

Development Consent

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

The Independent Planning Commission of NSW grants consent to the Development Application referred to in Schedule 1, subject to the conditions specified 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.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

SCHEDULE 1

Application Number:

SSD-50505215

Applicant:

Bullawah Wind Farm Pty Ltd

Consent Authority:

Independent Planning Commission of NSW

Land:

The land defined in Appendix 2

Development:

Bullawah Wind Farm

TABLE OF CONTENTS

DEFINITIONS	3
PART A ADMINISTRATIVE CONDITIONS	7
Obligation to Minimise Harm to the Environment.....	7
Terms of Consent	7
Limits on Consent	7
Upgrading Of Wind Turbines and Ancillary Infrastructure.....	8
Structural Adequacy	8
Demolition.....	8
Protection of Public Infrastructure.....	8
Operation of Plant and Equipment.....	8
Subdivision	8
Applicability of Guidelines	9
Compliance.....	9
Evidence of Consultation	9
Community Consultative Committee.....	9
Community Enhancement	9
PART B SPECIFIC ENVIRONMENTAL CONDITIONS	10
Visual	10
Noise and Vibration	10
Air	12
Soil and Water	12
Biodiversity	13
Heritage	16
Transport	17
Aviation.....	21
Radiocommunications	21
Hazards	21
Waste	23
Accommodation Camp	23
Accommodation and Employment Strategy	24
Decommissioning and Rehabilitation.....	24
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	26
Environmental Management.....	26
Staging, Combining and Updating Strategies, Plans or Programs	26
Notifications	27
Independent Environmental Audit.....	28
Access to Information	28
APPENDIX 1 DEVELOPMENT LAYOUT	29
APPENDIX 2 SCHEDULE OF LANDS	33
APPENDIX 3 GENERAL TERMS OF APPLICANT'S VPA OFFER	34
APPENDIX 4 SUBDIVISION PLAN	54
APPENDIX 5 HAULAGE ROUTE AND ROAD UPGRADES.....	55
APPENDIX 6 BIODIVERSITY	90
APPENDIX 7 HERITAGE ITEMS.....	92
APPENDIX 8 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	96
APPENDIX 9 AVIATION OBSTACLE LIGHTING PLAN	97

DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development, including any Registered Aboriginal Parties
Accommodation Camp	Temporary onsite workforce accommodation facility as described in the EIS
Ancillary infrastructure	All project infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices and compounds, underground and overhead electricity transmission lines, accommodation camps, communication cables (including control cables and earthing), wind monitoring masts and internal roads
Applicant	Bullawah Wind Farm Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage system
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BDAR	The amended Biodiversity Development Assessment Report for the Bullawah Wind Farm dated 4 September 2025
CASA	Civil Aviation Safety Authority
CCC	Community Consultative Committee
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 quarrying activities and other earthworks on site, and the construction of any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network and pre-construction minor works)
Councils	Hay Shire Council, Edward River Council and Murrumbidgee Council
CPI	Consumer Price Index
Curtilage	The land immediately surrounding any form of residential accommodation, including any courtyard, garden, yard and adjacent buildings or structures that are incidental to the accommodation
Decommissioning	The deconstruction and removal of wind turbines and above ground ancillary infrastructure
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	Department of Planning, Housing and Infrastructure
Development	The development described in the EIS, as modified by the conditions of this consent
Development corridor	The corridor shown in Appendix 1
Disturbance area	The disturbance area shown in Appendix 1
DNG	Derived native grassland vegetation condition
DoD	Australian Government Department of Defence
DPIRD Fisheries	NSW Department of Primary Industries and Regional Development - Fisheries
DPIRD	NSW Department of Primary Industries and Regional Development
EIS	The environmental impact statement for Bullawah Wind Farm dated 29 July 2024, including the: • Submissions Report dated 15 April 2025 • Amendment Report dated 8 April 2025 • Additional information dated 13 January 2025, 9 April 2025, 20 May 2025, 8 September 2025, 2 March 2026, 2 June 2026 and 16 June 2026.
EnergyCo	The Energy Corporation of NSW
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	Feasible relates to engineering considerations and what is practical to build or implement
Fire break	An area maintained as mineral earth and/or gravelled and/or paved and/or only grass that

	is managed to a maximum height of 10 cm (i.e. no vegetation >10cm)
FRNSW	Fire and Rescue NSW
GPS	Global Positioning System
Heavy vehicle	As defined under the <i>Heavy Vehicle National Law (NSW)</i> , excluding high-risk heavy vehicles requiring escort
Heavy vehicle requiring escort	Any vehicle that requires a pilot vehicle and/or escort vehicle, as defined by the National Heavy Vehicle Regulator's <i>NSW Class 1 Load Carrying Vehicle Operator's Guide</i> or an NSW exemption notice on the National Heavy Vehicle Regulator website
High-risk heavy vehicle requiring escort	A vehicle under escort identified "high risk" as defined in Table 1 of TfNSW's <i>Fact Sheet for Transport Management Plan</i> (as amended)
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 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, or anything identified as a heritage item under the conditions of this consent
Heritage NSW	Heritage NSW Group within NSW DCCEEW
IEAPET	Independent Expert Advisory Panel for Energy Transition
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance
Land	Has the same meaning as the definition of the term in section 1.4 of 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 NSW Lands Registry Office at the date of this consent
LGA	Local Government Area
Light vehicle	As defined by the Transport for NSW Vehicle Standards Information Sheet VSI 05 <i>Light vehicle dimension limits Rev 6</i> (TfNSW, 11 March 2015)
Material harm	Is harm that: - involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or - results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$50,000 (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) <i>Note: This definition excludes "harm" that is either authorised under this consent or any other statutory approval.</i> <i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i>
Maximum Energy Discharge Capacity (MW)	The rated output active power as defined by 4.3.5 of IEC 62933-1 Ed. 2.0 b:2024, <i>Electrical energy storage (EES) systems—Part 1</i>
Maximum Energy Storage Capacity (MWh)	The Effective Energy Storage Capacity at the Beginning of Service Life as described by Figure 1 of IEC 62933-1 Ed. 2.0 b:2024, <i>Electrical energy storage (EES) systems—Part 1</i>
MW	Megawatt
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: a residence on privately-owned land in respect of which the owner has not reached an

	agreement with the Applicant 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 Applicant 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 but is not an incident
NPWS	NSW National Parks and Wildlife Service within NSW DCCEEW
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
NSW DCCEEW CPHR	Conservation Programs, Heritage and Regulation (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) (previously Biodiversity, Conservation and Science Directorate [BCS])
OLS	Obstacle Limitation Surface
Operation	The operation of the development, but does not include commissioning, trials of equipment or use of temporary facilities
PAD	Potential Archaeological Deposit
PCT	Plant Community Type held within the BioNet Vegetation Classification Database
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Pre-construction minor works	Includes the following activities: - surveys; - overhead line safety marking; - building and road dilapidation surveys; - investigative drilling, excavation or salvage; - minor clearing or translocation of native vegetation; - establishing temporary site office (in locations meeting the criteria identified in the conditions of this consent) - installation of environmental impact mitigation measures, fencing, enabling works; - wind monitoring masts; and - construction of minor access roads and minor adjustments to services/utilities, etc.
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 relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Registered Aboriginal Parties	As described in the <i>National Parks and Wildlife Regulation 2009</i>
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 Figure 1 in Appendix 1 and listed in Appendix 2
South West REZ	South West Renewable Energy Zone
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
Upgrade	The replacement of wind turbines and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent

VPA	Voluntary Planning Agreement
Water Group	Water Group within NSW DCCEEW
Wind turbine	Turbines used for the generation of electricity by wind, including the tower, blades and associated components
Works	Any physical activity for the purpose of the development including road upgrades, construction and pre-construction minor works

RECOMMENDED

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, operation, upgrading, decommissioning or rehabilitation 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) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (c) the implementation of any actions or measures contained in any such document referred to in condition A3(a) above.
- 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 A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS ON CONSENT

Total number of Wind Turbines

- A5. A maximum of 141 wind turbines may be constructed and operated on the site.

Wind Turbine Height

- A6. The maximum permitted height of any wind turbine (measured from above ground level to the blade tip height) is 300 metres.

Battery storage restriction

- A7. Unless the Planning Secretary agrees otherwise, the battery energy storage associated with the development must not exceed a Maximum Energy Discharge Capacity of 359 MW and a Maximum Energy Storage Capacity of 718 MWh.

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

Micro-siting Restrictions

- A8. Wind turbines and ancillary infrastructure may be micro-sited without further approval providing:
- (a) the surface disturbance remains within the development corridor (with the exception of wind monitoring masts) shown on the figure in Appendix 1;
 - (b) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix 1;
 - (c) the revised location of the blade tip of a wind turbine is at least 50 metres from the canopy of existing native vegetation; or where the proposed location of the blade tip of a wind turbine is already within 50 metres of the canopy of existing native vegetation, the revised location is not any closer to the existing native vegetation;

- (d) the revised location of a wind turbine is at least 40 metres away from Strahler stream order watercourses; or where the proposed location of a wind turbine is already within 40 metres of a Strahler stream order watercourse, the revised location is not any closer to the Strahler stream order watercourse;
- (e) the revised location of a wind turbine is at least a distance of one times the tip height of the turbines from the boundary of the easement of Project EnergyConnect;
- (f) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent;
- (g) the wind monitoring masts are located within the development corridor where possible and their development would not result in any non-compliance with the conditions of this consent.

UPGRADING OF WIND TURBINES AND ANCILLARY INFRASTRUCTURE

- A9. The Applicant may upgrade the wind turbines and ancillary infrastructure on site provided these upgrades remain within the approved disturbance area.

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

STRUCTURAL ADEQUACY

- A10. 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 BCA.

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.
- EP&A Development Certification and Fire Safety Regulation 2021 sets out the requirements for the certification of the development.

DEMOLITION

- A11. 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

- A12. 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

- A13. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

SUBDIVISION

- A14. The Applicant may subdivide land comprising the site for the purposes of carrying out the development as generally identified in Appendix 4 and in accordance with the requirements of the EP&A Act, EP&A Regulation and the *Conveyancing Act 1919* (NSW).

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision
- Division 6.4 of Part 6 of the EP&A Act sets out the application requirements for subdivision certificates.

