

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

Nicole Brewer
Director
Energy Assessments

Sydney

21 December 2023

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

SCHEDULE 1

Application Number: SSD 41743746

Applicant: Virya Energy Pty Ltd

Consent Authority: Minister for Planning and Public Spaces

Land: The land defined in Appendix 2

Development: Yanco Delta Wind Farm

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD 41743746-MOD-1	11 June 2024	Director, Energy Assessments	Correct turbine coordinates and mapping errors in Appendix 1

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DEFINITIONS

Ancillary infrastructure	All project infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices, electricity transmission lines, site compounds, communication cables (including control cables and earthing), wind monitoring masts and internal roads
Applicant	Virya Energy Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCS	Biodiversity Conservation and Science Group within the NSW DCCEEW
CASA	Civil Aviation Safety Authority
CEEC	Critically endangered ecological community, as defined under the BC Act or EPBC Act
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
Commissioning	The testing of the components, equipment and systems of the development following completion of construction, prior to operations commencing
Conditions of this consent	Conditions contained in schedules 1 to 2 inclusive
Construction	The construction of the development, including but not limited to, the carrying out of any earthworks on site and the construction of any ancillary infrastructure, but excludes road upgrades or maintenance works to the public road network, building/road dilapidation surveys, installation of fencing, artefact survey and/or salvage, overhead line safety marking and geotechnical drilling and/or survey
Councils	Murrumbidgee Council and Edward River Council
Crown Lands	The NSW Government agency responsible for managing Crown land
Curtilage	The land immediately surrounding a residence, including any courtyard, garden, yard and adjacent buildings or structures that are incidental to the residence
Decommissioning	The deconstruction and removal of wind turbines and above ground ancillary infrastructure
Department	Department of Planning, Housing and Infrastructure
Development	The development as described in the EIS, as modified by the conditions of this consent
Disturbance footprint	The area shown as such in the figures in Appendix 1
DPI Fisheries	NSW Department of Primary Industries Fisheries
EIS	The Environmental Impact Statement for Yanco Delta Wind Farm dated 6 November 2022, including: <ul style="list-style-type: none"> the Submissions Reports dated 21 August 2023; the Amendment Report dated 14 December 2023; the Applicant's Response to the Department's Requests for Information, dated 2 November 2023, 16 November 2023, 14 December 2023 and 19 December 2023; and the Modification Report dated 8 March 2024.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	Environment Protection Authority
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence issued under the POEO Act
Feasible	Means what is possible and practical to build or implement
Final Layout Plan	The plans submitted in accordance with condition C8
FRNSW	Fire and Rescue NSW

CONSOLIDATED CONSENT

GPS	Global Positioning System
Heavy vehicle	As defined under the Heavy Vehicle National Law (NSW), but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axles
High-risk heavy vehicle requiring escort	Any vehicle that is classified by TfNSW as 'High Risk' due to its dimensions and/or weight; or that travels on a 'High Risk' route; or that involves the transport of a 'Critical/Sensitive' load.
Heritage Act	<i>Heritage Act 1977</i>
Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following: the <i>National Parks and Wildlife Act 1974</i> , the State Heritage Register under the <i>Heritage Act 1977</i> , a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> , a Local Environmental Plan under the EP&A Act, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the EPBC Act 1999 (Cth), or anything identified as a heritage item under the conditions of this consent
Heritage NSW	Heritage NSW group within the NSW DCCEEW
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: "material harm" is defined in this consent</i>
Land	Has the same meaning as the definition of the term in section 1.4 the EP&A Act, except for where the term is used in the noise and air quality conditions in Schedule 2 of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
Landowner	Has the same meaning as "owner" in the <i>Local Government Act 1993</i> and in relation to a building means the owner of the building
Material harm	Is harm that: <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes "harm" that is authorised under either this consent or any other statutory approval
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	Minister for Planning and Public Spaces, or delegate
Mitigation	Activities associated with reducing the impacts of the development
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Non-associated residence	Means: <ul style="list-style-type: none"> a residence on privately-owned land in respect of which the owner has not reached an agreement with the Proponent in relation to the development (as provided by this consent); or a residence on privately-owned land in respect of which the owner has reached an agreement with the Proponent in relation to the development (as provided by this consent), but the agreement does not cover the relevant impact or the performance measure for such impact under that agreement has been exceeded.
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
Water Group	Water Group within the NSW DCCEEW

CONSOLIDATED CONSENT

Operation	The operation of the development, but does not include commissioning, trials of equipment or use of temporary facilities
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Privately-owned land	Land that is not owned by a public agency or publicly-owned commercial entity (or its subsidiary)
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels, etc.
RAAF	Royal Australian Air Force – Aeronautical Information Services
Radiocommunications	Radio emission, or the reception of radio emission, for the purposes of communicating information as defined under the <i>Radiocommunications Act 1992</i>
Reasonable	Reasonable related 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
Registered Aboriginal Parties	Aboriginal stakeholders registered for cultural heritage consultation for the development
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	Existing or approved dwelling at the date of grant of this consent
RFS	NSW Rural Fire Service
Shadow flicker	The flickering effect caused by the intermittent shading of the sun by the rotating blades of the wind turbines
Site	As indicated by the red line on the figures in Appendix 1 and listed in Appendix 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, rock crushing facilities, concrete or asphalt batching plants, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces.
TfNSW	Transport for New South Wales
Upgrades or upgrading	The replacement of wind turbines and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent
VPA	Voluntary Planning Agreement
Wind turbine	Turbines used for the generation of electricity by wind, including the tower, blades and associated components

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, commissioning, operation, upgrading, rehabilitation or decommissioning of the development.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS; and
 - (d) generally in accordance with the Development Layout in Appendix 1.
- A3. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:
- (a) any strategies, plans or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or (d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS ON CONSENT

Wind Turbines

- A5. A maximum of 208 wind turbines may be constructed and operated on the site.

Wind Turbine Height

- A6. The maximum permitted height of any wind turbine (measured from the above ground level to the blade tip height) is 270 metres.

Micro-siting restrictions

- A7. Wind turbines and ancillary infrastructure may be micro-sited without further approval providing:
- (a) the surface disturbance and location of the wind turbine and ancillary infrastructure remains within the disturbance footprint (with the exception of wind monitoring masts);
 - (b) the revised location of the blade of a wind turbine is at least 100 metres away from the canopy of existing native vegetation; or where the proposed location of the blade of a wind turbine is already within 100 metres of the canopy of existing native vegetation, the revised location is not any closer to the existing native vegetation and the revised location would not increase the turbines risk rating to bird and bat strike, as assigned in the finalised *Biodiversity Development Assessment Report*, (Revision 4, 16 October 2023);
 - (c) the wind monitoring masts are located within the disturbance footprint where reasonable and feasible and their development would not result in any non-compliance with the conditions of this consent.

Battery Storage

- A8. The battery storage associated with the development must not exceed a total delivery capacity of 800 megawatts.

Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modification application to increase the capacity of the battery storage facility in the future.

- A9. The battery storage associated with the development must not be co-located with the operation and maintenance facility associated with the development.

Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modification application to collocate the battery storage facility in the future.

UPGRADING OF WIND TURBINES AND ANCILLARY INFRASTRUCTURE

- A10. The Applicant may replace or upgrade the wind turbines and ancillary infrastructure on site provided these upgrades remain within the approved disturbance footprint.

Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

STRUCTURAL ADEQUACY

- A11. The Applicant must ensure that:

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

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

DEMOLITION

- A12. The Applicant must ensure that all demolition work on site is carried out in accordance with *Australian Standards AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A13. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

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

OPERATION OF PLANT AND EQUIPMENT

- A14. All plant and equipment used on site, or in connection with the development, must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

- A15. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A16. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

COMPLIANCE

- A17. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

EVIDENCE OF CONSULTATION

- A18. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

COMMUNITY ENHANCEMENT

- A19. Prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a VPA with Murrumbidgee Council and a VPA with Edward River Council in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) The terms of:
 - (i) Murrumbidgee Council letter dated 24 August 2023; and
 - (ii) Edward River Council letter dated 14 September 2023;
- which are summarised in Appendix 3.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

VISUAL

Visual Impact Mitigation

- B1. Within 5 years from the commencement of construction, the owner of any non-associated residence within 5.3 km of any wind turbine identified in the Final Layout Plan may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage). Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.

These mitigation measures must:

- (a) be reasonable and feasible;
- (b) be aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence;
- (c) consider bushfire risk (including the provisions of *Planning for Bushfire Protection 2019*); and
- (d) be implemented within 12 months of receiving the written request, unless the Planning Secretary agrees otherwise.

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

Notes:

- *To avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.*
- *The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While owners may ask for the implementation of visual impact measures shortly after the commencement of construction, it is recommended owners consider whether there is benefit in delaying such a request until the relevant wind turbines are visible from their residence or its curtilage.*

Visual Appearance

- B2. The Applicant must:
- (a) take all reasonable steps to minimise the off-site visual impacts of the development;
 - (b) ensure the wind turbines are:
 - (i) painted off white/grey, unless otherwise agreed by the Planning Secretary; and
 - (ii) finished with a surface treatment that minimises the potential for glare and reflection;
 - (c) ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape; and
 - (d) not mount any advertising signs or logos on wind turbines or ancillary infrastructure (except where required for safety or emergency purposes).

Lighting

- B3. The Applicant must:
- (a) consult with CASA and RFS regarding night time obstacle lighting requirements and, if required, ensure obstacle lights are energised during hours of darkness in accordance with CASA's recommendations;
 - (b) minimise the off-site lighting impacts of the development;
 - (c) ensure that any aviation hazard lighting complies with CASA's recommendations;
 - (d) minimise the visual impacts of any aviation lights by implementing measures including as appropriate in the circumstances:
 - (i) partial shielding of lights;
 - (ii) operating the lights only at night or during times of reduced visibility; and
 - (iii) turning the lights on and off simultaneously; and
 - (e) ensure that all external lighting associated with the development (apart from any aviation hazard lighting):
 - (i) is installed as low intensity lighting (except where required for safety or emergency purposes);
 - (ii) does not shine above the horizontal;
 - (iii) uses best management practices for bat deterrence; and

- (iv) complies with Australian/New Zealand Standard AS/NZS 4282:2019 – *Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

If there is a dispute about the need for aviation hazard lighting under B3(c), including which wind turbines are to be lit, then either party may refer the matter to the Planning Secretary for resolution.

