vegetation in sensitive areas and in any place where the conservation of the vegetation is significant to the protection of scenic amenity or natural wildlife habitat or is likely to control or contribute to the control of land degradation	An assessment of conservation values of the site was undertaken and measures would be incorporated to mitigate any impacts. Appropriate measures would be taken to ensure that minimal clearing is undertaken and to prevent soil erosion and land degradation (See Chapter 8)
(vi) water resources and water catchment areas for use in the public interest	The proposed transmission line is entirely located in the Lake George catchment. A Soil and Water Management Plan will be developed for the construction works and would incorporate controls to prevent sediment discharge to creeks. The project will also include controls for oil containment at turbine sites to avoid the risk of causing water pollution.
(vii) localities of significance for nature conservation, including localities with rare plants, wetlands, permanent watercourses and significant wildlife habitat	A detailed assessment of the site's flora and fauna was undertaken and measures to mitigate the project's impacts are provided in Chapter 8. No permanent watercourses will be affected by the transmission line development.
(viii) places and buildings of archaeological or heritage significance, including Aboriginal relics and places	An assessment of Aboriginal heritage was undertaken and a number of Aboriginal sites identified. Measures to avoid or mitigate impacts on heritage aspects are included in Chapter 9. No buildings with heritage significance would be affected.
f) minimising the cost to the community of:	
(i) fragmented and isolated development of rural land, and	No subdivision of land is required. The transmission would not adversely affect the continued use of the land for its existing use of grazing. The income from the easement leases is likely to reduce the incentive for sub-division by landowners.

Objectives	Relevance of development
(ii) providing, extending and maintaining public amenities and services, and	The project would supply electricity to the grid using an available renewable energy source while still allowing grazing to continue. The development represents a commercially viable project that will support the State's infrastructure and provide benefits to the local community including some improvement to local roads.
g) providing land for future urban development.....	
.... for rural residential development and for development for other non-agricultural purposes, in accordance with the need for that development, and subject to the capability of the land and its importance in terms of the other objectives of this zone	The development is a non-agricultural purpose that fulfils a need to supply more electricity from renewable energy sources as a means to reduce the carbon intensity of electricity generation. It is compatible with the existing rural land use and provides additional income to the owners of the properties affected by the development. Rural residential development potential of neighbouring lands will be generally unaffected.

Yarrowlumla LEP

The objectives applicable to Zone 1(a) of the Yarrowlumla LEP are set out in Table C5 together with an assessment of the relevance of the development to each of the Zone 1(a) objectives.

Table C5 – - Relevance of Development to Yarrowlumla Zone 1(a) – General Rural objectives

Objectives	Relevance of development
(a) to protect the agricultural potential of rural land and to prevent the fragmentation of viable rural holdings.	No further earthworks or sub division of land required at the substation.
(b) to prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.	No subdivision is required.
(c) to prevent the subdivision of land on the fringe of urban areas into small allotments that may prejudice the proper layout of future urban areas.	No subdivision is required.
(d) to ensure that development occurs only on land which is suitable for, and economically capable of, the proposed development and so as not to create conflicting uses.	The substation is compatible with the existing rural land use and does not conflict with the nearby land uses, being largely grazing and native bush.
(e) to allow the use of land within the zone for agricultural purposes and for a range of other appropriate purposes, while minimising conflict between them.	The substation is compatible with the existing rural land use and provides additional income to the owners of the properties.
(f) to restrict the establishment of inappropriate traffic-generating uses along arterial and main road frontages.	An assessment of traffic and transport issues is provided in Chapter 10, together with proposed mitigating measures.
(g) to ensure sound management of land which has an extractive or mining industry potential and to ensure that development does not adversely affect the potential of any existing or future extractive industry.	No mining activities will be affected. The locality has been subject to intensive exploration and the project site is about 12 km south-south-west of the Woodlawn Mine where mining operations have ceased. Sand mining operations to the south-west of the site will not be affected.
(h) to permit the development of industries that are appropriately located in the rural environment.	The substation is already operational and connected to the 330 kV transmission line located on the project land.
(i) to ensure that any effect development will have on threatened plant and animal species or regionally significant grassland and grassy woodland communities is taken into account.	The substation is already operational and no further earthworks would be required, therefore no impacts on threatened plant and animal species or regionally significant grassland and grassy woodland communities would be expected.