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.

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

- A16. 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

- A17. 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 CONSULTATIVE COMMITTEE

- A18. The Applicant must operate a Community Consultative Committee (CCC) for the development in accordance with the Department's *Community Consultative Committee Guideline: State Significant Projects* (2023), or its latest version.

COMMUNITY ENHANCEMENT

- A19. Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must enter into a VPA with Councils in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) the terms of the Applicant's letters of offer to each Council as detailed in Appendix 3.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

VISUAL

Visual Appearance

- B1. 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

- B2. The Applicant must:
- (a) ensure that any aviation hazard lighting complies with CASA's recommendations; and that 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) minimise the visual impacts of any aviation lighting 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
 - (d) 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 practice 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 condition B2, including which wind turbines are to be lit, then either party may refer the matter to the Planning Secretary for resolution.

Shadow Flicker

- B3. 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

- B4. Road upgrades, construction, demolition, upgrading or decommissioning activities 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.

Exceptions to Construction Hours

- B5. The following activities may be carried out outside the hours specified in condition B4 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 to prevent material harm to the environment.

Variation of Construction Hours

- B6. The hours of construction activities specified in condition B4 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 and 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

- B7. The Applicant must take all reasonable steps to minimise the noise generated by the development during construction, decommissioning and road upgrade works, including any associated traffic noise.
- B8. The Applicant must ensure that the noise generated by any construction, decommissioning or road upgrade works is managed in accordance with the requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009) (or its latest version).
- B9. 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).

Operational Noise Criteria – Wind Turbines

- B10. 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 (L_{A90} (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 relevant requirements of the Department's *Wind Energy: Noise Assessment Bulletin* (2024) (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* (2024) (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

- B11. The noise generated by the operation of ancillary infrastructure must not exceed 35 dB(A) $L_{Aeq}(15 \text{ minute})$ 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).

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 Monitoring

- B12. 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.

B13. The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.

AIR

- B14. The Applicant must minimise the dust generated by the development including measures ensuring:
- (a) activities are carried out on site in a manner that minimises dust generation, including emissions of windblown and/or traffic generated dust;
 - (b) development-related vehicles leaving the site:
 - (i) have any loads covered; and
 - (ii) minimise dirt being tracked onto the public road network; and
 - (c) the use of water tankers to spray the surface of unsealed roads when practicable and appropriate

SOIL AND WATER

Water Supply

- B15. 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 for the development.

Water Pollution

- B16. 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

- B17. The Applicant must:
- (a) minimise erosion and control sediment generation;
 - (b) 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 *Best Practice Erosion and Sediment Control* (IECA, 2008) and *Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads* (DECC, 2008), or their latest versions;
 - (c) ensure all activities and waterway crossings are constructed in accordance with the *Guidelines for Controlled Activities on Waterfront Land* (DCCEEW, 2025), unless Water Group agrees otherwise, and the *Policy and Guidelines for Fish Habitat Conservation and Management* (Update 2013) and *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (NSW Fisheries, 2003), or their latest versions, unless DPIRD Fisheries agrees otherwise;
 - (d) ensure the concrete batching plants and substation/s are suitably bunded; and
 - (e) minimise any spills of hazardous materials or hydrocarbons and clean up any spills as soon as possible after they occur.

Soil and Water Management Plan

- B18. Prior to commencing construction, the Applicant must prepare a Soil and Water Management Plan for the development in consultation with the Water Group. This plan must:
- (a) be prepared by suitably qualified and experienced persons;
 - (b) include a description of the measures that would be implemented to ensure that the objectives of condition B17 are achieved;
 - (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.

Unexpected Finds

- B19. An Unexpected Finds Procedure for contamination must be prepared before the commencement of construction and implemented throughout construction. The procedure must:

- (a) be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered; and
- (b) include details of who will be responsible for implementing the Unexpected Finds Procedure and the roles and responsibilities of all parties involved.

Flood Management

- B20. The Applicant must ensure that the development:
- (a) does not materially alter the flood storage capacity, flows or characteristics in the development area or off-site; and
 - (b) is designed, constructed and maintained to result in impacts on surface water, flooding and groundwater no greater than considered within the EIS, unless otherwise agreed by Councils.
- B21. Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP) for the site. The FERP must:
- (a) be prepared by suitably qualified and experienced persons;
 - (b) address the relevant provisions of the Floodplain risk management manual (DPE, 2023) and Support for emergency management planning (DPE, 2023);
 - (c) consider isolation, access and evacuation during extreme events up to and including the probable maximum flood;
 - (d) be consistent with the Local Flood Plan and/or the NSW State Emergency Service flood emergency strategy for the area; and
 - (e) include details of:
 - (i) the flood emergency responses for the development;
 - (ii) predicted flood levels, including the probable maximum flood;
 - (iii) shelter in place protocols for all relevant flooding events (if necessary);
 - (iv) awareness training for employees and contractors;
 - (v) protocols for advising site employees and visitors to stay away from the site during flood events;
 - (vi) flood warning time, flood notification, signs and depths indicators;
 - (vii) evacuation protocols including assembly points and evacuation routes (where applicable); and
 - (viii) provisions for periodic review of the plan, including following a significant flooding event.
- B22. The Applicant must:
- (a) submit a copy of the FERP required by condition B21 to the Planning Secretary prior to the commencement of construction; and
 - (b) implement the most recent version of the FERP submitted to the Planning Secretary for the duration of construction.

BIODIVERSITY

Vegetation Clearance

- B23. The Applicant must not clear any native vegetation or fauna habitat located outside the development corridor.

Restrictions on Clearing and Habitat

- B24. Unless the Planning Secretary agrees otherwise, the Applicant must:
- (a) ensure that the vegetation and habitat clearing does not exceed the limits specified in:
 - (i) Table 7 and Table 8 of Appendix 6; or
 - (ii) the most recent Revised Offset Obligation report approved by the Planning Secretary as specified in condition B28; and
 - (b) minimise:
 - (i) the clearing of native vegetation and key habitat;
 - (ii) the impacts of the development on hollow-bearing trees; and
 - (iii) the impacts of the development on threatened species.

Biodiversity Offsets

- B25. Prior to undertaking any works that would directly or indirectly impact on biodiversity values requiring offset, the Applicant must retire the number and class of credits specified in Appendix 6.

- B26. The retirement of the biodiversity credits in condition B25 must be carried out in accordance with sections 6.4 and 6.29A of the *Biodiversity Conservation Act 2016* and section 6.2 of the *Biodiversity Conservation Regulation 2017* and can be achieved by:
- (a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
 - (b) making payments into the Biodiversity Conservation Fund;
 - (c) funding a biodiversity conservation action that would benefit the relevant threatened species or ecological community and is listed in the ancillary rules (as amended from time to time) of the NSW Biodiversity Offset Scheme; or
 - (d) entering into a Strategic Offset Delivery Agreement with the Environment Agency Head.
- B27. Prior to undertaking any works that would directly or indirectly impact the biodiversity values requiring offset, evidence must be provided to the Planning Secretary that conditions B25 and B26 have been met. If the consent provides for stages of development and specifies staged retirement of biodiversity credits, the Planning Secretary may approve the retirement of credits in stages if adequate evidence is provided for the relevant stage.

Revised Offset Obligation

- B28. The Applicant may seek the Planning Secretary's approval of a Revised Offset Obligation report to change the number of biodiversity credits required to be retired in condition B25 where the change in the biodiversity credit obligation is due to a change to the impacts on biodiversity values within the development area assessed in the BDAR.
- Any Revised Offset Obligation may only be approved by the Planning Secretary after consulting with the NSW DCCEEW Secretary (or delegate), and the approved biodiversity credit obligation must be met in accordance with condition B26 prior to undertaking works that would directly or indirectly impact on biodiversity values requiring offset.
- B29. The Revised Offset Obligation report must:
- (a) be prepared prior to commencing any works that would directly or indirectly impact on biodiversity values requiring offset;
 - (b) be prepared in consultation with NSW DCCEEW CPHR;
 - (c) be prepared using the Biodiversity Assessment Method (BAM) by a BAM Accredited Assessor; and
 - (d) include the revised calculation of the biodiversity credit obligation.

Offset Verification Report

- B30. If, in accordance with condition B26, the Applicant enters into a Strategic Offset Delivery Agreement with the Environment Agency Head (under clause 6.2(f) of the *Biodiversity Conservation Regulation 2017*) in respect of the number and class of biodiversity credits specified in Appendix 6, or as amended by an approved Revised Offset Obligation report as specified in condition B28, the Applicant may submit an Offset Verification Report for approval by the Planning Secretary, in consultation with the NSW DCCEEW Secretary, at 6, 12 and 18 months from the commencement of works that could impact biodiversity values that require offset, or other timeframe agreed by NSW DCCEEW Secretary. The Offset Verification Report must:
- (a) be in a form agreed by CPHR;
 - (b) be prepared using the BAM by a BAM Accredited Assessor; and
 - (c) include a revised calculation of the development's actual impact based on final layout plans as required in condition C10 or post-clearing verification of actual impacts, against the approved biodiversity credit obligation specified in condition B25.

If the Strategic Offset Delivery Agreement applies to a part of the number and class of biodiversity credits specified in Appendix 6, or as amended by an approved Revised Offset Obligation report, the Offset Verification Report will apply only to this part.