Shadow Flicker

- B4. The Applicant must ensure that shadow flicker associated with wind turbines does not exceed 30 hours per annum at any non-associated residence.

NOISE AND VIBRATION

Construction Hours

- B5. Road upgrades, construction, demolition, upgrading or decommissioning activities (excluding blasting) may only be undertaken between:
 - (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays;

unless the Planning Secretary agrees otherwise.

Exceptions to Construction Hours

- B6. The following activities may be carried out outside the hours specified in condition B5 above:
 - (a) activities that are inaudible at non-associated residences;
 - (b) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or
 - (c) emergency work to avoid the loss of life, property or prevent material harm to the environment.

Variation of Construction Hours

- B7. The hours of construction activities specified in condition B5 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:
 - (a) considered on a case-by-case or activity-specific basis;
 - (b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
 - (c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been or will be undertaken;
 - (d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and
 - (e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECC, 2009), or latest version.

Construction and Decommissioning

- B8. The Applicant must take all reasonable steps to minimise the construction or decommissioning noise of the development, including any associated traffic noise.
- B9. The Applicant must ensure that the noise generated by any construction or decommissioning activities is managed in accordance with the requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009) (or its latest version).
- B10. The Applicant must comply with the following vibration limits:
 - (a) vibration criteria established using *the Assessing vibration: a technical guideline* (DEC, 2006) (for human exposure);
 - (b) BS 7385 Part 2-1993 "*Evaluation and measurement for vibration in buildings Part 2*" as they are "applicable to Australian conditions"; and
 - (c) vibration limits set out in the German Standard DIN 4150-3: Structural Vibration – effects of vibration on structures (for structural damage).

Blasting

- B11. Blasting may only be carried out on site between 9 am and 5 pm Monday to Friday and between 9 am to 1 pm on Saturday. No blasting is allowed on Sundays or NSW public holidays.
- B12. The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 1.

Table 1: Blasting Criteria

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

Operational Noise Criteria – Wind Turbines

- B13. The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the higher of 35 dB(A) or the existing background noise level (LA₉₀ (10-minute)) plus 5 dB(A) for each integer wind speed, measured at hub height, from cut-in to rated wind turbine generator power, at any non-associated residence.

Noise generated by the operation of the wind turbines is to be measured in accordance with the requirements of the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version). The noise generated by the operation of the wind turbines must also be adjusted for tonality and low frequency noise in accordance with the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version).

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

Operational Noise Criteria – Ancillary Infrastructure

- B14. The noise generated by the operation of ancillary infrastructure must not exceed 35 dB(A) L_{Aeq}(15 minute) at any non-associated residence.

Noise generated by the operation of ancillary infrastructure is to be measured in accordance with the relevant requirements of the *NSW Noise Policy for Industry* (2017) (or its equivalent).

Operational Noise Monitoring

- B15. Within 6 months of the commencement of operations (or the commencement of operation of a stage, if the development is to be staged), the Applicant must:
- (a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and
 - (b) submit a copy of the monitoring results to the Department and the EPA.
- B16. The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.

AIR

- B17. The Applicant must take all reasonable steps to:
- (a) minimise the off-site dust, fume and blast emissions of the development; and
 - (b) minimise the surface disturbance of the site.

SOIL AND WATER

Water Supply

- B18. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licenses before commencing any works which intercept or extract groundwater or surface water (unless an exemption applies).

Water Pollution

- B19. Unless an EPL authorises otherwise, the Applicant must comply with Section 120 of the POEO Act.

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

Operating Conditions

B20. The Applicant must:

- (a) locate stockpiles within the approved disturbance footprint;
- (b) minimise erosion and control sediment generation;
- (c) ensure the wind turbine pads, ancillary infrastructure, access roads and any other land disturbances have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with *Managing Urban Stormwater – Soils and Construction Volume 1* (Landcom, 2004) and *Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads* (DECC, 2008), or their latest versions;
- (d) design, construct and maintain any infrastructure within 40 metres of watercourses in accordance with the *Water Guidelines for Controlled Activities on Waterfront Land* (DPE, 2022), unless the Water Group agrees otherwise;
- (e) design, construct and maintain any watercourse crossings to comply with the *Policy and Guidelines for Fish Habitat Conservation and Management* (2013), unless otherwise agreed with DPI Fisheries;
- (f) implement procedures to identify and manage any potential acid sulfate soils in accordance with the NSW *Acid Sulfate Soil Guidelines* (Acid Sulfate Soils Management Advisory Committee, 1998);
- (g) design, construct and maintain an appropriate water management system at the concrete batching plants, substations, battery storage facility and operation and maintenance facility to prevent pollution; and
- (h) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.

Flooding

B21. The Applicant must design, construct and maintain the development in a manner that does not materially alter the flood storage capacity, flood flows or hydrological characteristics of the site or surrounds.

Soil and Water Management Plan

B22. Prior to the commencement of construction, the Applicant must prepare a Soil and Water Management Plan for the development. This plan must:

- (a) be prepared by a suitably qualified and experienced person/s;
- (b) include a description of the measures that would be implemented to achieve the objectives of condition B20 and condition B21;
- (c) include a program to monitor and report on the effectiveness of these measures; and
- (d) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

The Applicant must implement the Soil and Water Management Plan over the life of the development.

BIODIVERSITY

Vegetation Clearance

B23. The Applicant must not clear any native vegetation or fauna habitat located outside the disturbance footprint.

Restrictions on Clearing and Habitat

B24. Unless the Planning Secretary agrees otherwise, the Applicant must:

- (a) ensure that the vegetation and habitat clearing limits specified in Tables 1, 2 and 3 of Appendix 4 are not exceeded;
- (b) locate permanent wind monitoring masts within areas that do not require clearing of any native vegetation; and
- (c) minimise:
 - (i) the clearing of native vegetation and key habitat;
 - (ii) the impacts of the development on nest trees and hollow-bearing trees; and
 - (iii) the impacts of the development on threatened bird and bat populations.

Biodiversity Offsets

- B25. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 1, 2 and 3 of Appendix 4, unless the Planning Secretary agrees otherwise.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Scheme* and can be achieved by:

- (a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
 - (b) making payments into an offset fund that has been developed by the NSW Government; or
 - (c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.
- B26. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.

Biodiversity Management Plan

- B27. Prior to carrying out any development that could impact biodiversity values, unless the Planning Secretary agrees otherwise, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced biodiversity expert/s in consultation with BCS and the Commonwealth Department of Climate Change, Energy, the Environment and Water;
 - (a) be prepared in accordance with the *Biodiversity Development Assessment Report* (Revision 4, 16 October 2023);
 - (b) include a description of the measures that would be implemented for:
 - (i) meeting the biodiversity mitigation requirements in conditions B23 and B24;
 - (ii) minimising the impacts on fauna, including measures to minimise the impacts of the development on fauna movements across the landscape and minimise the risk of vehicle strike;
 - (iii) minimising the potential indirect impacts on threatened flora and fauna species, migratory species and 'at risk' species;
 - (iv) implementing fauna management protocols, including undertaking pre-clearance surveys;
 - (v) avoiding and minimising impacts on Serious and Irreversible Impact entities;
 - (vi) protecting native vegetation and key fauna habitat outside the approved disturbance footprint;
 - (vii) construction clearing and operation vegetation management protocols;
 - (viii) rehabilitating and restoring disturbance areas to pre-existing conditions;
 - (ix) maximising the salvage of resources within the approved disturbance footprint – including vegetative and soil resources – for beneficial reuse (such as fauna habitat enhancement) during the rehabilitation and revegetation of the site;
 - (x) proactively controlling weeds, feral pests and pathogens;
 - (xi) controlling erosion;
 - (xii) bushfire management;
 - (c) include a detailed program to monitor and report on the effectiveness of these measures;
 - (d) identify potential risks to the successful implementation of these measures, and include a description of the contingency measures to be implemented to mitigate against these risks;
 - (e) include details of who would be responsible for monitoring, reviewing and implementing the plan.

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

Bird and Bat Adaptive Management Plan

- B28. Prior to the commencement of construction, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must be prepared in accordance with the *Biodiversity Development Assessment Report* (Revision 4, 16 October 2023) and include:
- (a) at least 24 months' worth of baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could be affected by the development, including 12 months of baseline bat survey data completed at a height that captures bat activity within the rotor swept area;

- (b) an updated turbine risk assessment based on the results of the baseline survey data required by condition B28(a) to identify high-risk locations for bird and bat strike and a description of the proposed avoidance or minimisation measures to be implemented for any high and very high-risk category turbines including but not limited to the curtailment of turbines;
- (c) a detailed description of other measures that would be implemented on site for avoiding and minimising bird and bat strike during operation of the development, including:
 - (i) a wind turbine curtailment strategy (if required);
 - (ii) minimising the impacts of wind turbines on waterbird flight paths and regional movement flight paths;
 - (iii) minimising the availability of raptor perches on wind turbines;
 - (iv) prompt carcass removal;
 - (v) controlling pests; and
 - (vi) using best practice methods for bat deterrence, including managing potential lighting impacts;
- (d) specific thresholds for unacceptable adverse impacts to 'at risk' bird and bat species;
- (e) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird and/or bat species or populations, including:
 - (i) a trigger action response plan to minimise potential impacts of the project, including triggers for the implementation of additional avoidance or mitigation measures such as wind turbine curtailment;
 - (ii) the implementation of measures to:
 - reduce the mortality of those species or populations; or
 - enhance and propagate those species or populations in the locality, where feasible; and
- (f) a detailed program to monitor and report on:
 - (i) the effectiveness of these measures; and
 - (ii) any bird and bat strike on site;
- (g) a process for offsetting unacceptable residual impacts of blade strike to threatened and non-threatened species;
- (h) provisions for a copy of all raw data collected as part of the monitoring program to be submitted to BCS and the Planning Secretary.

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

HERITAGE

Protection of Heritage Items

B29. The Applicant must:

- (a) ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 5, any hearth feature identified in Table 1 or Table 2 of Appendix 5 and any items located outside the disturbance footprint;
- (b) implement all reasonable and feasible measures to avoid and minimise harm to Aboriginal heritage items identified in Table 2 of Appendix 5; and
- (c) salvage and relocate the item/s that would be impacted to a suitable alternative location, in accordance with the *Heritage Management Plan* required by condition B31.

