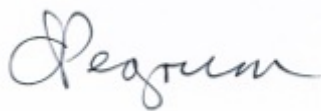


Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission modifies the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Annabelle Pegrum
Member of the Commission



Geoff Carmody
Member of the Commission



David Chessell
Member of the Commission

Sydney

29 June 2015

SCHEDULE 1

Project Approval 10_0135, granted on 1 November 2011 by the Planning Assessment Commission, as delegate of the Minister for Planning .

SCHEDULE 2

1. In the Schedule 1 DEFINITIONS:
 - (a) insert in alphabetical order:

“CCC Community Consultative Committee”; and
 - (b) in the ‘EA’ definition, after “14 January 2015”, insert the following:

“;and
modification application 10_0135 Mod 2, including supporting information submitted to the Department by the Proponent on 23 April 2014 and 17 October 2014, the Response to Submissions document dated 10 November 2014 and further information provided on 5 February 2015.”.
2. After condition A11 of Schedule 2, insert the following:

Revision of Strategies, Plans and Programs

A12. Within 3 months of:

 - (a) the submission of an audit report under condition F2; or
 - (b) any approved modification to the conditions of this approval, (unless the conditions require otherwise),

the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval.

Note: This condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.
3. Delete conditions C4 to C10 of Schedule 2, and replace with the following:

Bird and Bat Monitoring

C4. Prior to the commencement of construction, the Proponent shall prepare a Bird and Bat Adaptive Management Plan, to the satisfaction of the Secretary. The plan must:

- (a) be prepared in consultation with the OEH, by a suitably qualified expert whose appointment has been approved by the Secretary;
- (b) take into account the monitoring methods in the most recent versions of *AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia and Wind Farm and Birds: Interim Standards for Risk Assessment*;
- (c) include a baseline survey, which identifies the 'at risk' bird and bat species which use the site, paying particular attention to NSW and Commonwealth listed threatened and migratory species;
- (d) use data collected at Capital 1 and Woodlawn Wind Farm, to take into account the cumulative impacts of the project with these operations;
- (e) include mitigation measures and strategies to minimise impacts of the project on at risk bird and bat populations;
- (f) include a monitoring program for at risk bird and bat populations, which includes:
 - monitoring locations, measurement parameters, and monitoring frequency;
 - mortality risk assessments and bird and bat population utilisation surveys;
 - triggers for more intensive monitoring; and
 - triggers for reviewing the monitoring program;
- (g) evaluate and report on:
 - the results of the monitoring program;
 - the progress and success of the proposed mitigation measures and strategies; and
 - whether additional remedial actions are necessary to address the impacts of the project on threatened bird and bat populations .

The results of the monitoring program must be submitted to the Secretary and OEH annually for the first three years of operation, and if the Secretary determines that further reporting is required, at intervals directed by the Secretary thereafter.

The Proponent shall implement any additional reasonable and feasible mitigation measures, as directed in writing by the Secretary (including temporarily switching off specific turbines, if required), to minimise any significant impacts of the project on threatened bird and bat species.

Note: With the written approval of the Secretary, the Bird and Bat Adaptive Management Plan can be integrated with the similar plan for the Capital 1 Wind Farm.

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Community Information Plan

- C5. The Proponent shall prepare and implement a Community Information Plan, to the satisfaction of the Secretary. This plan must detail the consultation processes to be undertaken during the construction, operation and decommissioning of the project, and include:
- (a) procedures to inform the local community of all construction, operations and decommissioning activities;
 - (b) community complaints protocols, including:
 - a 24-hour complaints hotline; and
 - a detailed complaints register, which records the nature of the complaint and any action taken to address the complaint; and
 - (c) procedures to inform the community of their rights under this approval, including those relevant to visual impacts and electromagnetic interference.

Community Consultative Committee

- C6. The Proponent shall establish a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must:
- be established prior to the commencement of construction, unless otherwise agreed with the Secretary; and
 - have a membership and be operated in accordance with the procedures detailed in Appendix C of the draft *NSW Wind Farm Guidelines* (Department of Planning & Infrastructure 2011), or any update to this guideline.

Notes:

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the project complies with this approval.*
- *The CCC must comprise an independent Chair, and appropriate representation from the Proponent, Council, and the local community.*

Access to Information

C7. The Proponent shall, by 31 October 2015 unless otherwise agreed with the Secretary:

- (a) make the following publicly available on its website as is relevant to the stage of the project:
 - the EA;
 - the final infrastructure layout plans;
 - current statutory approvals for the project;
 - approved strategies, plans or programs required under the conditions of this approval;
 - a comprehensive summary of monitoring results reported under the approved plans, strategies and programs;
 - the complaints register;
 - minutes of CCC meetings;
 - any independent environmental audit report, and the Proponent's response to audit recommendations; and
 - (b) keep this information up to date, to the satisfaction of the Secretary.
4. In condition F2 of Schedule 2, delete "A1(a) to A1(f)", and replace with "A1".
 5. In condition G3, delete "of the project", and replace with "of any project-related turbine".