Biodiversity Management Plan

- B31. Prior to carrying out any works that could impact biodiversity values, the Applicant must prepare a Biodiversity Management Plan for the development and 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 NSW DCCEEW CPHR;
 - (b) be prepared in accordance with the BDAR;
 - (c) include a description of the measures and timeframes that would be implemented for:
 - (i) ensuring the development does not adversely affect the native vegetation and habitat impact areas outside the development corridor as shown in the Figure 1 of Appendix 1 and ensure the restrictions on clearing in condition B24 are met;

- (ii) minimising the clearing of native vegetation and habitat within the disturbance area;
- (iii) minimising the impacts of the development on threatened flora and fauna species within the disturbance area and its surrounds, including the:
 - Spike-Rush (*Eleocharis obicis*)
 - Chariot Wheels (*Maireana cheelii*)
 - Silky Swainson-pea (*Swainsona sericea*)
 - Slender Darling Pea (*Swainsona murrayana*)
 - Winged Peppercress (*Lepidium monoplacoides*)
 - Little Eagle (*Hieraaetus morphnoides*)
 - Barking Owl (*Ninox connivens*)
 - Southern Bell Frog (*Ranoidea raniformis*);
- (iv) rehabilitating and revegetating temporary disturbance areas;
- (v) protecting native vegetation and key fauna habitat outside the approved disturbance area as shown in the Final Layout Plan;
- (vi) maximising the salvage of resources within the approved disturbance area as shown in the Final Layout Plan – including vegetative and soil resources – for beneficial reuse (such as fauna habitat enhancement) during the rehabilitation and revegetation of the site;
- (vii) collecting and propagating seed (where relevant);
- (viii) controlling weeds and feral pests;
- (ix) controlling erosion; and
- (x) bushfire management;
- (d) include a Plains-wanderer (*Pedionomus torquatus*) Management Plan, with a detailed description of the measures that would be implemented on site for minimising impacts during construction, operation and decommissioning of the development, including:
 - (i) measures for controlling predators and pests; and controlling weeds;
 - (ii) monitoring of Plains-wanderer (*Pedionomus torquatus*);
 - (iii) consistency with the Regional Plains-wanderer Management Strategy in condition B33; and
 - (iv) review by the Regional Plains-wanderer Working Group in condition B33;
- (e) include a detailed program to monitor and report on the effectiveness of these measures; and
- (f) 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

- B32. Prior to the construction of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan (BBAMP) for the development in consultation with NSW DCCEEW CPHR, and to the satisfaction of the Planning Secretary. This plan must be prepared in accordance with the BDAR and must:
- (a) be informed by baseline bird and bat seasonal surveys;
 - (b) list the bird and bat species as 'at risk' of turbine strike;
 - (c) include a carcass monitoring protocol for turbines;
 - (d) include a reporting procedure for bird and bat strike, including the requirement to report bird and bat strike to NSW DCCEEW CPHR and the Planning Secretary within one week of collection;
 - (e) include measures for minimising bird and bat strike;
 - (f) include triggers for adaptive management actions with species specific triggers for species identified in B32(b);
 - (g) include detail of the adaptive management actions to be undertaken, should triggers be realised and commitment to consideration of ongoing continual improvement for management techniques and technologies;
 - (h) report annually to NSW DCCEEW CPHR and the Planning Secretary on:
 - (i) monitoring undertaken, including all monitoring data;
 - (ii) detail of the effectiveness of adaptive management actions;
 - (iii) detail of modified adaptive actions should those implemented be unsuccessful in mitigating strikes; and
 - (i) include a cycle of review.

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

Regional Plains-wanderer Management

B33. Prior to commencing operation, the Applicant must:

- (a) participate in the Regional Plains-wanderer Working Group (working group) established by the IEAPET;
- (b) through its participation in the working group, contribute to the development of a Regional Plains-wanderer Management Strategy (strategy); and
- (c) provide evidence to the Planning Secretary on commencement of the working group and on an annual basis thereafter, that it has:
 - (i) participated in the working group;
 - (ii) provided requested monitoring data to the working group; and
 - (iii) paid a proportionate share of the costs of the working group and the development of the strategy, in accordance with the terms of reference for the working group and the strategy.

Note: The working group's objective is to coordinate the development and implementation of the strategy to align monitoring and management across participating South West REZ wind farms and support the understanding and management of potential cumulative impacts on Plains-wanderer. The working group is to be chaired by the IEAPET and comprise representatives of participating wind farms, NSW DCCEEW CPHR and an approved Plains-wanderer expert. The working group is to develop terms of reference; meet at least twice per year, record outcomes and actions, review project data, and develop the scope of the strategy.

B34. The Applicant must implement the Regional Plains-wanderer Management Strategy as it relates to the development, as approved by the Planning Secretary (approved strategy), prior to commencing operation, until the completion of decommissioning works or another timeframe as agreed by the Planning Secretary. In implementing the approved strategy, the Applicant must:

- (a) provide and make publicly available project-specific Plains-wanderer monitoring, management and impact data, twice-yearly, in the form specified by the approved strategy, or as reasonably requested by the working group;
- (b) complete, or provide an update on progress towards completing, any action items assigned to the Applicant, from meetings of the working group within 4 weeks following a meeting, or another timeframe agreed by the working group; and
- (c) implement any adaptive management measures in the approved strategy that apply to the development or are allocated to the Applicant.

Note: The approved strategy aims to support a coordinated regional approach to understanding, monitoring and managing potential cumulative impacts of wind energy development on Plains-wanderer in the South West REZ. The approved strategy is intended to define and prioritise key research questions and knowledge gaps relating to any potential impact of wind energy development on Plains-wanderer; establish consistent monitoring methodologies, data standards, reporting formats and processes to enable analysis of comparable data; develop evidence-based adaptive management and continuous improvement in wind farm management and outline procedures for review of the strategy by the working group. The strategy is to be made publicly available.

Note: The Applicant's implementation of the strategy may be staged in accordance with condition C3.

HERITAGE

Protection of Heritage Items

B35. The Applicant must:

- (a) ensure the development does not cause any direct or indirect impacts to Aboriginal heritage items identified in Table 9 of Appendix 7 (including hearths within Aboriginal sites listed in Table 10 of Appendix 7), or any Aboriginal heritage items located outside of the development corridor;
- (b) ensure the development does not cause any direct (physical) impacts to historic heritage items identified in Table 11 of Appendix 7 and any historic heritage items located outside of the development corridor;
- (c) implement all reasonable and feasible measures to avoid and minimise harm to Aboriginal heritage items identified in Table 10 of Appendix 7; and
- (d) salvage and relocate items that would be impacted to a suitable alternative location, in accordance with the Heritage Management Plan described in condition B36.

Note: The locations of the heritage items referred to in this condition are shown in the figure in Appendix 7.

Heritage Management Plan

B36. Prior to carrying out any works or construction, whichever comes first, that could directly or indirectly impact the heritage items identified in condition B35, the Applicant must prepare a Heritage Management Plan for the development. This plan must:

- (a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with Aboriginal stakeholders and reviewed by Heritage NSW;

- (c) include a justification where impacts to Aboriginal heritage items identified in condition B35(c) cannot be avoided;
- (d) include a description of the measures that would be implemented for:
 - (i) protecting heritage items in accordance with condition B35(a) and (b);
 - (ii) minimising and managing the impacts of the development on Aboriginal heritage items identified in condition B35(c) that cannot be avoided, including:
 - salvaging and relocating Aboriginal objects (in the form of Aboriginal stone artefacts) to suitable alternative locations;
 - targeted archaeological excavation within any part of PEC-E-PAD24 and PEC-E-PAD25 where proposed works would have direct impact to the ground surface;
 - methodology for salvage;
 - a strategy for the long-term management of any Aboriginal and historic heritage items or material collected during the test excavation and salvage works;
 - completion of Aboriginal site impact recording forms for all sites subject to impact; and
 - undertaking detailed reporting on the outcomes of management activities, including (but not limited to) archival recording and analysis of stone artefact assemblages and other information relevant to addressing research questions;
 - (iii) a contingency plan and reporting procedure if:
 - Aboriginal objects, heritage items or relics outside the approved disturbance area are damaged;
 - previously unidentified Aboriginal objects, heritage items or relics are found; or
 - skeletal material is discovered;
 - (iv) ensuring workers on site receive suitable heritage inductions prior to carrying out any works on site, and that records are kept of these inductions; and
 - (v) ongoing consultation with Registered Aboriginal Parties during the development and implementation of the Heritage Management Plan; and
- (e) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the development.

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

TRANSPORT

High-risk Heavy Vehicles Requiring Escort, Heavy Vehicles Requiring Escort and Heavy Vehicles Routes

- B37. The Applicant must ensure that for development related vehicles travelling within New South Wales, access to the site is via the following roads, as identified in Appendix 5 and in accordance with the limits specified in **Table 1**, unless otherwise agreed by the Planning Secretary and in consultation with the relevant roads authority:
- (a) Route 1 for high-risk heavy vehicles requiring escort and heavy vehicles requiring escort: Selwyn Street, George Street, Industrial Drive, Maitland Road, New England Highway, John Renshaw Drive, M1, NorthConnex tunnel, M2, M7, M5, Hume Highway, Sturt Highway, Cobb Highway, Jerilderie Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road);
 - (b) Route 2 for high-risk heavy vehicles requiring escort and heavy vehicles requiring escort: Selwyn Street, George Street, Industrial Drive, Maitland Road, New England Highway, John Renshaw Drive, Hunter Expressway, New England Highway, Golden Highway, Denman Road, Bengalla Road, Wybong Road, Golden Highway, Boothenba Road, Troy Bridge Road, Bunglegumbie Road, Mitchell Highway, Manildra Street, Derribong Avenue, Algalah Street, Tomingley Road, Newell Highway, Thomas Street, Moulden Street, Henry Parkes Way, Westlime Road, Hartigan Avenue, Newell Highway, Compton Road, Showground Road, Newell Highway, Sturt Highway, Cobb Highway, Jerilderie Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road);
 - (c) Route 3 for high-risk heavy vehicles requiring escort and heavy vehicles requiring escort: Selwyn Street, George Street, Industrial Drive, Maitland Road, New England Highway, John Renshaw Drive, M1, Pennant Hills Road, M2, M7, Hume Motorway, Hume Highway, Sturt Highway, Cobb Highway, Jerilderie Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road);
 - (d) Route 4 for high-risk heavy vehicles requiring escort and heavy vehicles requiring escort: Murray Valley Highway, Sturt Highway, Cobb Highway, Jerilderie Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road);
 - (e) for heavy vehicles (excluding high-risk heavy vehicles requiring escort and heavy vehicles requiring escort):
 - (i) Cobb Highway, Jerilderie Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road); or

- (ii) Riverina Highway, Conargo Road, Carrathool Road, Willurah Road, North Boundary Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road); or
- (iii) Sturt Highway, Conargo Road, North Boundary Road, to a site access location specified in condition B43 on Jerilderie Road, North Boundary Road or Bullewah Road (via North Boundary Road);
- (f) heavy vehicles (excluding high-risk heavy vehicles requiring escort and heavy vehicles requiring escort) used for the development travelling to and from the site access locations (specified in condition B43) via the Cobb Highway and Jerilderie Road intersection:
 - (i) must not exceed 19 metres in length; and
 - (ii) must turn left from the Cobb Highway onto Jerilderie Road only.