Additional Heritage Survey

B30. Prior to commencing construction, the Applicant must undertake an additional Aboriginal cultural heritage survey and test excavations to the satisfaction of the Planning Secretary. These must:

- (a) be undertaken by a suitably qualified heritage specialist;
- (b) be designed in consultation with Heritage NSW and the Registered Aboriginal Parties;
- (c) be undertaken in accordance with any relevant guidelines and standards prepared by Heritage NSW;
- (d) include surveys that are undertaken in areas of high and moderate archaeological potential within the disturbance footprint that were not subject to survey prior to development consent and analyse heritage sites, objects and items identified during the surveys;
- (e) include test and salvage excavation that:
 - (i) is undertaken within all sites and areas of Potential Archaeological Deposit identified within the site and that are subject to impact by the development;

- (ii) includes a specific test and salvage excavation methodology that clearly describes the location and specific approach to be undertaken to complete test excavations and the proposed criteria to identify the need for site avoidance and conservation or a requirement to undertake additional salvage excavation and the specific methodology for the completion of any such salvage excavation; and
- (f) identify sites to be protected and remain in-situ throughout construction and sites that would be salvaged and relocated to suitable alternative locations with consideration of avoidance of harm and/or additional consultation with Heritage NSW regarding the management of sites identified during additional survey or test excavations that exceed the level of significance identified in the project Aboriginal Cultural Heritage Assessment Report;
- (g) provide further evaluation of the archaeological potential of the site that considers the entirety of the disturbance footprint, including any areas of redesign and the outcomes of the requirements in condition B30(a)-(f).

Heritage Management Plan

- B31. Prior to carrying out any development that could directly or indirectly impact the heritage items identified in condition B29 or B30, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person;
 - (b) be prepared in consultation with Registered Aboriginal Parties and reviewed by Heritage NSW;
 - (c) provide an updated list of Aboriginal heritage items identified in condition B29 that would be protected and remain in-situ throughout construction and items that would be salvaged and relocated to suitable alternative locations including the outcomes of the surveys and excavation in condition B30;
 - (d) include a justification where impacts to Aboriginal heritage items identified in condition B29(b) cannot be avoided;
 - (e) report on the outcomes of the surveys and test excavations required in condition B30;
 - (f) include a description of the measures that would be implemented for:
 - (i) protecting heritage items in accordance with condition B29, including the protection of hearth features located within the disturbance footprint;
 - (ii) protecting sites assessed to be of local heritage significance within the site;
 - (iii) minimising visual impacts of the project at sites assessed to be of heritage significance, including appropriate mitigation measures (such as landscaping and vegetation screening);
 - (iv) minimising and managing the impacts of the development on Aboriginal heritage items identified in condition B29(b) which cannot be avoided, including the outcomes of the surveys and excavation in conditions B30;
 - salvaging and relocating items to suitable alternative locations; and
 - a strategy for the long-term management of any Aboriginal items or material or historic heritage items or material collected during the excavations and salvage works;
 - (v) a contingency plan and reporting procedure if:
 - heritage items outside the approved disturbance footprint are damaged;
 - previously unidentified heritage items are found; or
 - skeletal material is discovered;
 - (vi) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
 - (vii) ongoing consultation with Registered Aboriginal Parties and Heritage NSW during the implementation and any subsequent review of the plan; and
 - (g) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

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

TRANSPORT

Access and Transport Route

- B32. All high-risk heavy vehicles requiring escort associated with the development must utilise the route identified as the 'Approved OSOM route' and 'Proposed Project OSOM route' in the figure in Appendix 6, when travelling to and from the site within New South Wales.

B33. Unless the Planning Secretary agrees otherwise, all vehicles associated with the development must access to and from the site via the site access point on Liddles Lane and:

- (a) for all light and heavy vehicles, except high-risk heavy vehicles requiring escort, using the intersection of Kidman Way and Liddles Lane, or Kidman Way and Jerrys Lane;
- (b) for all high-risk heavy vehicles requiring escort, using the intersection of Kidman Way and Jerrys Lane only;

as identified in the figure in Appendix 6.

Note:

- *The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.*
- *To avoid any doubt, this consent does not authorise the use of Jerrys Lane, between Liddles Lane and Wilsons Road, or use of any other intersections or access points off Kidman Way to access the site or proposed transmission line, including the intersections of Kidman Way and McLennons Bore Road or Kidman Way and Cadell Road.*

Road Upgrades

B34. Prior to commencing the development, the Applicant must:

- (a) provide an updated Strategic Concept Design for the intersection upgrades required for the Liddles Lane / Kidman Way intersection and Jerrys Lane / Kidman Way intersection identified in Appendix 6, to the satisfaction of TfNSW;
- (b) ensure the updated Strategic Concept Design meets the requirements set out in Appendix 7; and
- (c) provide written confirmation to the Planning Secretary that the footprint of the updated Strategic Concept Design is no greater than assessed in the EIS and can be accommodated within the schedule of lands approved for the development.

B35. Unless the Planning Secretary agrees otherwise, the Applicant must implement the road upgrades identified in Appendix 6 in accordance with the relevant timing requirements, to the satisfaction of the relevant roads authority and TfNSW.

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

Road Upgrades: High-risk Heavy Vehicles Requiring Escort

B36. Prior to the use of high-risk heavy vehicles requiring escort on the public road network, all relevant approvals must be obtained and implemented (including for any road upgrades that may be required from point of origin to the NSW border).

Road Maintenance

B37. The Applicant must:

- (a) undertake an independent dilapidation survey to assess the existing condition of the sections of Jerrys Lane, Liddles Lane, Wilson Road, Moonbria Road, McLennons Bore Road and Cadell Road utilised by the development, prior to construction, upgrading and decommissioning works; and
- (b) undertake an independent dilapidation survey one month following completion of construction, upgrading and decommissioning works to assess the condition of the roads listed in condition B37(a) and describe the necessary repairs to return the route to a condition that is equivalent to, or better than, the existing condition identified in B37(a); and
- (c) repair and/or make good any development-related damage identified during:
 - (i) the carrying out of the relevant construction and/or decommissioning works if it could endanger road safety, as soon as possible after the damage is identified but within 7 days at the latest; and
 - (ii) any dilapidation surveys carried out following the completion of the relevant construction, upgrading and/or decommissioning works within 2 months of the completion of the survey, unless the relevant road authority agrees otherwise;

in consultation with and to the satisfaction of the relevant roads authority.

If there is a dispute between the Applicant and the relevant Council about the repair of the above listed roads, then either party may refer the matter to the Planning Secretary for resolution.

Operating Conditions

B38. The Applicant must ensure:

- (a) any new internal roads are constructed as all-weather roads;

- (b) any existing internal roads utilised for the development are maintained as all-weather roads;
- (c) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
- (d) the capacity of the existing roadside drainage network is not reduced;
- (e) any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with Crown Lands;
- (f) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
- (g) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.

Traffic Management Plan

B39. Prior to commencing road upgrades identified in condition B35, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Councils, and to the satisfaction of the Planning Secretary. This plan must include:

- (a) details of the approved transport route to be used for all development-related traffic;
- (b) a detailed route assessment for high-risk heavy vehicles requiring escort. The assessment must demonstrate that any recommended road upgrades arising from the detailed route assessment are consistent with the scope of road upgrades approved for the development;
- (c) details of the road upgrade works required by condition B35 of this consent;
- (d) details of any additional road upgrades required following confirmation of the vehicle types and dimensions to be utilised for the development and the detailed route assessment required by condition B39(b);
- (e) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - (i) details of the dilapidation surveys required by condition B37;
 - (ii) meeting the operating conditions required by condition B38;
 - (iii) temporary traffic controls, including detours and signage;
 - (iv) notifying the local community about development-related traffic impacts;
 - (v) specific safety measures to address heavy and over-dimensional vehicles passing through Jerilderie Street;
 - (vi) procedures for receiving and addressing complaints from the community about development-related traffic;
 - (vii) minimising potential cumulative traffic impacts with other projects along the access route;
 - (viii) minimising potential conflict with rail services, stock movements, school buses and other road users as far as practicable, including preventing queuing on the public road network;
 - (ix) minimising dirt/debris tracked onto the public road network from development-related traffic;
 - (x) details of the employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to ensure employee use of this service as described in the EIS;
 - (xi) measures for managing light vehicle peak numbers, including car-pooling or ride sharing by employees;
 - (xii) scheduling of haulage vehicle movements to minimise convoy lengths or platoons, and to minimise conflict with light vehicles;
 - (xiii) responding to local climate conditions that may affect road safety such as fog, dust, wet weather, snow, ice and flooding;
 - (xiv) ensuring loaded vehicles entering or leaving the site have their loads covered or contained;
 - (xv) responding to any emergency repair or maintenance requirements;
 - (xvi) a traffic management system for managing high-risk heavy vehicles requiring escort; and
- (f) a drivers code of conduct that addresses:
 - (i) driver fatigue;
 - (ii) procedures to ensure that drivers to and from the development adhere to the designated transport routes and speed limits;
 - (iii) procedures to ensure that drivers implement safe driving practices; and
- (g) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct.

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

AVIATION

Mitigation of Aviation-Related Impacts

- B40. The Applicant must carry out the development in accordance with the *National Airports Safeguarding Framework Guideline D: Managing the Risk to Aviation Safety of Wind Turbine Installations (Wind Farms)/Wind Monitoring Towers*; or its latest version, unless the Planning Secretary agrees otherwise.

Notification of Aviation Authorities and Operators

- B41. Prior to the construction of a wind turbine or wind monitoring mast, the Applicant must:
- (a) provide the following information to CASA, Airservices Australia, Australian Department of Defence and the RAAF (together the authorities):
 - (i) co-ordinates in latitude and longitude of each wind turbine and mast;
 - (ii) the final height of each wind turbine and mast in Australian Height Datum;
 - (iii) ground level at the base of each wind turbine and mast in Australian Height Datum;
 - (iv) confirmation of compliance with any Obstacle Limitation Surface;
 - (v) details of any proposed aviation hazard lighting; and
 - (b) consult with the authorities, local aerodrome owners/operators and local aerial agricultural operators regarding changes to the lowest safe altitude (LSAT) resulting from the development.
- B42. Within 30 days of the practical completion of any wind turbine or mast, the Applicant must:
- (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or
 - (b) update the information previously provided.