Special provisions and controls

Relevant clauses containing special provisions and controls relevant to the Mulwaree LEP (MLEP) and Yarrowlunla LEP (YLEP) are reviewed in this section and have been listed in Table C6. There are no special provisions and controls provided in the Goulburn Mulwaree LEP.

Table C6 – LEP Clauses involving Special Provisions and Controls

Category of provisions	Reference to Clauses		Relevance
	MLEP	YLEP	
General considerations	10 (a) to (g)	16	Matters for consideration – see below
Subdivision	11 to 18	17 to 23	Not applicable
Erection of dwellings	19 to 23	24 to 31	Not applicable
Advertising the application	24		DOP to arrange
Roads and access	25, 31, 38	32 to 34	Infigen Energy has negotiated access requirements with Palerang Council for Capital Wind Farm. These would be applicable to the construction of the transmission line and the modifications required on the substation.
Heritage	26 to 30	47 to 51	Mitigation measures described in Chapter 8.
Bushfire Hazard	33	61	Mitigation measures described in Chapter 12
Tree clearing, environmentally sensitive land & vegetation protection	41	35 to 38	Mitigation measures described in Chapter 7
Other non-relevant	32, 34 to 37, 39, 40, 42, 43	53 to 64	

General Considerations for Development

Clause 10 of the MLEP requires that, when deciding whether to consent to an application to carry out development, the impact on the items listed (a) to (g) must be considered. Table C7 summarises the relevance of the clauses to the development.

Table C7 – General Considerations for Development for MLEP under Clause 10 (a to g)

Clause	Relevance
a) the present use of the land for the purposes of agriculture and the potential of any land which is prime crop and pasture land for sustained agricultural production,	The existing pasture lands would continue to be used as pasture land and the area required for the transmission line construction is a small proportion of the total grazing land.
b) vegetation, timber production, land capability (including soil stability) and water resources (including the quality and stability of watercourses, aquatic wildlife habitat, ground water storage and riparian rights),	Limited clearing would be required and would not degrade the land capability, soils, soil stability or water resources.
c) the future recovery of known or prospective areas of valuable deposits of minerals, coal, petroleum, or extractive materials,	A mining lease SML 20 was transferred to Tri Origin in 2006. It is understood that future mining may involve reworking material in the tailings dams as well as some underground mining. The underground mining is indicated to be away from the area of the proposed wind farm.

Clause	Relevance
d) the protection of localities of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including aboriginal relics and places,	The site is on private property and has no public recreational uses attached to it. The project area is not listed on any planning register in relation to scenic value. While parts of the landscape will be affected by the transmission line, they will not be irreversibly changed. Chapter 6 provides a visual assessment of the proposed development, including the transmission line. Flora and fauna issues are addressed in Chapter 8 and a flora and fauna assessment has been undertaken for the transmission line route and is included as Appendix E. Heritage aspects have been assessed and findings are summarised in Chapter 9. Appendix F provides an assessment of 33 kV line route.
e) the cost of providing, extending and maintaining public amenities and services, including electricity, to the development,	The transmission line will be constructed on private land. This should not impacts on the public amenities and services in the area due to: • Woodlawn Wind Farm will be a new electricity supplier using a renewable energy resource • communications have already been installed for remote monitoring and control of the wind turbines and the substation. • No water supply will be required by the operational wind farm due to an on-site tank for water. If this is insufficient, some water supplies may need to be imported. • Wastes taken off site will be disposed of at an appropriate waste disposal centre. The costs involved in the provision of these services will be borne by Woodlawn Wind Pty Ltd. • Local roads were maintained during the construction of Capital Wind Farm and will be adequate for the construction of the transmission line and Woodlawn Wind Farm. Woodlawn Wind Pty Ltd will clarify requirements of local councils and the RTA during formulation of the Traffic Management Plan.
f) future expansion of settlement in the locality, and	Expansion of settlements is considered unlikely in the vicinity of the wind farm project due to the large properties on which the project is located and setbacks to neighbouring lands.
g) the quality and availability of water resources within the water catchment area	The transmission line will be located entirely in the Lake George catchment. The installation of the transmission line will require a small footprint and is not likely to result in erosion. A Soil and Water Management Plan will be developed for the project as a whole to mitigate any possible impacts and with appropriate implementation, in accordance with the CEMP, there is very little risk of impact on water resources.