Table 1 | Vehicle types and dimensions

Route	Loads/Dimensions
1	Loads (with blades) up to 4.9 metres in height, and up to 5 metres in width
2	Loads (with towers) up to 6.1 metres in height, up to 45 metres in length, and up to 5 metres in width
3	Loads up to 5.3 metres in height, up to 49 metres in length and up to 5 metres in width
4	Loads (with blades, towers and other loads) up to 6.5 metres in height, and up to 5.9 metres in width

- B38. Any wind turbine blade greater than 80 metres in length, or any other component greater than the dimensions specified for routes in **Table 1** and 249.5 tonnes in mass, is permitted to be transported where the Applicant can demonstrate, in consultation with TfNSW, that these components can be accommodated on the road network along the transport routes (as specified in condition B37) that:
- (a) the dimensions of vehicles can be facilitated within the road network with a revised route analysis; and
 - (b) all relevant approvals have been obtained and implemented to enable use of the road network along this route for these high-risk heavy vehicles requiring escort.
- B39. Should the requirements of condition B38 not be satisfied, the maximum permitted blade length to be transported is 80 metres, and all supporting turbine components to be transported on the high-risk heavy vehicle requiring escort routes (as specified in condition B37) must not exceed the dimensions, mass, width and weight assessed for each route within the EIS.
- B40. Prior to the use of heavy vehicles requiring escort on the public road network, all relevant approvals must be obtained and road upgrades be constructed (including for any road upgrades that may be required from port of origin to site).

Site Access

- B41. Unless the Planning Secretary agrees otherwise, the Applicant must ensure that all high-risk heavy vehicles requiring escort use the Jerilderie Road and Cobb Highway intersection to exit the State road network when travelling to and from the site.
- B42. Unless the Planning Secretary agrees otherwise, all development related vehicles (excluding heavy vehicles requiring escort and high-risk heavy vehicles) permitted to use each of the intersections identified in conditions B42(a) and B42(b) are only permitted to turn from the State road into the local road network in the following directions:
- (a) left into Jerilderie Road from the Cobb Highway; and
 - (b) right from Kidman Way onto Four Corners Road when travelling via these intersections.
- B43. Unless the Planning Secretary agrees otherwise, the Applicant must ensure that vehicles associated with the development access the site via the site access locations on:
- (a) Jerilderie Road (site access points 1, 2, 3 and 4);
 - (b) North Boundary Road (site access points 5, 6, 7 and 8); and
 - (c) Bullewah Road (site access points 9, 10, 11, 12, 13 and 14)
- as identified in Appendix 5 unless otherwise agreed by the Planning Secretary and in consultation with the relevant roads authority.

Road Upgrades

- B44. Unless the Planning Secretary agrees otherwise, the road upgrades

- (a) identified in Table 5 of Appendix 5 must be implemented in accordance with the relevant timing requirements, to the satisfaction of the relevant road authority; and
- (b) identified in Table 6 of Appendix 5 must be implemented by the Applicant in accordance with the relevant timing requirements, to the satisfaction of the relevant road authority.

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.

Should the road upgrades be completed by another party prior to the Applicant, then the Applicant must provide evidence to the satisfaction of the Planning Secretary that the upgrade has been completed and that the heavy vehicles, heavy vehicles requiring escort and high-risk heavy vehicles requiring escort associated with the development can be accommodated on the road network at the location of the upgrade.

- B45. The Applicant must ensure the intersection of the Cobb Highway and Jerilderie Road at Hay (as specified in Table 6 of Appendix 5) is upgraded to a Channelised Left-turn (CHL) configuration and biodiversity credits are retired as required.

If the applicant of Pottinger Wind Farm (SSD-59235464) has completed the road upgrades and the retirement of biodiversity credits at the intersection and the Applicant proceeds with the construction of this development, then the Applicant must pay the applicant of the Pottinger Wind Farm a proportion of the cost of the relevant road upgrade and credit retirement based on the development's proportionate use of the intersection, dimensions of the vehicles and the road upgrades required to facilitate these vehicles.

If there is a dispute between either party involved in the construction or funding of the intersection, then either of the parties may refer the matter to the Planning Secretary for resolution.

Road Maintenance

- B46. The Applicant must, in consultation with the relevant Council:

- (a) undertake an independent dilapidation survey of Selwyn Street, George Street, Denman Road, Bengalla Road, Wybong Road, Boothenba Road, Troy Bridge Road, Bunglegumbie Road, Manildra Street, Derribong Avenue, Algalah Street, Tomingley Road, Thomas Street, Moulden Street, Westlime Road, Hartigan Avenue, Compton Road, Showground Road, Jerilderie Road, North Boundary Road, Bullewah Road, Conargo Road, Carrathool Road and Willurah Road on the transport route (shown in Appendix 5, including all road structures), and any other local or regional roads identified as a haulage route for development related traffic under condition B48, assessing the existing condition prior to use of the relevant road by the development related heavy vehicles for the purposes of construction, upgrade or decommissioning works; and
- (b) undertake an independent dilapidation survey, one month following completion of construction, upgrading or decommissioning works, to assess the condition of the roads listed in condition B46(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 B46(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 survey carried in accordance with condition B46(b) within 2 months of the completion of the survey unless the relevant road authority agrees otherwise.

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

- B47. The Applicant must ensure:

- (a) any new internal roads are constructed as all-weather roads;
- (b) any existing internal roads used by 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 the DPHI Crown Lands;
- (f) any road upgrades that may affect watercourse crossings comply with the *Policy and Guidelines for Fish Habitat Conservation and Management* (2013), unless otherwise agreed with DPIRD Fisheries;
- (g) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and

- (h) 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

- B48. Prior to commencing road upgrades identified in condition B44, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, EnergyCo, relevant Councils (of local government areas in which the haulage routes and road upgrade works are located), to the satisfaction of the Planning Secretary. This plan must include:
- (a) details of the haulage route to be used for all development-related traffic;
 - (b) details of the road upgrade works required by condition B44;
 - (c) 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 B46;
 - (ii) meeting the operating conditions required by condition B47;
 - (iii) temporary traffic controls, Austroads Guide to Traffic Management and relevant roads authority (TfNSW for State road) requirements;
 - (iv) notifying the local community about development-related traffic impacts;
 - (v) measures to comply with the permitted turning directions for vehicle movements as prescribed in condition B42, including the movements identifying any U-turn locations;
 - (vi) procedures for receiving and addressing complaints from the community about development related traffic;
 - (vii) minimising potential cumulative traffic impacts with other State significant development projects along the haulage route as presented within Appendix 5 during construction, including consultation with TfNSW and EnergyCo;
 - (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 tracked onto the public road network from development-related traffic;
 - (x) details of the employee shuttle bus service (if proposed), 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) encouraging car-pooling or ride sharing by employees;
 - (xii) scheduling of haulage vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;
 - (xiii) ensuring loaded vehicles entering or leaving the site have their loads covered or contained;
 - (xiv) responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;
 - (xv) responding to any emergency repair or maintenance requirements; and
 - (xvi) a traffic management system for managing heavy vehicles requiring escort;
 - (d) a swept path analysis and envelope consistency check for any high-risk heavy vehicles requiring escort components to be transported from Port of Newcastle to Hay reliant on the assessed envelope and road upgrades delivered by EnergyCo;
 - (e) confirmation that bridges and culverts along haulage routes as specified in Appendix 5 can accommodate all heavy vehicles requiring escort;
 - (f) confirmation that the existing designated pull-over bays along the haulage routes:
 - (i) demonstrate appropriate traffic delays as agreed by the relevant road authority for oncoming and following traffic as a result of heavy vehicles requiring escort; and
 - (ii) have sufficient existing sealed area of road pavement to accommodate parked traffic;
 - (g) a driver's code of conduct that addresses:
 - (i) driver fatigue;
 - (ii) procedures to ensure that drivers adhere to the designated haulage routes and speed limits; and
 - (iii) procedures to ensure that drivers to implement safe driving practices; and
 - (h) 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.

Import of Components

- B49. Unless otherwise agreed with the Planning Secretary, at least 12 months prior to the importation of any major construction components that require heavy vehicle movements requiring escort, through an Australian port, the Applicant must:
- (a) consult the relevant Port Authority or Port Operator, TfNSW and the NSW Office of the Cross-Border Commissioner (where an interstate port is used); and

- (b) provide the following in writing to the stakeholders in B49(a) of:
 - (i) the intended port(s) to be used;
 - (ii) the nature and volume of the cargo (including the oversize and/or overmass (OSOM) equipment and components to be transported as heavy vehicles requiring escort) and the anticipated import window(s);
 - (iii) identify the port to site route(s) and requirements for heavy vehicles requiring escort;
 - (iv) a proposed delivery schedule; and
 - (v) a proposed timing for updates to the delivery schedule for significant changes.

The Applicant must notify stakeholders in B49(a) of significant changes to the delivery schedule as per the proposed timings outlined in B49(b)(v).

AVIATION

Mitigation of Aviation-Related Impacts

- B50. 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

- B51. Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, DoD, the RAAF and Hay aerodrome:
- (a) co-ordinates in latitude and longitude of each wind turbine and mast;
 - (b) the final height of each wind turbine and mast in Australian Height Datum;
 - (c) ground level at the base of each wind turbine and mast in Australian Height Datum;
 - (d) confirmation of compliance with any OLS; and
 - (e) details of any proposed aviation hazard lighting.
- B52. Prior to the commencement of construction of any wind turbine or wind monitoring mast, the Applicant must consult with Airservices Australia to secure a commercial agreement for amendments required to air route W762 and the Hay aerodrome 25 nm MSA instrument procedure.
- The Applicant must provide evidence to the Planning Secretary that the commercial agreement is in place.
- B53. Within 30 days of the practical completion of any wind turbine or mast, the Applicant must:
- (a) provide confirmation to the stakeholders specified in condition B51 that the information that was previously provided remains accurate; or
 - (b) update the information previously provided.