RADIOCOMMUNICATIONS

- B43. If the development results in the disruption to any radio communications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services as soon as possible following the disruption, but no later than 1 month following the disruption of the service unless the relevant service provider or user or Planning Secretary agrees otherwise.

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

HAZARDS

Fire Safety Study

- B44. Prior to commencing construction of the battery storage facility, the Applicant must prepare a Fire Safety Study for the battery storage, to the satisfaction of the Planning Secretary and meet the requirements of FRNSW. The study must:
- (a) be consistent with the Department's Hazardous Industry Planning and Advisory Paper No. 2 'Fire Safety Study' guideline;
 - (b) describe the final design of the battery storage facility;
 - (c) include reasonable worst-case fire scenario to and from the battery storage and the associated fire management;
 - (d) identify measures to eliminate the expansion of any fire incident, including:
 - (i) adequate fire safety systems and appropriate water supply;
 - (ii) separation and/or compartmentalisation of battery units; and
 - (iii) strategies and incident control measures specific to the battery storage facility design.

Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.

Note: to 'meet the requirements of FRNSW' above means confirmation in writing from FRNSW that the Study meets the requirements of FRNSW as required by the Department's Hazardous Industry Planning and Advisory Paper No. 2 'Fire Safety Study' guideline.

Storage and Handling of Dangerous Goods

- B45. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.

In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Electric and Magnetic Fields

- B46. The Applicant must ensure that the design, construction and operation of the development is managed to comply with the applicable electric and magnetic fields (EMF) limits in the *International Commission on Nonionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to time-varying electric and magnetic fields (1Hz – 100kHz)* (ICNIRP, 2010).

Operating Conditions

- B47. The Applicant must:
- (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
 - (b) ensure that the development:
 - (i) complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire protection 2019* (or equivalent) and Standards for Asset Protection Zones;
 - (ii) is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to an internal access road;
 - (c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - (d) notify the relevant local emergency management committee following construction of the development, and prior to commencing operations.

Emergency Plan

- B48. Prior to commencing construction of the wind farm and commissioning of the battery energy storage system, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, in consultation with RFS and the NSW State Emergency Service, and provide a copy of the plan to the local Fire Control Centre. The Applicant must keep two copies of the plan on-site in a prominent position at the operation and maintenance facility, primary substation and battery storage facility at all times. The plan must:
- (a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's *Planning for Bushfire Protection 2019* (or equivalent);
 - (b) be prepared in accordance with the Fire Safety Study required under condition B44;
 - (c) include details on how the battery storage and sub-systems can be safely isolated in an emergency;
 - (d) include procedures for the storage and maintenance of any flammable materials;
 - (e) include bushfire emergency management planning, including:
 - (i) details of the location, management and maintenance of the Asset Protection Zone and on-site water supply tanks;
 - (ii) a list of works that should not be carried out during a total fire ban;
 - (iii) details of the access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;
 - (iv) details of how RFS would be notified, and procedures that would be implemented, in the event that:
 - there is a fire on-site or in the vicinity of the site;
 - there are any activities on site that would have the potential to ignite surrounding vegetation; or
 - there are any proposed activities to be carried out during a bushfire danger period;
 - (f) include operational procedures in the event of bushfires, such as shutting down turbines and the positioning of turbine blades to minimise interference with aerial firefighting operations.
 - (g) an Emergency Services Information Package in accordance with *Emergency Services information and tactical fire plan* (FRNSW, 2019) to the satisfaction of FRNSW and RFS; and

- (h) include a flood emergency response plan.

WASTE

B49. The Applicant must:

- (a) minimise the waste generated by the development;
- (b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
- (c) store and handle all waste generated on site in accordance with its classification;
- (d) not receive or dispose of any waste on site; and
- (e) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal.

ACCOMMODATION AND EMPLOYMENT STRATEGY

B50. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Murrumbidgee Council and Edward River Council and to the satisfaction of the Planning Secretary. This strategy must:

- (a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development;
- (b) consider the cumulative impacts associated with other State significant development projects in the area;
- (c) include strategies to minimise impacts on short-term accommodation during periods of high demand for season agricultural workers and peak tourism;
- (d) include a contingency plan for periods of limited accommodation availability;
- (e) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and
- (f) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.

Following the Planning Secretary's approval, the Applicant must implement the Accommodation and Employment Strategy.

DECOMMISSIONING AND REHABILITATION

Rehabilitation Objectives – Decommissioning

- B51. Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 2.

Table 2: Rehabilitation Objectives

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

Progressive Rehabilitation

- B52. The Applicant must:
- rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning;
 - minimise the total area exposed at any time; and
 - where it is not possible to carry out measures for permanent rehabilitation, employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion until such time that it is.

Dismantling of Wind Turbines

- B53. Any individual wind turbines which cease operating for more than 12 consecutive months must be dismantled within 18 months after that 12 month period, unless the Planning Secretary agrees otherwise.

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- C1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) set out the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (e) include:
 - (vi) reference to any strategies, plans and programs approved under the conditions of this consent or proposed by the Applicant in the EIS; and
 - (vii) a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this consent.

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

Revision of Strategies, Plans and Programs

- C2. The Applicant must:
- (a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 3 months of the:
 - (i) submission of an incident report under condition C10 of Schedule 2;
 - (ii) submission of an audit report under condition C14 of Schedule 2; or
 - (iii) any modification to the conditions of this consent.

Staging, Combining and Updating Strategies, Plans or Programs

- C3. With the approval of the Planning Secretary, the development may be staged and the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- C4. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- C5. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.
- C6. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

NOTIFICATIONS**Notification to the Department**

- C7. At least two weeks prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing via the Major Projects website of the date of commencement, or cessation, of the relevant phase.

If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing at least two weeks prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

Final Layout Plans

- C8. Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Planning Secretary via the Major Projects website, to the satisfaction of the Planning Secretary. The plans must include:
- (a) a comparison of the approved layout and the final layout;
 - (b) a comparison of the approved disturbance footprint and the final disturbance footprint, and demonstrate that the final disturbance footprint does not exceed the clearing limits specified in Tables 1, 2 and 3 of Appendix 4;
 - (c) details on siting of wind turbines, including micro-siting of any wind turbines and/or ancillary infrastructure (including wind monitoring masts); and
 - (d) the GPS coordinates of the wind turbines.

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

Work as Executed Plans

- C9. Prior to commencing operations or following the upgrades of any wind turbines or ancillary infrastructure, the Applicant must submit work as executed plans of the development and showing comparison to the final layout plans to the Planning Secretary, via the Major Projects website.

Incident Notification

- C10. The Applicant must notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Major Projects website and must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

Non-Compliance Notification

- C11. Within seven days of becoming aware of a non-compliance with the conditions of this consent, the Applicant must notify the Department of the non-compliance via the Major Projects website.
- C12. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- C14. Independent Audits of the development must be conducted and carried out at the frequency and in accordance with the *Independent Audit Post Approval Requirements* (2020) to the following frequency:
- (a) within 3 months of commencing construction; and
 - (b) within 3 months of commencement of operations.
- C15. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- C16. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition C14 of Schedule 2 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.

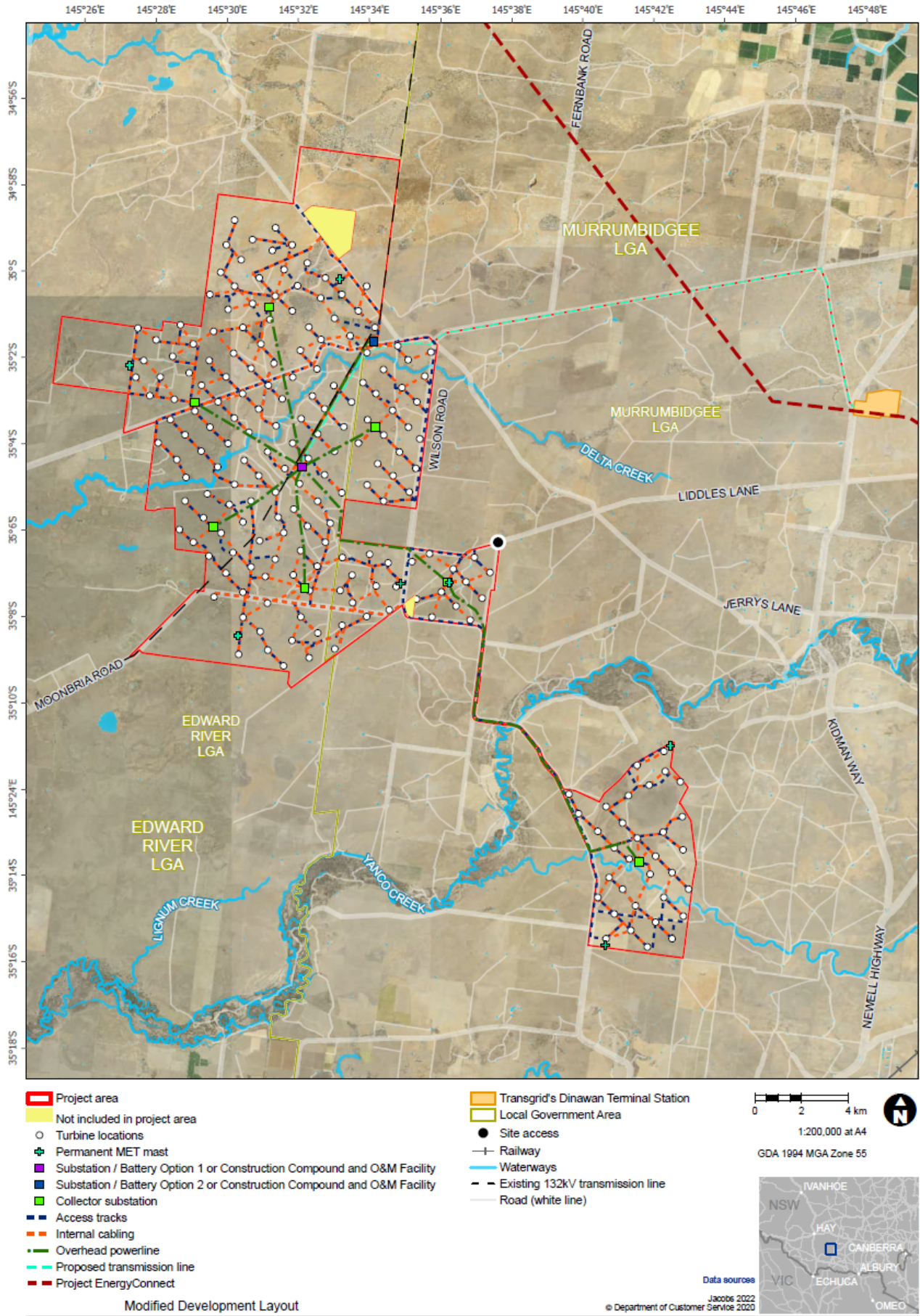
CONSOLIDATED CONSENT

- C17. In accordance with the requirements in the *Independent Audit Post Approval Requirements* (2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under the conditions of this consent;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- C18. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approval Requirements* (2020) unless otherwise agreed by the Planning Secretary.
- C19. Notwithstanding the requirements of the *Independent Audit Post Approval Requirements* (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