Road and access provisions

The clauses in the Mulwaree LEP and Yarrowlumla LEP relating to road and access provisions are similar and refer to access requirements and the restrictions on development fronting or requiring access from main and arterial roads.

An inspection of the local roads was undertaken for the Capital Wind Farm development and they were shown to be suitable for the expected traffic associated with the wind farm project. The proponent has previously consulted with Palerang Council on requirements of access routes from existing public roads. Access to the substation is already established and would not require any further works.

The construction of the transmission line is generally well back from main or arterial roads, other than when the transmission line crosses over the unsealed Taylors Creek Road. **Clause 38 of the MLEP** refers to development along roads within Zone 1(a), this clause however refers specifically to the erection of buildings being greater than 50 m away from a public road. The line will pass sufficiently high over the road and would therefore have no impact on the use of the road. Palerang Council has agreed to the transmission line development and specified its requirements for the line and its crossing of Taylors Creek Road.

An assessment of traffic and transport issues and proposed mitigating measures is provided in Chapter 10.

Heritage provisions

Heritage items identified in Schedule 1 of the Mulwaree LEP are unlikely to be impacted by the construction of the transmission line. However, if an item of suspected Aboriginal or historic heritage is found during construction, works in the area will cease and an archaeologist will be consulted to determine the most appropriate course of action.

No further construction or earthworks is required at the substation, therefore no impacts on heritage issues is expected.

Details of heritage issues for the project, as amended, are summarised in Chapter 8.

Bushfire hazard provisions

Clause 33 of the Mulwaree LEP addresses land subject to bushfire hazard. It states that consent shall not be granted to the erection of a building on land that is considered to be a medium or high bush fire hazard unless items (a) to (e) of the Clauses are met. No buildings will be erected as part of the amended project therefore the requirements relating to bushfire hazard are not directly applicable.

The issue of bushfire risk associated with variations to the project are addressed in Section 12.5 of the SEE.

Tree clearing, environmentally sensitive land and vegetation protection provisions

Under Clause 41, Part 5(a)(vi), of the Mulwaree LEP the consent of Council is not required for clearing that is reasonably necessary for the carrying out of development for the purpose of a power line where the land cleared is not more than 30 m wide. No further construction or earthworks is required at the substation, therefore no vegetation clearing is expected.

The potential impacts on threatened species, endangered ecological communities and habitat for wildlife is addressed in Chapter 8 together with the measures to mitigate the impacts.



Flood hazard provisions

There are no specific flood hazard provisions in the Mulwaree LEP. Part 7 of Goulburn-Mulwaree LEP provides additional local provisions for "Flood planning land". This clause applies to land shown as "flood planning land" on the *Flood Planning Land Map*. The Woodlawn Wind Farm is not located within the "flood planning land", therefore the objectives of the clause are not applicable.

The bulk of the wind farm project is located on elevated ridges that are well drained and are not subject to flooding. Some parts of the access roads cross lower lying land where temporary flood hazard may occur associated with heavy rainfall events. Any instances of flood hazard would appear to relate to temporary flows in the generally ephemeral creeks where they cross the access tracks. The crossings will be designed to address this situation and it is considered that the project will not be adversely affected by flood hazard or that it would exacerbate the extent of flooding on lands surrounding the wind farm.