RADIOCOMMUNICATIONS

- B54. 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

- B55. A fire safety study must be prepared for the development. The study must:
- (a) be prepared and submitted to the Planning Secretary for approval prior to commencing construction of the battery storage facility (including associated foundations and cabling);
 - (b) be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline and FRNSW's *Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations*;
 - (c) describe the final design of the battery storage facility;
 - (d) include the most credible worst-case fire scenario to and from the battery storage facility and associated fire management procedures; and
 - (e) 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.

Unless otherwise agreed by the Planning Secretary, construction of the battery storage facility must not commence until the Planning Secretary has received evidence that FRNSW has confirmed in writing that the fire safety study meets the requirements of condition B55, and the study has been approved by the Planning Secretary. The fire safety study must be implemented, as approved by the Planning Secretary.

Storage and Handling of Dangerous Goods

- B56. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B57. 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 listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Electric and Magnetic Fields

- B58. 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 Non-Ionizing Radiation Protection (ICNIRP) Guidelines* for limiting exposure to time-varying electric and magnetic fields (1Hz – 100kHz) (ICNIRP, 2010).

Operating Conditions

- B59. The development must:
- (a) include a minimum 10 metre wide trafficable fire break around the perimeter of relevant infrastructure including both the battery storage and accommodation camp that permits unrestricted vehicle access and movement;
 - (b) be managed as per the Asset Protection Zone standards in accordance with *Planning for Bushfire Protection* (RFS, 2019, or equivalent); and
 - (c) include provision for a minimum of 100,000 litre water supply tank(s) fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to an internal road.
- B60. The Asset Protection Zones (including fire break) must be maintained for the life of the development and located wholly within the site.

Emergency Plan

- B61. An emergency plan must be prepared for the development. The plan must:
- (a) be prepared and implemented prior to commencement of construction;
 - (b) be prepared in consultation with FRNSW and RFS;
 - (c) be provided to the local Fire Control Centre and FRNSW;
 - (d) be prepared in accordance with the findings of the Fire Safety Study required under condition B55;
 - (e) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' guideline;
 - (f) include details on general emergency management planning, including:
 - (i) details of how the battery storage and sub-systems can be safely isolated in an emergency;
 - (ii) identification of fire risks and hazards and detailed measures for the development to prevent fires igniting;
 - (iii) availability of fire suppression equipment, access and water;
 - (g) include bushfire emergency management planning consistent with *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014) and *Planning for Bushfire Protection* (RFS, 2019, or equivalent) including:
 - (i) details of the location, management and maintenance of the Asset Protection Zone;
 - (ii) a list of works that must not be carried out during a total fire ban;
 - (iii) 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;

- there are any proposed activities to be carried out during a bushfire danger period; or
 - actions taken in the event of bushfires, such as shutting down turbines and the positioning of turbine blades to minimise interference with aerial firefighting operations;
- (h) include emergency management and evacuation procedures and identification of specific emergency exit routes to be used including evidence of access agreements with relevant landowners (e.g. right of carriageway); and
- (i) include an Emergency Services Information Package in accordance with Emergency services information package and tactical fire plan (FRNSW, 2019).
- B62. Two copies of the plan and the Emergency Services Information Package must be kept on-site in prominent positions adjacent to the site entry point(s) at all times.

WASTE

- B63. The Applicant must:
- (a) prepare and implement a Waste Management Plan prior to commencing construction, which must:
 - (i) be prepared in consultation with Councils and EnergyCo;
 - (ii) be consistent with the EIS;
 - (iii) identify opportunities to maximise recycling;
 - (iv) identify appropriately licensed waste and resource management facilities at which waste disposal and recycling will take place;
 - (v) identify the location and method of storing of lithium-ion batteries if immediate recycling is not possible; and
 - (vi) include a description of the measures that will be implemented to ensure that the objectives of condition B63(b)-(f) below are achieved;
 - (b) minimise the waste generated by the development;
 - (c) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - (d) store and handle all waste on site in accordance with its classification;
 - (e) not receive or dispose of any waste on site; and
 - (f) 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 (in consultation with Council for use of Council waste facilities).

ACCOMMODATION CAMP

- B64. Unless the Planning Secretary agrees otherwise, the Applicant must construct and operate the accommodation camp as described in the EIS and in Appendix 1 of this consent, and in accordance with the Accommodation and Employment Strategy required under condition B66, prior to commencing all other construction activities.
- Note: The workers accommodation camp described in the EIS must be constructed and operated unless the Planning Secretary agrees to an alternative, such as the use of another existing accommodation camp, the construction and operation of which is authorised under a separate planning approval.*
- B65. Prior to commencing construction of the accommodation camp, the Applicant must prepare an Accommodation Camp Management Plan in consultation with Councils and NSW Health. The plan must:
- (a) ensure utilities at the accommodation camp, including water, wastewater, waste and electricity, are designed and located in accordance with Councils specifications and relevant standards;
 - (b) ensure the accommodation camp complies with conditions B17 and B59;
 - (c) ensure any treated wastewater from the accommodation camp used during construction:
 - (i) complies with the Australian and New Zealand Environment and Conservation Council (ANZECC) & Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) (2000) Guidelines for irrigation water quality;
 - (ii) meets the requirements of the *Public Health Act 2010*;
 - (d) include measures for dust suppression within the accommodation camp;
 - (e) provide the site layout including building locations, vehicle access and movement, site servicing and utilities infrastructure;
 - (f) include measures to provide the camp with health and medical services and to notify the relevant health authorities of the final measures; and
 - (g) include measures to support local suppliers in servicing the camp where possible.

The Applicant must implement the Accommodation Camp Management Plan.

ACCOMMODATION AND EMPLOYMENT STRATEGY

B66. Prior to commencing construction, the Applicant must prepare and implement an Accommodation and Employment Strategy for the development in consultation with Councils, EnergyCo, 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) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and
- (d) 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.

The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencement of construction and implement the plan throughout construction and operation of the accommodation camp.

DECOMMISSIONING AND REHABILITATION

Rehabilitation Objectives – Decommissioning

B67. Unless the Planning Secretary agrees otherwise, within 12 months of commencing operation of the development or 12 months of ceasing the use of the accommodation camp (whichever occurs sooner), the Applicant must decommission and rehabilitate the accommodation camp to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in **Table 2**.

Table 2 | Rehabilitation Objectives – Accommodation Camp

Feature	Objective
Accommodation Camp	• Safe, stable and non-polluting • All infrastructure including above and below ground to be decommissioned and removed to a depth of 500mm, unless the Planning Secretary agrees otherwise • Restore land capacity to pre-existing productive capacity • Ensure public safety at all times

B68. 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 3**.

Table 3 | Rehabilitation Objectives

Feature	Objective
Development site (as a whole)	• 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	• Restore native vegetation generally as identified in the EIS
Above ground wind turbine infrastructure (excluding wind turbine pads)	• To be decommissioned and removed, unless the Planning Secretary agrees otherwise
Wind turbine pads	• To be covered with soil and/or rock and revegetated
Above ground ancillary infrastructure	• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Planning Secretary
Internal access roads	• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Planning Secretary
Underground cabling	• To be decommissioned and removed, unless the Planning Secretary agrees otherwise
Land use	• Restore or maintain land capability to pre-existing use
Community	• Ensure public safety at all times

Progressive Rehabilitation

B69. The Applicant must:

- (a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following disturbance;
- (b) rehabilitate on-site borrow pits as soon as practicable after cessation of borrow pit activities;
- (c) rehabilitate the site to a standard that makes it available for agricultural production following decommissioning;
- (d) minimise the total area exposed at any time; and
- (e) 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

B70. 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.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

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) describe 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:
 - (i) references to any strategies, plans and programs approved under the conditions of this consent; and
 - (ii) 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 C12;
 - (ii) submission of an audit report under condition C15; 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 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 in a Staging Report); 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.

- C7. The development may be undertaken in stages (including but not limited to temporal, location or activity-based staging). Where staging is proposed, the Applicant must prepare a Staging Report for pre-construction minor works, construction, operation or all stages as applicable. The Staging Report must:
- (a) be submitted:
 - (i) to the Planning Secretary no later than 1 month before the commencement of the first proposed stage detailed in the Staging Report; and
 - (ii) no later than 1 month prior to the lodgement of any management plan staged under condition C3;
 - (b) provide a clear description of:
 - (i) the trigger for staging the development;
 - (ii) the specific stages and scope of the development proposed in each stage;
 - (iii) any existing stages;
 - (iv) any future stages planned; and
 - (v) a schedule for the current and future stages;
 - (c) specify how compliance with conditions will be achieved across and between stages; and
 - (d) set out mechanisms for managing cumulative impacts arising from the proposed staging.
- C8. The development must be delivered in accordance with the Staging Report submitted to the Planning Secretary.
- Note: Amendments to the Staging Report are facilitated by submitting a revised Staging Report in accordance with the above condition.*

NOTIFICATIONS

Notification of Department

- C9. Prior to commencing the construction, commissioning, 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 portal 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 prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

Final Layout Plans

- C10. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website, including:
- (a) details on siting of wind turbines, including micro-siting of any wind turbines and/or ancillary infrastructure (including wind monitoring masts);
 - (b) showing comparison to the approved layout, the requirements of condition B24(a) and the Aboriginal heritage items identified in condition B35 and;
 - (c) the GPS coordinates of the wind turbines; and
 - (d) showing comparison to the approved layout.

The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.

Work as Executed Plans

- C11. 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

- C12. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C13. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 8.

Non-Compliance Notification

- C14. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- C15. 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) or as updated from time to time and published on the Department's website.