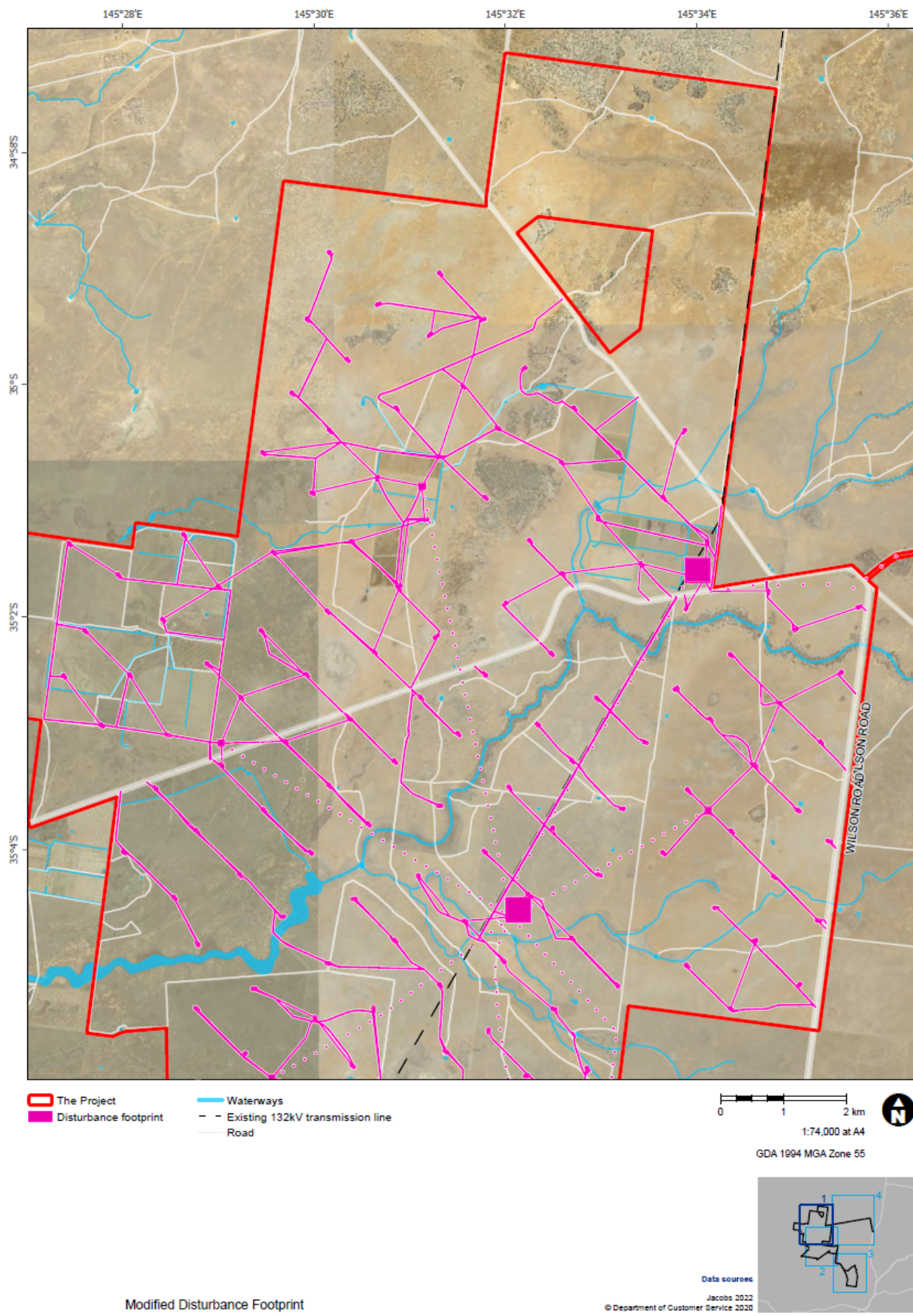
ACCESS TO INFORMATION

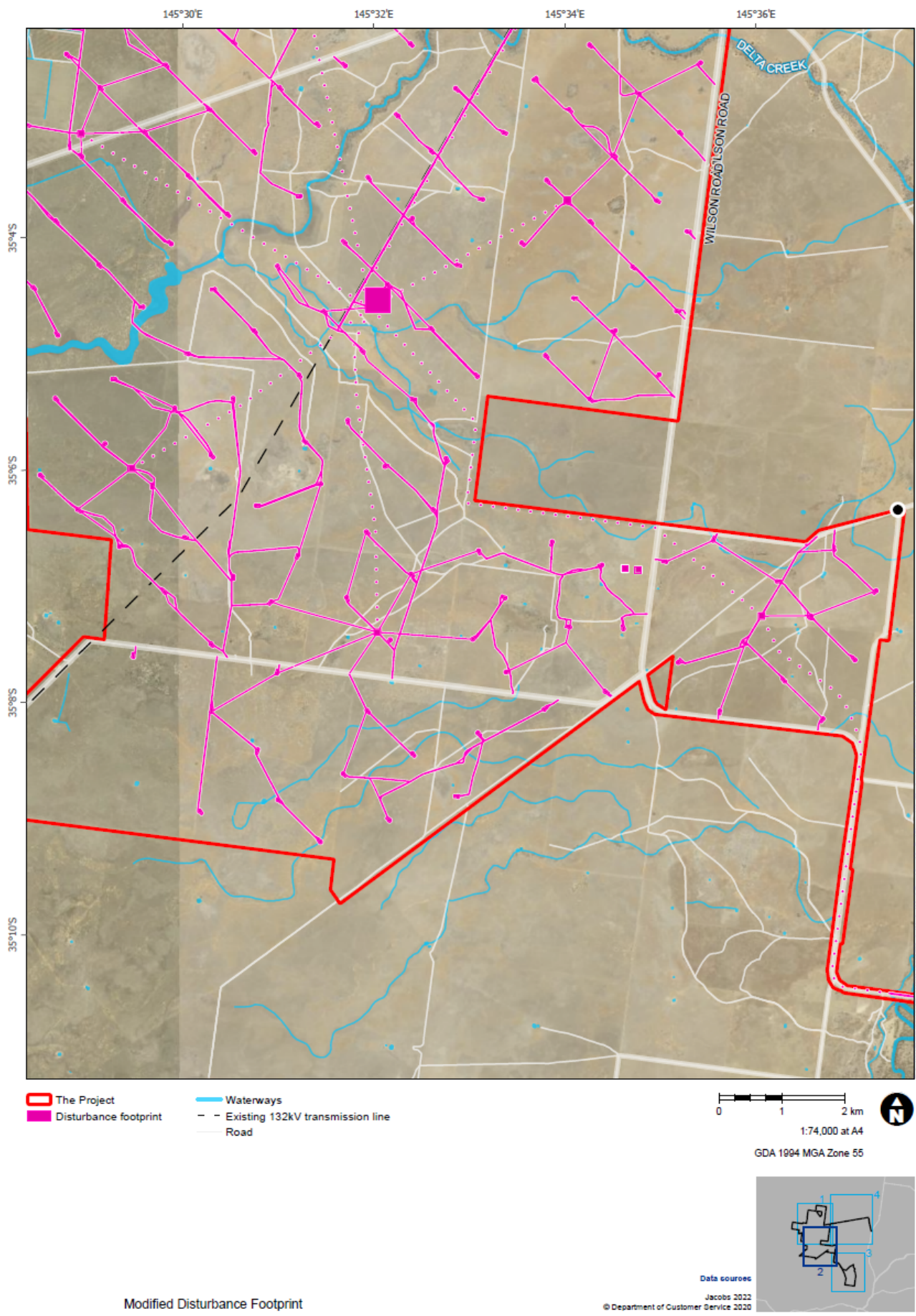
- C20. The Applicant must:
- (a) make the following information publicly available on its website as relevant to the stage of the development:
 - (i) the EIS;
 - (ii) the final layout plans of the development;
 - (iii) current statutory approvals for the development;
 - (iv) approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan);
 - (v) the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
 - (vi) a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - (vii) how complaints about the development can be made;
 - (viii) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - (ix) any other matter required by the Planning Secretary; and
 - (b) keep this information up to date.