ACCESS TO INFORMATION

- C16. 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 for 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, including annual BBAMP reports;
 - (vii) how complaints about the development can be made;
 - (viii) a complaints register, which is to be updated on at least a monthly basis;
 - (ix) minutes of CCC meetings;
 - (x) the annual Statement of Compliance with the EPL;
 - (xi) any independent environmental audit prepared in accordance with these conditions, and the Applicant's response to the recommendations in any audit; and
 - (xii) any other matter required by the Planning Secretary; and
 - (b) keep this information up to date.
-

APPENDIX 1 DEVELOPMENT LAYOUT

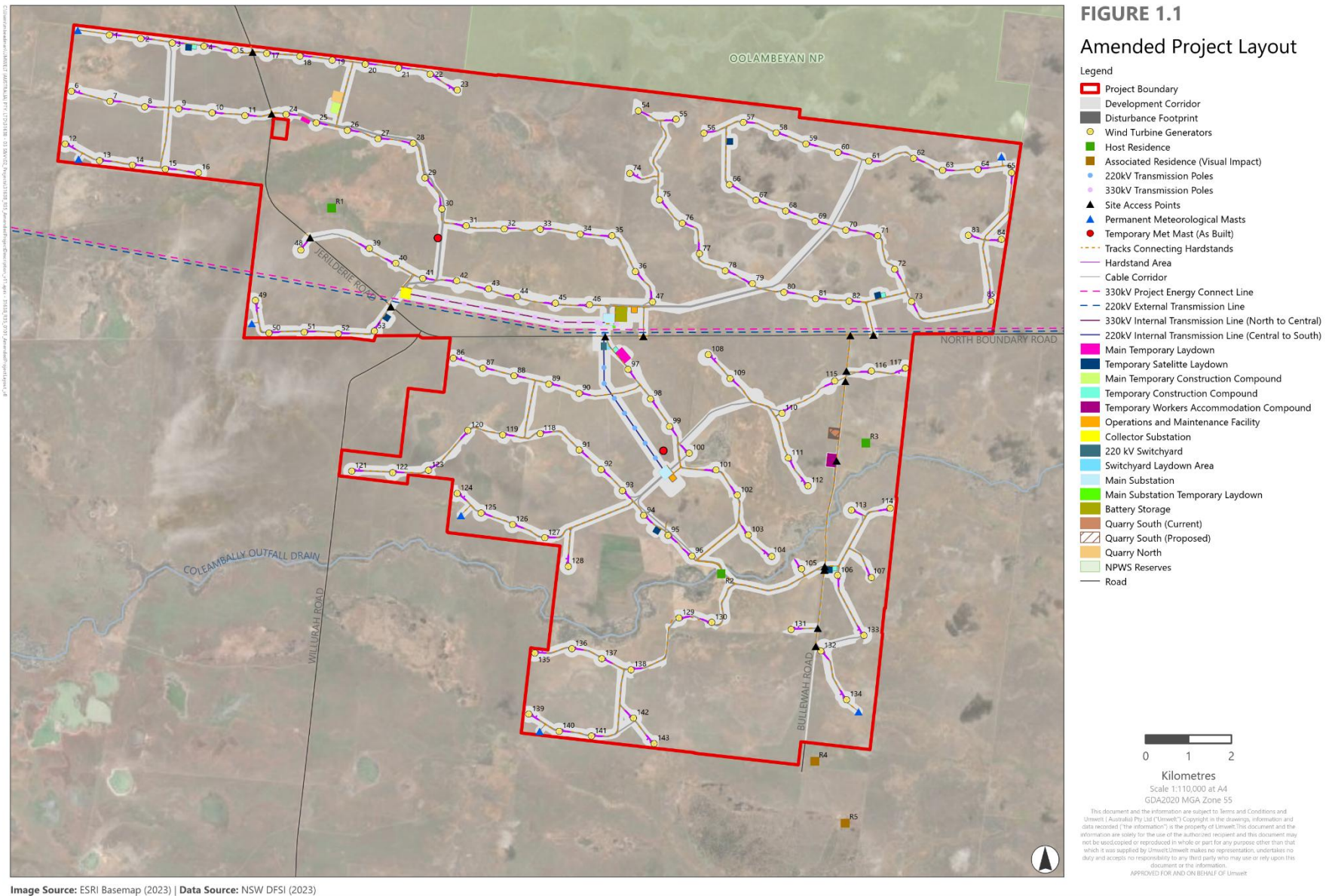


Figure 1 Development layout

Table 4 Location of Wind Turbines

WTG ID	Easting	Northing
1	325889	6148937
2	326621	6148848
3	327356	6148753
4	328097	6148676
5	328822	6148578
6	325002	6147624
7	325904	6147385
8	326714	6147263
9	327508	6147213
10	328287	6147117
11	329052	6147057
12	324858	6146391
13	325661	6146001
14	326426	6145898
15	327196	6145809
16	327969	6145722
17	329561	6148507
18	330337	6148443
19	331092	6148351
20	331860	6148259
21	332638	6148164
22	333377	6148025
23	334009	6147654
24	330013	6147080
25	330718	6146885
26	331444	6146713
27	332160	6146513
28	332979	6146412

WTG ID	Easting	Northing
29	333255	6145600
30	333650	6144874
31	334218	6144486
32	335106	6144410
33	335945	6144403
34	336878	6144289
35	337620	6144253
36	338166	6143415
39	331958	6143950
40	332573	6143605
41	333203	6143254
42	333996	6143197
43	334738	6143017
44	335401	6142826
45	336300	6142676
46	337097	6142644
47	338567	6142708
48	330358	6143911
49	329297	6142739
50	329614	6141976
51	330438	6141998
52	331232	6141964
53	332074	6142021
54	338236	6147166
55	339117	6146967
56	339766	6146640
57	340686	6146893
58	341453	6146650
59	342148	6146393

WTG ID	Easting	Northing
60	342897	6146193
61	343616	6145990
62	344659	6146058
63	345336	6145774
64	346161	6145800
65	346946	6145723
66	340361	6145442
67	340982	6145076
68	341674	6144832
69	342363	6144583
70	343079	6144384
71	343821	6144248
72	344218	6143469
73	344612	6142711
74	338036	6145708
75	338729	6145093
76	339261	6144544
77	339662	6143830
78	340263	6143433
79	340899	6143133
80	341634	6142930
81	342373	6142780
82	343154	6142720
83	345937	6144257
84	346710	6144163
85	346469	6142723
86	333915	6141396
87	334609	6141159
88	335335	6140979

WTG ID	Easting	Northing
89	336148	6140789
90	336854	6140574
91	336854	6139248
92	337366	6138797
93	337864	6138304
94	338360	6137720
95	338929	6137258
96	339487	6136774
97	337995	6141127
98	338519	6140442
99	338964	6139799
100	339423	6139177
101	340050	6138780
102	340547	6138194
103	340804	6137269
104	341349	6136760
105	342044	6136474
106	342885	6136323
107	343677	6136268
108	339868	6141477
109	340376	6140918
110	341589	6140106
111	341734	6139061
112	342195	6138414
113	343210	6137839
114	344115	6137894
115	342819	6140857
116	343677	6141097
117	344468	6141163

WTG ID	Easting	Northing
118	335945	6139634
119	335070	6139607
120	334255	6139707
121	331546	6138756
122	332501	6138720
123	333337	6138777
124	334008	6138237
125	334565	6137780
126	335301	6137507
127	336052	6137197
128	336601	6136533
129	339184	6135332
130	339948	6135225
131	341801	6135058
132	342496	6134558
133	343500	6134920
134	343096	6133419
135	335819	6134506
136	336684	6134609
137	337383	6134382
138	338064	6134119
139	335679	6133080
140	336388	6132686
141	337141	6132568
142	338122	6132991
143	338604	6132397

Note: Wind turbines No. 37 and No. 38 have been removed from the project layout.

APPENDIX 2 SCHEDULE OF LANDS

Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)	Lot Number / Deposit Plan (DP)
4/DP256961	96/DP756317	2/DP756317
91/DP756317	110/DP756317	8/DP750891
92/DP756317	119/DP756317	9/DP750891
77/DP756317	127/DP756317	11/DP750891
106/DP756317	121/DP756317	19/DP750891
75/DP756317	111/DP756317	12/DP750891
80/DP756317	120/DP756317	16/DP750891
76/DP756317	126/DP756317	15/DP750891
79/DP756317	1/DP119216	14/DP750891
78/DP756317	2/DP119216	17/DP750891
109/DP756317	1/DP756317	13/DP750891
118/DP756317	112/DP756317	30/DP750891
108/DP756317	84/DP756317	28/DP750891
117/DP756317	A/DP930609	99/DP750891
107/DP756317	128/DP756317	27/DP750891
116/DP756317	113/DP756317	2/DP256961
93/DP756317	122/DP756317	115/DP756317
101/DP756317	99/DP756317	18/DP750891
94/DP756317	3/DP756317	123/DP756317
90/DP756317	85/DP756317	32/DP756351
95/DP756317	104/DP756317	62/DP756351
89/DP756317	114/DP756317	1/DP1137659
85/DP750891	129/DP756317	41/DP591554
G/DP930212	145/DP756317	7/DP256961
74/DP756317	147/DP756317	2/DP1137659
72/DP756317	148/DP756317	86/DP750891
83/DP756317	100/DP756317	84/DP750891
73/DP756317	150/DP756317	96/DP750891
82/DP756317	151/DP756317	M/DP978300
81/DP756317	154/DP756317	29/DP750891
88/DP756317	146/DP756317	24/DP750891
86/DP756317	155/DP756317	26/DP750891
98/DP756317	152/DP756317	25/DP750891
87/DP756317	149/DP756317	9/DP658690
97/DP756317	153/DP756317	7301/DP1149704

Note: The site will also be taken to include any Crown Land and Road Reserves contained within the site

APPENDIX 3 GENERAL TERMS OF APPLICANT'S VPA OFFER

Edward River Council



r.e.think energy

Aidan O'Mahony
Major Developments Leader NSW
Bullawah Wind Farm Pty Ltd
Suite 1, Level 13, 356 Collins Street,
Melbourne, 3000

Jack Bond
Chief Executive Officer
Edward River Council
PO Box 270
Deniliquin NSW 2710

17 February 2026

Dear Jack

RE: Revised Letter of Offer - Bullawah Wind Farm Planning Agreement

I am pleased to make this updated and final offer to Edward River Council (the **Council**) for the Community Benefit Fund to be established in connection with the development application for the Bullawah Wind Farm (the **Wind Farm**).

On 19 November 2025 we sent you a confidential and binding offer made in accordance with Section 7.7 (3)(a) of the *Environmental Planning and Assessment Act 1979* (the **Act**) which set out the terms of the offer that would be incorporated in a planning agreement to be made as a condition of approval of the Bullawah Wind Farm.

This final offer updates the terms of our original offer in response to the feedback we received from your lawyers Kell Moore Lawyers and Conveyancers, and discussions between our respective lawyers to resolve several issues. In summary, our final offer reflects our understanding that Council agrees that:

- payments will be tied to stages of the development.
- the total payment for each stage will be calculated based on notice of the installed capacity for that stage (adjusted for any changes made to reflect actual installed capacity).
- an upfront, non-refundable payment of four years of the Council's total annual payment for each stage will be made on notice of Commencement of Construction as set out in Schedule 2
- subsequent annual payments will be made calculated based on the Council's share of the total payment for the stage, net of the upfront payment, as set out in Schedule 2.
- all payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.
- security for the payments for each stage equal to eleven years of the Council's annual payments for each stage will be provided on or before Commencement of Construction.
- the funding provided to the Council will be applied in accordance with the Council's Community Benefit Framework as amended by the Council from time to time, following consultation.
- the Council will provide reasonable assistance to make information that is or will be made public on the expenditure of funds, available to meet external audit requirements.
- the 15% of the total planning agreement funding that is not paid to the Council will be used to support First Nations benefits, including organisational capacity building.

BayWa r.e. Projects Australia Pty Ltd | ABN 51 606 343 757 | Melbourne | Brisbane
Suite 1, Level 13, 356 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

This offer is also made on the understanding that the Council acknowledges that for a project stage to proceed it needs to be commercially viable, and that commercial viability depends on a range of factors at the time including grid capacity and constraints, construction costs and buyers willing to pay a commercial rate for the electricity.

We understand that the Council is collaborating with the other local councils in the preparation of a template planning agreement for the Wind Farm. We anticipate that the template will cover a range of matters including enforcement and dispute resolution, which we have therefore not included in this final offer, but will provide feedback on when we are consulted on the proposed template.

We have been asked by the Department of Planning to advise whether our offer has been accepted. If it is accepted, the requirement to enter into a planning agreement with the Council prior to commencing construction, can be included as a condition of the development consent for the project.

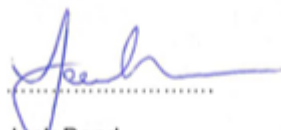
To accept this final offer, please can you sign and return a copy of this letter by 20 February 2026. We look forward to continuing to work with you on the planning agreement to share the benefits of the Bullawah Wind Farm with the local community.

Yours sincerely



Aidan O'Mahony
Major Developments Leader NSW

Offer accepted on behalf of Edward River Council



Jack Bond
Chief Executive Officer
Edward River Council
PO Box 270
Deniliquin NSW 2710

Date: 25/02/26

RELEVANT MATTERS UNDER SECTION 7.4 OF THE ACT	
Development Application – Section 7.4(1)(b)	Bullawah Wind Farm (SSD-50505215)
Description of the land to which the planning agreement applies – Section 7.4(3)(a)	See Schedule 3
The scope, timing and manner of delivery of contributions required by the Planning Agreement – Section 7.4(3)(c)	Monetary Contribution to the three councils.¹ Total payments for a stage calculated based on the installed capacity for the stage (adjusted for any changes made to reflect actual installed capacity). 85% of the total payments to be paid to the three councils split in accordance with agreement between the three councils.² Upfront non-refundable payment to the Council of four years of the total annual payments for each stage, made to Council on notice of Commencement of Construction.³ Annual payments to be calculated net of the up-front 4 year payment, and to begin on the Commencement of Commercial Operations.⁴
Mechanism for dispute resolution – Section 7.4(3)(f)	TBA in template planning agreement
Enforcement of the Planning Agreement by a suitable means – Section 7.4(3)(g)	TBA in template planning agreement
APPLICATION OF CONTRIBUTIONS UNDER THE ACT	
Applicability of section 7.11 of the Act – Section 7.4(3)(d)	Excluded
Applicability of section 7.12 of the Act – Section 7.4(3)(d)	Excluded

¹ Hay Shire Council, Edwards River Council and Murrumbidgee Council.

² Written agreement from the three councils to the split of funding is required.

³ Commencement of Construction means the date of the start of construction of the project stage on the land, including but not limited to any quarrying activities and other earthworks, and the construction of ancillary infrastructure.

⁴ Commencement of Commercial Operations means the date upon which the development reaches "Commercial Operations" as defined in, and pursuant to, the Developer's Project Development Agreement with EnergyCo.

BayWa r.e. Projects Australia Pty Ltd | ABN 51 506 343 757 | Melbourne | Brisbane
Suite 1, Level 13, 356 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

Applicability of Division 7.1, Subdivision 4 of the Act – Section 7.4(3)(d)	Excluded
PURPOSE OF COMMUNITY BENEFIT FUND	
Public purposes Sections 7.4(1) & 7.4(2).	The funding paid to the Council is to be applied in accordance with the Edward River Council Renewable Energy Community Benefit Framework (as varied from time to time) following consultation. The 15% of the total Planning Agreement funding not paid directly to the Council will be used to provide First Nations benefits. The First Nations funding will be: • administered by Bullawah Wind Farm as an annual payment to relevant First Nations group within the Edward River Council LGA. • used for organisational capacity building or for other community benefit purposes. • allocated either through an annual grant program or direct annual payment to support capacity building. • provided subject to conditions including reporting on the use of funding to be shared with Council.
TERM, CONTRIBUTION RATE AND ANNUAL ADJUSTMENT	
Term	30 years
Rate	Total payment per stage = \$1,050 per MW per year x total installed capacity for the stage. Total payment to Councils per stage = 85% x Total payments per stage x agreed % split per Council. See Schedule 2.
Annual Adjustment	CPI is applied to payments from the 2024-25 Financial Year up to the date of the relevant payment. CPI will be calculated by the Consumer Price Index All Groups in the capital city of the State or Territory in which the Land is situated published by the Australian Bureau of

BayWa r.e. Projecta Australia Pty Ltd | ABN 51 606 343 757 | Melbourne | Brisbane
Suite 1, Level 11, 358 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

	Statistics in the most recent June Quarter as at calculation/corresponding number in June 2025 quarter.
SECURITY FOR THE AGREEMENT	
Form of security	Bank Guarantee
Amount of security	Eleven (11) times the annual payment to the Council for each stage, provided on or before the "Commencement of Construction".
REGISTRATION ON TITLE	
Registration of the Planning Agreement – Section 7.6	Planning Agreement will not be registered
PAYMENT OF COSTS	
Costs in preparation of planning agreement	Council's reasonable costs to be met.
Costs in administering Community Benefit Fund.	Costs of administration to be met from the Fund.



r.e.think energy

Schedule 2: Planning Agreement Payments

Stage	Number of turbines	Generation (MW)	Payment per MW/year	Total Planning Agreement payments /annum	85% allocation to Councils	Allocation to ERC (as per agreed split by LGA)	Total payment per year (over 30 years)	4 - year upfront payment	Bank guarantee (amount = 11 years)	Indicative timing	Subsequent annual payments (net of 4 - year upfront payment)
1	52	312	\$1,050	\$327,600	\$278,460	37.5%	\$104,422.50	\$417,690	\$1,148,647.50	Q4 2026*	\$90,498.50
2	46	276	\$1,050	\$289,800	\$246,330	37.5%	\$92,373.75	\$369,495	\$1,016,111.25	Q1 2027*	\$80,057.25
3	TBC	215.7 (TBC)	\$1,050	\$226,485	\$192,512	37.5%	\$72,192.06	\$288,768	\$794,112.66	Unknown**	\$62,566.46

Notes:

Payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.

* Dates are subject to change and subject to commercial viability

** Indicative timing cannot be given as there is currently no grid capacity available

BayWa r.e. Projects Australia Pty Ltd | ABN 51 606 343 757 | Melbourne | Brisbane
 Suite 1, Level 13, 355 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

Schedule 3: Land

Lot	DP	Lot	DP	Lot	DP
1	756317	114	756317	129	756317
1	756317	115	756317	145	756317
100	756317	116	756317	146	756317
101	756317	117	756317	148	756317
104	756317	118	756317	149	756317
106	756317	119	756317	150	756317
107	756317	120	756317	151	756317
108	756317	121	756317	152	756317
109	756317	122	756317	153	756317
110	756317	123	756317	154	756317
111	756317	126	756317	155	756317
112	756317	127	756317	2	756317
113	756317	128	756317	2	119216
3	756317	80	756317	91	756317
32	756351	81	756317	92	756317
62	756351	82	756317	93	756317
72	756317	83	756317	94	756317
73	756317	84	756317	95	756317
74	756317	85	756317	96	756317
75	756317	86	756317	97	756317
76	756317	87	756317	98	756317
77	756317	88	756317	99	756317
78	756317	89	756317		
79	756317	90	756317		

BayWa r.e. Projects Australia Pty Ltd | ABN 51 606 343 757 | Melbourne | Brisbane
 Suite 1, Level 13, 356 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au



r.e.think energy

Aidan O'Mahony
Major Developments Leader NSW
Bullawah Wind Farm Pty Ltd
Suite 1, Level 13, 356 Collins Street,
Melbourne, 3000

John Scarce
General Manager
Murrumbidgee Council
PO Box 5
Darlington Point, NSW 2706

17 February 2026

Dear John,

RE: Revised Letter of Offer - Bullawah Wind Farm Community Benefit Fund

I am pleased to make this formal offer to Murrumbidgee Council for the Community Benefit Fund to be established in connection with the development application for the Bullawah Wind Farm (the **Wind Farm**).

On 18 June 2024 we sent you a Letter of Intent which set out the proposed community benefits associated with the Wind Farm. Thank you for signing it in return.

In November 2025 we sent you a confidential and binding offer made in accordance with Section 7.7 (3)(a) of the *Environmental Planning and Assessment Act 1979* (the **Act**). Schedule 1 sets out the terms of the offer that would be incorporated in a planning agreement to be made as a condition of approval of the Bullawah Wind Farm. Thank you for signing it in return.

Since November 2025, we have been in discussion with Murrumbidgee and the other participating local Councils (Hay Shire and Edward River). This revised Letter of Offer sets out the updated commercial terms of the offer. The terms are aligned with offers to the other Councils. In summary, our final offer reflects our understanding that Council agrees that:

- payments will be tied to stages of the development.
- the total payment for each stage will be calculated based on notice of the installed capacity for that stage (adjusted for any changes made to reflect actual installed capacity).
- an upfront, non-refundable payment of four years of the Council's total annual payment for each stage will be made on notice of Commencement of Construction as set out in Schedule 2
- subsequent annual payments will be made calculated based on the Council's share of the total payment for the stage, net of the upfront payment, as set out in Schedule 2.
- all payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.
- security for the payments for each stage equal to one year of the Council's annual payments for each stage will be provided on or before Commencement of Construction.
- the funding provided to the Council will be applied in accordance with the public purpose which will be determined with the Council.
- the Council will provide reasonable assistance to make information that is or will be made public on the expenditure of funds, available to meet external audit requirements.