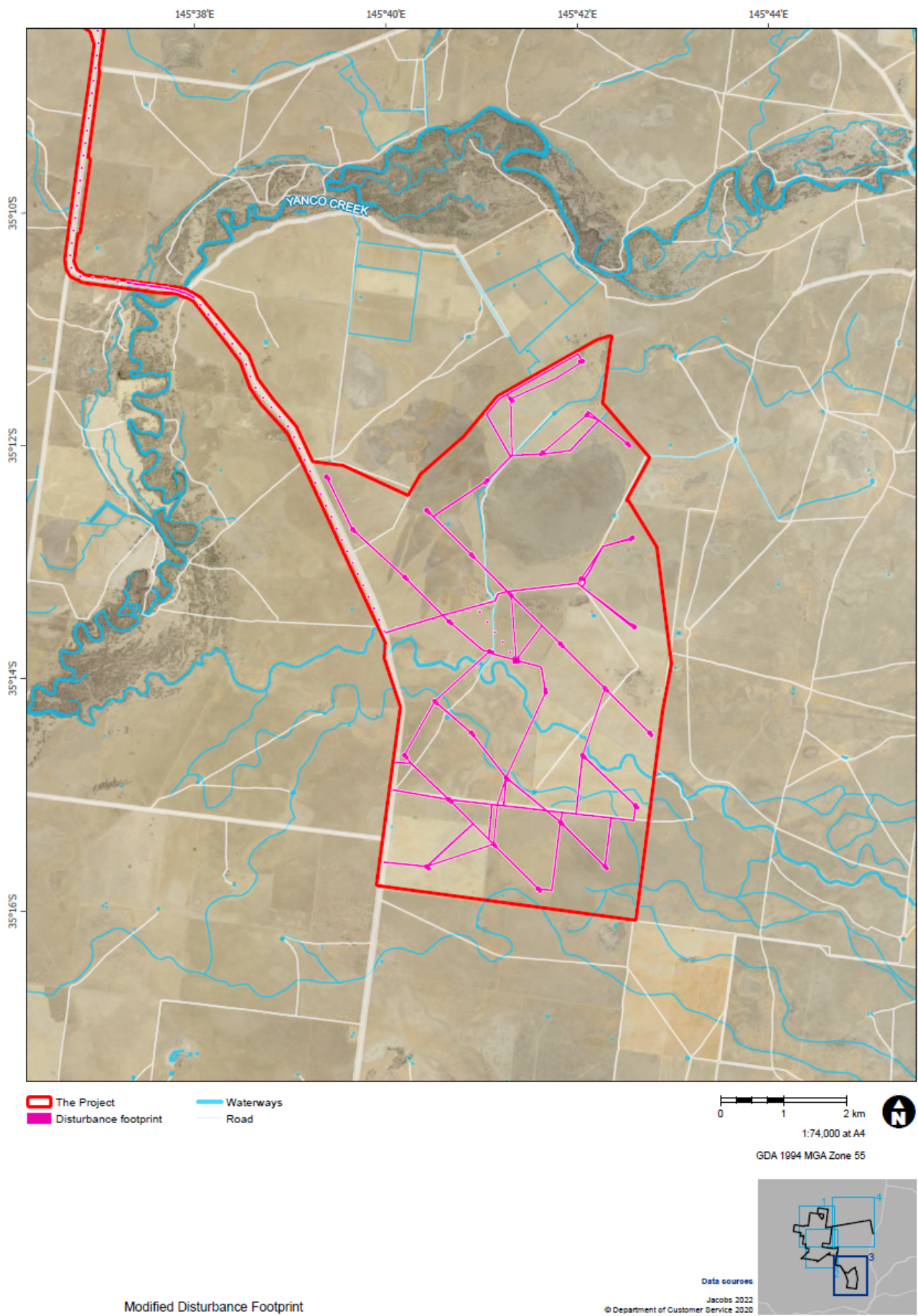
APPENDIX 1:
Development Layout



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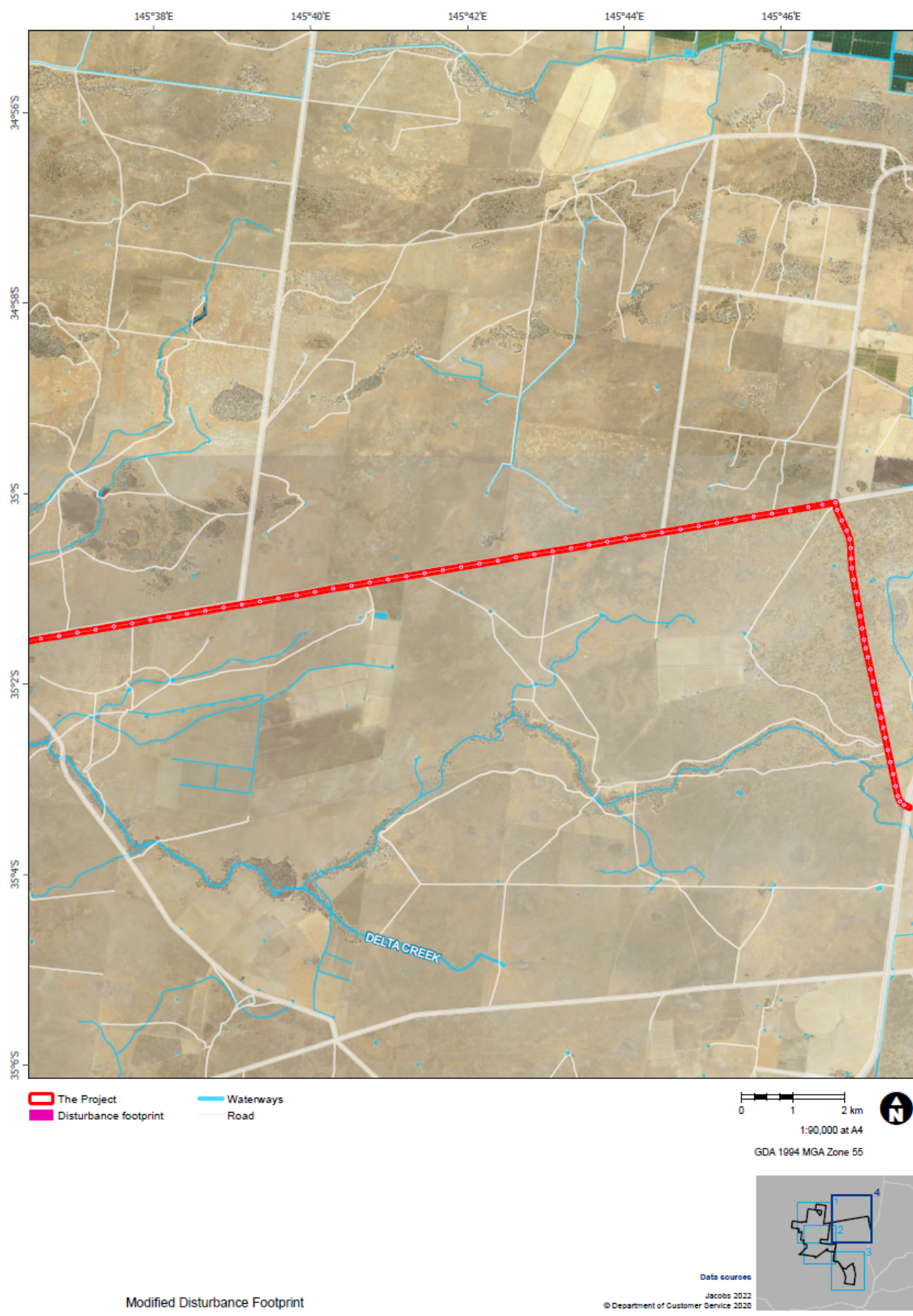


Table 1: Wind turbine locations

Wind Turbine No.	Easting	Northing	Wind Turbine No.	Easting	Northing
W-001	363275.8671	6127964.023	W-037	366977.414	6122855.821
W-002	364042.7433	6127128.53	W-038	368225.8926	6123014.336
W-003	365030.4799	6127635.52	W-039	369286.4518	6123367.344
W-004	362922.3026	6126903.268	W-040	359133.8585	6123339.452
W-005	363557.2222	6126268.232	W-041	360957.5771	6123479.867
W-006	364893.3994	6126661.698	W-042	359917.2314	6122837.606
W-007	365742.5796	6126901.024	W-043	361508.1596	6122660.783
W-008	366390.4465	6126127.001	W-044	359387.0769	6121953.906
W-009	363276.0511	6125135.775	W-045	360624.2801	6122130.504
W-010	362681.2293	6125730.062	W-046	359045.1813	6121235.252
W-011	364336.6946	6125489.486	W-047	360094.1127	6121246.64
W-012	365397.2404	6125842.9	W-048	361331.4099	6121423.645
W-013	362215.1958	6124782.11	W-049	359644.1898	6120449.103
W-014	362998.4945	6124141.311	W-050	360695.3263	6120291.698
W-015	364045.6421	6124388.864	W-051	360525.7572	6119425.148
W-016	365018.5807	6124713.272	W-052	361577.4484	6119788.107
W-017	365974.1045	6125153.099	W-053	362568.9635	6120185.707
W-018	367165.2722	6125489.073	W-054	363617.7838	6120533.61
W-019	362375.7586	6123201.559	W-055	360003.7715	6118429.953
W-020	363630.111	6123368.031	W-056	361155.0233	6118771.809
W-021	364790.6848	6123708.248	W-057	362223.9093	6119100.299
W-022	365750.8542	6124074.95	W-058	363265.723	6119489.444
W-023	366964.2703	6124626.386	W-059	364309.2027	6119874.568
W-024	367872.1124	6124781.896	W-060	360801.1012	6117711.083
W-025	368932.8314	6125135.719	W-061	361847.9707	6118072.312
W-026	362191.0273	6121953.312	W-062	362998.8798	6118401.917
W-027	363235.157	6122264.033	W-063	363889.9232	6118879.003
W-028	364404.6701	6122660.295	W-064	361195.4825	6116947.079
W-029	366457.5728	6123382.411	W-065	362551.0244	6117398.829
W-030	367554.7071	6123757.96	W-066	363690.6497	6117678.319
W-031	368579.2396	6124074.996	W-067	363276.3126	6116650.213
W-032	361861.9636	6120893.192	W-068	364315.1625	6117023.318
W-033	362909.4011	6121252.528	W-069	365028.3854	6116320.004
W-034	363987.3014	6121618.712	W-070	365144.9013	6115240.98
W-035	364964.0361	6121834.483	W-071	365379.5251	6114581.049
W-036	366091.1989	6122386.054	W-072	364349.4972	6114236.82

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<i>Wind Turbine No.</i>	<i>Easting</i>	<i>Northing</i>	<i>Wind Turbine No.</i>	<i>Easting</i>	<i>Northing</i>
W-073	364723.8573	6120890.225	W-111	370261.3804	6122580.713
W-074	365767.4946	6121236.109	W-112	370713.2555	6121980.718
W-075	366805.6758	6121588.618	W-113	371684.2793	6122312.463
W-076	365318.3924	6120311.342	W-114	368773.189	6121009.083
W-077	366610.914	6120435.631	W-115	369654.8097	6121569.673
W-078	367525.6017	6120878.197	W-116	371423.352	6121285.51
W-079	365053.767	6119159.105	W-117	369331.2766	6120538.936
W-080	366130.3006	6119463.232	W-118	370446.2753	6120791.511
W-081	367131.9724	6119884.544	W-119	368971.3755	6119417.735
W-082	368287.2161	6120177.377	W-120	370042.9072	6119819.713
W-083	364690.1343	6118048.832	W-121	371085.3099	6120181.295
W-084	365763.5134	6118415.957	W-122	368578.0988	6118417.817
W-085	366835.3169	6118809.765	W-123	369667.5473	6118761.276
W-086	367954.9215	6119112.17	W-124	370720.4939	6119095.081
W-087	365425.3535	6117329.032	W-126	369403.9271	6117536.794
W-088	366435.1621	6117764.702	W-127	370338.4681	6118036.469
W-089	367553.4204	6118065.623	W-128	371206.7497	6118600.259
W-090	366058.0331	6116679.719	W-129	368953.731	6116627.161
W-091	367129.6954	6117060.153	W-130	370064.7974	6117022.787
W-092	367870.0678	6116292.989	W-131	371037.981	6117335.235
W-093	366832.1859	6115931.422	W-132	369660.1026	6115937.305
W-094	365809.9518	6115594.052	W-133	370763.3268	6116322.992
W-095	367372.7095	6114987.627	W-134	361154.6423	6115943.391
W-096	366399.71	6114859.744	W-135	362107.2087	6116246.298
W-097	367165.397	6114175.468	W-136	361945.4421	6115224.402
W-098	366104.5316	6113821.911	W-137	363053.5064	6115790.574
W-099	366815.4564	6113146.79	W-138	363983.2843	6115943.449
W-100	365791.7854	6112775.015	W-139	363635.2297	6115038.098
W-101	366484.7574	6112101.089	W-140	360913.4796	6114722.418
W-102	367891.7046	6113520.158	W-141	362699.3984	6114567.943
W-103	369059.8728	6113660.135	W-142	361508.1795	6114175.77
W-104	369852.5613	6113292.249	W-143	362176.0646	6113585.929
W-105	369337.9808	6112302.641	W-144	363209.7019	6113734.344
W-106	370196.2003	6112275.375	W-145	362903.8618	6112855.099
W-107	369900.4269	6111282.181	W-146	363983.0079	6113114.876
W-108	370874.5617	6113344.211	W-147	365016.6055	6113448.189
W-109	371622.0864	6113681.368	W-148	364590.3287	6112708.564
W-110	368947.2669	6122287.786	W-149	363632.9437	6112035.191

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<i>Wind Turbine No.</i>	<i>Easting</i>	<i>Northing</i>	<i>Wind Turbine No.</i>	<i>Easting</i>	<i>Northing</i>
W-150	373546.7213	6113530.309	W-180	382367.9426	6103922.453
W-151	372639.2487	6113032.35	W-181	381032.9834	6103781.201
W-152	373188.4637	6112483.662	W-182	380146.6365	6103333.424
W-153	374216.1872	6112881.335	W-183	379185.9592	6102861.774
W-154	372135.4267	6112048.445	W-184	378006.428	6102558.729
W-155	372761.2247	6111440.702	W-185	377594.9447	6103392.286
W-156	373878.9428	6111780.734	W-186	378832.5398	6101801.155
W-157	373369.4347	6110844.829	W-187	379893.1116	6102154.8
W-158	371730.6671	6110973.429	W-188	380527.411	6101511.641
W-159	371067.1354	6111739.389	W-189	381635.0697	6101770.243
W-160	368310.2901	6112768.76	W-190	382484.1937	6101009.781
W-161	367796.6672	6112109.295	W-191	382452.9553	6102427.807
W-162	368326.8543	6111586.477	W-192	379539.5121	6101094.028
W-163	368933.1222	6110993.383	W-193	380184.0704	6100619.784
W-164	367879.8569	6110618.564	W-194	381307.335	6100740.505
W-165	367564.3289	6109607.917	W-195	381074.6154	6099968.608
W-166	366837.9081	6110291.017	W-196	382014.4016	6100033.48
W-167	366111.3474	6110978.095	W-197	382721.6794	6099326.311
W-168	365737.8938	6109969.806	W-198	381660.9887	6098972.82
W-169	366472.4946	6109229.404	W-199	382495.7311	6098173.921
W-170	365374.2765	6108883.463	W-200	382014.4174	6097204.984
W-171	364698.941	6109556.908	W-201	381307.3877	6097912.115
W-172	364374.0222	6110353.267	W-202	380953.7846	6096851.48
W-173	363449.8054	6109375.753	W-203	380246.5617	6097558.369
W-174	363637.8729	6110956.54	W-204	380445.4171	6098616.608
W-175	364683.1241	6111567.726	W-205	379185.9457	6097205.085
W-176	362394.6351	6111832.587	W-206	379539.621	6098265.713
W-177	381664.3259	6105223.781	W-207	379893.0114	6099326.258
W-178	380516.4035	6104630.114	W-208	379313.746	6099827.341
W-179	381721.2701	6104368.733	W-209	378832.6583	6098972.82

**APPENDIX 2:
Schedule of Lands**

Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)
1//DP1115053	19//DP756304	1//DP48568
1//DP1180553	2//DP455038	1//DP756311
1//DP377237	38//DP756455	10//DP756311
1//DP378053	40//DP756455	11//DP756311
102//DP756304	41//DP756455	12//DP756291
105//DP756304	7//DP756304	12//DP756311
106//DP756304	7001//DP1026614	13//DP756291
107//DP756304	75//DP756304	13//DP756311
108//DP756304	76//DP756304	19//DP756291
109//DP756304	77//DP756304	2//DP756311
110//DP756304	78//DP756304	20//DP756291
111//DP756304	79//DP756304	21//DP756291
112//DP756304	8//DP455038	24//DP756291
15//DP756304	8//DP756304	25//DP756291
2//DP1115053	80//DP756304	3//DP756311
2//DP378053	81//DP756304	4//DP756311
21//DP756304	82//DP455037	5//DP756311
22//DP756304	86//DP756455	6//DP756311
23//DP756304	87//DP756455	10//DP756334
88//DP756304	9//DP756304	12//DP756334
89//DP756304	1//DP756304	13//DP756334
90//DP756304	16//DP756304	14//DP756334
92//DP756304	17//DP756304	15//DP756334
93//DP756304	2//DP756304	16//DP756334
94//DP756304	20//DP756304	17//DP756334
96//DP756304	39//DP756455	18//DP756334
A//DP23356	4//DP756304	19//DP756334
B//DP23356	71//DP756304	2//DP541494
1//DP1127723	72//DP756304	20//DP756334
1//DP111772	73//DP756304	251//DP756418
7//DP111772	88//DP756455	252//DP756418
1//DP116085	89//DP756455	39//DP756334
2//DP116085	90//DP756455	40//DP756334
1//DP455038	91//DP756455	41//DP756334
116//DP756304	92//DP756455	42//DP756334
18//DP756304	93//DP756455	43//DP756334
185//DP756455	94//DP756455	44//DP756334

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Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)
45//DP756334	62//DP756418	87//DP756304
46//DP756334	63//DP756334	97//DP756304
47//DP756334	63//DP756418	98//DP756304
48//DP756334	64//DP756334	99//DP756304
49//DP756334	64//DP756418	1//DP229367
5//DP756334	65//DP756334	1//DP585343
50//DP756334	65//DP756418	10//DP756455
50//DP756418	66//DP756418	11//DP756455
51//DP756334	67//DP756418	12//DP756455
51//DP756418	68//DP756334	120//DP756455
52//DP756334	69//DP756334	13//DP756454
52//DP756418	7//DP756334	13//DP756455
53//DP756334	70//DP756334	131//DP756425
53//DP756418	71//DP756334	14//DP756454
54//DP756334	72//DP756334	143//DP756425
54//DP756418	73//DP756334	15//DP756454
55//DP756334	74//DP756334	16//DP756454
55//DP756418	75//DP756334	2//DP229367
56//DP756334	8//DP756334	2//DP576960
56//DP756418	9//DP756334	2//DP756454
57//DP756334	98//DP756418	30//DP756425
57//DP756418	99//DP756418	31//DP756425
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61//DP756334	64//DP756304	42//DP756455
61//DP756418	85//DP756304	43//DP756455
62//DP756334	86//DP756304	47//DP756455
5//DP581776	85//DP756425	95//DP756454
5//DP756454	86//DP756425	97//DP756454
6//DP756454	87//DP756425	99//DP756454
7//DP252520	88//DP756425	1//DP1096136
7//DP756454	89//DP756425	1//DP134583
8//DP252520	92//DP756454	123//DP756455
84//DP756425	93//DP756454	17//DP756454

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Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)
2//DP252520	83//DP756455	7300//DP1142010
3//DP581776	85//DP756455	7001//DP1026614
58//DP756454	1//DP541494	7004//DP1052588
6//DP756455	7001//DP1026617	141// DP839749
140//DP839749		

**The site will also be taken to include any Crown land and road reserves contained within the site*

APPENDIX 3
General Terms of Applicants VPA Offer

Council	Payment Details
Murrumbidgee Council	Prior to the commencement of construction, the Applicant will pay a levy of \$5,000,000 to Murrumbidgee Council for the purpose of constructing a new medical facility in Jerilderie in accordance with Murrumbidgee Council's Section 7.12 Developer Contributions Levy Plan.
Edward River Council	Prior to the commencement of construction, the Applicant will pay a levy of \$5,000,000 to Edward River Council for the purpose of providing community infrastructure.

APPENDIX 4
Biodiversity

Table 1: Clearing limits and offset liability for native vegetation

Plant Community Type	BC Act	EPBC Act	Impact (hectares)	Ecosystem Credit Liability
PCT 7 – River Red Gum – Warrego Grass – herbaceous riparian tall open forest wetland mainly in the Riverina Bioregion	-	-	0.18	2
PCT 9 – River Red Gum – wallaby grass tall woodland wetland on the outer River Red Gum zone mainly in the Riverina Bioregion	-	-	0.23	3
PCT 13 – Black Box – Lignum woodland wetland of the inner floodplains in the semi-arid (warm) climate zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	-	-	0.73	18
PCT 17 – Lignum shrubland wetland of the semi-arid (warm) plains (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	-	-	2.04	85
PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	E	-	26.08	489
	E	E	5.17	178
PCT 28 – White Cypress Pine open woodland of sand plains, prior streams and dunes mainly of the semi-arid (warm) climate zone	E	-	10.28	166
PCT 44 – Forb-rich Speargrass – Windmill Grass – White Top grassland of the Riverina Bioregion	-	CE	36.42	2,263
PCT 45 – Plains Grass grassland on alluvial mainly clay soils in the Riverina Bioregion and NSW South Western Slopes Bioregion	-	CE	2.20	123
PCT 46 – Curly Windmill Grass – speargrass – wallaby grass grassland on alluvial clay and loam on the Hay Plain, Riverina Bioregion	-	CE	90.82	5,294
PCT 160 – Nitre Goosefoot shrubland wetland on clays of the inland floodplains	-	-	0.06	2

Table 2: Clearing limits and offset liability for threatened flora

Species	Common Name	BC Act	EPBC Act	Impact (hectares)	Species Credit Liability
<i>Swainsona murrayana</i>	Slender Darling Pea	V	V	2.18	97
<i>Austrostipa wakoolica</i>	A spear-Grass	E	E	9.91	246
<i>Cullen parvum</i>	Small Scurf-pea	E	-	35.29	1,742
<i>Pilularia novae-hollandiae</i>	Austral Pillwort	E	-	4.77	246

Table 3: Clearing limits and offset liability for threatened fauna

Species	Common Name	BC Act	EPBC Act	Impact (hectares)	Species Credit Liability
<i>Pedionomus torquatus</i>	Plains-wanderer	E	CE	0.03	2
<i>Myotis Macropus</i>	Southern Myotis	V	-	0.20	4

V=vulnerable, E=endangered, CE=critically endangered

APPENDIX 5
Heritage Items

Table 1: Aboriginal heritage items – avoid impacts

AHIMS number	Item name
54-3-0064	Yanco Delta PAD 01
55-1-0133	Yanco Delta AS PAD 01
55-1-0130	Yanco Delta AS PAD Hearth 01
55-1-0104	Yanco Delta AS PAD 02
55-1-0106*	Yanco Delta AS Hearth 01
55-1-0105*	Yanco Delta AS Hearth 02
55-1-0124	Yanco Delta AS Hearth 03
55-1-0104*	Yanco Delta AS Hearth 04
55-1-0129	Yanco Delta Hearth 01
55-1-0123	Yanco Delta Hearth 02
54-3-0062	Yanco Delta AS 06
55-1-0110	Yanco Delta AS 07
55-1-0109	Yanco Delta AS 08
55-1-0108	Yanco Delta AS 09
55-1-0107	Yanco Delta AS 10
55-1-0127	YDWF-IF-22-01
55-1-0122	Yanco Delta ISO 01
55-1-0121	Yanco Delta ISO 02
55-1-0120	Yanco Delta ISO 03
55-1-0118	Yanco Delta ISO 05
55-1-0117	Yanco Delta ISO 06
55-1-0116	Yanco Delta ISO 07
55-1-0115	Yanco Delta ISO 08
55-1-0128	Yanco Delta Scarred Tree 02
54-3-0065	Yanco Delta Ring Tree 01
55-1-0126	YDWF-MT-22-01
55-1-0125	YDWF-MT-22-02

*Impact avoidance applicable to hearth features only within these sites

Table 2: Aboriginal heritage items – avoid, minimise and/or salvage

AHIMS number	Item name
55-1-0106*	Yanco Delta AS Hearth 01
55-1-0105*	Yanco Delta AS Hearth 02
55-1-0104*	Yanco Delta AS Hearth 04
54-3-0063	Yanco Delta AS 01
55-1-0114	Yanco Delta AS 02
55-1-0113	Yanco Delta AS 03

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55-1-0112	Yanco Delta AS 04
55-1-0111	Yanco Delta AS 05
55-1-0119	Yanco Delta ISO 04

** Hearth features associated with these sites will not be subject to harm*

FOR INFORMATION

APPENDIX 6
Haulage Route and Road Upgrades

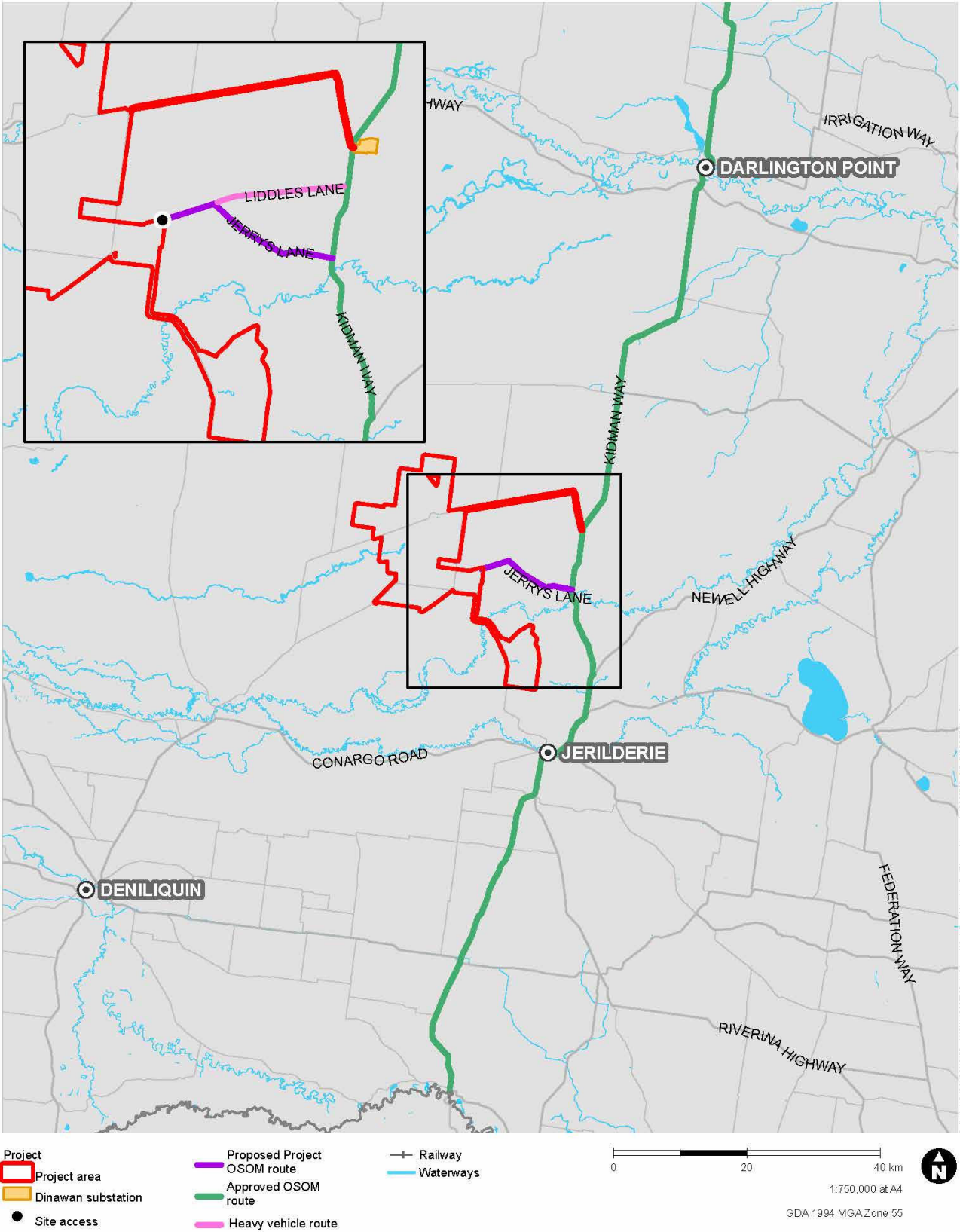


Figure 1 – Site access and transport routes

Table 1: Road Upgrades

Road/Intersection	Treatment	Timing
Intersection of Newell Highway and Kidman Way	Minor earthworks to provide level roadside environment to support the path of travel	Prior to use by high-risk heavy vehicles requiring escort
Intersection of Kidman Way and Jerrys Lane	Upgrade intersection in accordance with the Strategic Concept Design required by condition B34. Extension and protection of existing culvert as necessary to sustain vehicle loads. Additional hardstand to accommodate the vehicle swept path	Prior to commencement of construction
Intersection of Kidman Way and Liddles Lane	Upgrade intersection in accordance with the Strategic Concept Design required by condition B34.	Prior to commencement of construction
Jerrys Lane (south of Liddles Lane)	Widening and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Intersection of Jerrys Lane and Liddles Lane	Widening of intersection and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Liddles Lane	Widening and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Intersection of Liddles Lane and Wilsons Road	Widening of intersection to accommodate the vehicle swept path	Prior to use by high-risk heavy vehicles requiring escort
Wilsons Road (within the site)	Widening and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Intersection of Wilson Road and Moonbria Road	Widening and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Moonbria Road (within the site)	Widening and upgrade, as necessary, to surface treatment and drainage to achieve all weather access	Prior to commencement of construction
Wilson Road bridge over Yanco Creek	Upgrade, as necessary, to sustain vehicle loads	Prior to commencement of construction

APPENDIX 7

Strategic Concept Design Requirements

The Strategic Concept Design for the intersection upgrades required for the Liddles Lane / Kidman Way intersection and Jerrys Lane / Kidman Way intersection identified in Appendix 6 must address the following additional requirements:

- The design must include a 1.0m shoulder and 0.5m verge minimum.
- Intersection treatment dimensions to be shown.
- Liddles Lane / Kidman Way:
 - provides for concurrent B-Double turning movement ingress/egress without vehicles crossing the Liddles Lane centreline.
 - provides a BAL / widened shoulder to facilitate left turn traffic volumes from Kidman Way on to Liddles Lane.
- Jerrys Lane / Kidman Way: provides for concurrent B-Double turning movement ingress/egress without vehicles crossing the side road centreline.

APPENDIX 8**Incident Notification and Reporting Requirements****WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 of Schedule 2 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation the incident; and
 - (h) identify a project contract for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.