BayWa r.e. Projects Australia Pty Ltd | ABN 34 606 343 757 | Melbourne | Brisbane
Suite 1, Level 13, 356 Collins Street, Melbourne, 3000, Australia
Email: collins@baywa-re.com

- the 15% of the total planning agreement funding that is not paid to the Council will be used to support First Nations benefits, including organisational capacity building.

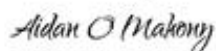
This offer is also made on the understanding that the Council acknowledges that for a project stage to proceed it needs to be commercially viable, and that commercial viability depends on a range of factors at the time including grid capacity and constraints, construction costs and buyers willing to pay a commercial rate for the electricity.

We understand that the Council is collaborating with the other local councils in the preparation of a template planning agreement for the Wind Farm. We anticipate that the template will cover a range of matters including enforcement and dispute resolution, which we have therefore not included in this final offer, but will provide feedback on when we are consulted on the proposed template.

We have been asked by the Department of Planning to advise whether our offer has been accepted. If it is accepted, the requirement to enter into a planning agreement with the Council prior to commencing construction, can be included as a condition of the development consent for the project.

To accept this final offer, please can you sign and return a copy of this letter by 23 February 2026. We look forward to continuing to work with you on the planning agreement to share the benefits of the Bullawah Wind Farm with the local community.

Yours sincerely



Aidan O'Mahony
Major Developments Leader NSW

Offer accepted on behalf of Murrumbidgee Council



John Scarce
General Manager
Murrumbidgee Council
PO Box 5
Darlington Point, NSW 2706

Date 24.2.26

Schedule 1: Terms of Offer

RELEVANT MATTERS UNDER SECTION 7.4 OF THE ACT	
Development Application – Section 7.4(1)(b)	Bullawah Wind Farm (SSD-50505215)
Description of the land to which the planning agreement applies – Section 7.4(3)(a)	See Schedule 3
The scope, timing and manner of delivery of contributions required by the Planning Agreement – Section 7.4(3)(c)	Monetary Contribution to the three councils.¹ Total payments for a stage calculated based on the installed capacity for the stage (adjusted for any changes made to reflect actual installed capacity). 85% of the total payments to be paid to the three councils split in accordance with agreement between the three councils.² Upfront non-refundable payment to the Council of four years of the total annual payments for each stage, made to Council on notice of Commencement of Construction.³ Annual payments to be calculated net of the up-front 4 year payment, and to begin on the Commencement of Commercial Operations.⁴
Mechanism for dispute resolution – Section 7.4(3)(f)	TBA in template planning agreement
Enforcement of the Planning Agreement by a suitable means – Section 7.4(3)(g)	TBA in template planning agreement
APPLICATION OF CONTRIBUTIONS UNDER THE ACT	
Applicability of section 7.11 of the Act – Section 7.4(3)(d)	Excluded
Applicability of section 7.12 of the Act – Section 7.4(3)(d)	Excluded

¹ Hay Shire Council, Edward River Council and Murrumbidgee Council.

² Written agreement from the three councils to the split of funding is required.

³ Commencement of Construction means the date of the start of construction of the project stage on the land, including but not limited to any quarrying activities and other earthworks, and the construction of ancillary infrastructure.

⁴ Commencement of Commercial Operations means the date upon which the development reaches "Commercial Operations" as defined in, and pursuant to, the Developer's Project Development Agreement with EnergyCo.

BayWa r.e. Projects Australia Pty Ltd | ABN 51 606 341 757 | Melbourne | Brisbane
Suite 1, Level 13, 356 Collins Street, Melbourne 3000, Australia
www.baywa-re.com/au

Applicability of Division 7.1, Subdivision 4 of the Act – Section 7.4(3)(d)	Excluded
PURPOSE OF COMMUNITY BENEFIT FUND	
Public purposes Sections 7.4(1) & 7.4(2).	Public purpose(s) to be determined in consultation with the Council(s).
TERM, CONTRIBUTION RATE AND ANNUAL ADJUSTMENT	
Term	30 years
Rate	Total payment per stage = \$1,050 per MW per year x total installed capacity for the stage. Total payment to Councils per stage = 85% x Total payments per stage x agreed % split per Council. See Schedule 2.
Annual Adjustment	CPI is applied to payments from the 2024-25 Financial Year up to the date of the relevant payment. CPI will be calculated by the Consumer Price Index All Groups in the capital city of the State or Territory in which the Land is situated published by the Australian Bureau of Statistics in the most recent June Quarter as at calculation/corresponding number in June 2025 quarter.
SECURITY FOR THE AGREEMENT	
Form of security	Bank Guarantee
Amount of security	One year of the Annual payment to the Council for each stage, provided on or before the "Commencement of Construction".
REGISTRATION ON TITLE	
Registration of the Planning Agreement – Section 7.6	Planning Agreement will not be registered
PAYMENT OF COSTS	

BayWa r.e. Projects Australia Pty Ltd - ABN 51 698 343 757 - Melbourne - Brisbane
Suite 1, Level 13, 358 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

Costs in preparation of planning agreement	Council's reasonable costs to be met.
Costs in administering Community Benefit Fund.	Costs of administration to be met from the Fund.



r.e.think energy

Schedule 2: Planning Agreement Payments

Stage	Number of turbines	Generation (MW)	Payment per MW/year	Total Planning Agreement payments / annum	85% allocation to Councils	Allocation to Murrumbidgee Council (per agreed split by LGA)	Total payment per year (over 30 years)	4 - year upfront payment	Indicative timing	Subsequent annual payments (net of 4 -year upfront payment)
1	52	312	\$1,050	\$327,600	\$278,460	25%	\$69,615	\$278,460	Q4 2026*	\$60,333
2	46	276	\$1,050	\$289,800	\$246,330	25%	\$61,582.50	\$246,330	Q1 2027*	\$53,371.50
3	TBC	215.7 (TBC)	\$1,050	\$226,485	\$192,512	25%	\$48,128	\$192,512	Unknown**	\$41,710

Notes:

Payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.

* Dates are subject to change and subject to commercial viability

** Indicative timing cannot be given as there is currently no grid capacity available

BayWa r.e. Projects Australia Pty Ltd | ABN 51 006 343 157 | Melbourne | Brisbane
 Suite 1 | Level 12, 356 Collins Street, Melbourne, 3000, Australia
 Email: australia@baywa-re.com

Schedule 3: Land

Lot	DP	Lot	DP
11	750891	26	750891
12	750891	27	750891
13	750891	28	750891
14	750891	29	750891
15	750891	30	750891
16	750891	8	750891
17	750891	84	750891
18	750891	85	750891
19	750891	86	750891
24	750891	9	750891
25	750891	96	750891
99	750891	A	930609
G	930212	M	978300



r.e.think energy

Aidan O'Mahony
Major Developments Leader NSW
Bullawah Wind Farm Pty Ltd
Suite 1, Level 13, 356 Collins Street,
Melbourne, 3000

David Webb
General Manager
Hay Shire Council
134 Lachlan Street
Hay, NSW 2711

13 February 2026

Dear David

RE: Revised Letter of Offer - Bullawah Wind Farm Planning Agreement

I am pleased to make this updated and final offer to Hay Shire Council (the **Council**) for the Community Benefit Fund to be established in connection with the development application for the Bullawah Wind Farm (the **Wind Farm**).

On 19 November 2025 we sent you a confidential and binding offer made in accordance with Section 7.7 (3)(a) of the *Environmental Planning and Assessment Act 1979* (the **Act**) which set out the terms of the offer that would be incorporated in a planning agreement to be made as a condition of approval of the Bullawah Wind Farm.

This final offer updates the terms of our original offer in response to the feedback we received from your lawyers Kell Moore Lawyers and Conveyancers, and discussions between our respective lawyers to resolve several issues. In summary, our final offer reflects our understanding that Council agrees that:

- payments will be tied to stages of the development.
- the total payment for each stage will be calculated based on notice of the installed capacity for that stage (adjusted for any changes made to reflect actual installed capacity).
- an upfront, non-refundable payment of four years of the Council's total annual payment for each stage will be made on notice of Commencement of Construction as set out in Schedule 2
- subsequent annual payments will be made calculated based on the Council's share of the total payment for the stage, net of the upfront payment, as set out in Schedule 2.
- all payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.
- security for the payments for each stage equal to eight years of the Council's annual payments for each stage will be provided on or before Commencement of Construction.
- the funding provided to the Council will be applied in accordance with the Council's Community Benefit Framework as amended by the Council from time to time, following consultation.
- the Council will provide reasonable assistance to make information that is or will be made public on the expenditure of funds, available to meet external audit requirements.
- the 15% of the total planning agreement funding that is not paid to the Council will be used to support First Nations benefits, including organisational capacity building.

BayWa r.e. Projects Australia Pty Ltd | ABN 51 056 343 757 | Melbourne | Brisbane
Suite 1, Level 13, 356 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

DW
14/2/26

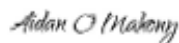
This offer is also made on the understanding that the Council acknowledges that for a project stage to proceed it needs to be commercially viable, and that commercial viability depends on a range of factors at the time including grid capacity and constraints, construction costs and buyers willing to pay a commercial rate for the electricity.

We understand that the Council is collaborating with the other local councils in the preparation of a template planning agreement for the Wind Farm. We anticipate that the template will cover a range of matters including enforcement and dispute resolution, which we have therefore not included in this final offer, but will provide feedback on when we are consulted on the proposed template.

We have been asked by the Department of Planning to advise whether our offer has been accepted. If it is accepted, the requirement to enter into a planning agreement with the Council prior to commencing construction, can be included as a condition of the development consent for the project.

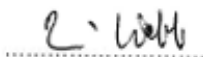
To accept this final offer, please can you sign and return a copy of this letter by 16th of February. We look forward to continuing to work with you on the planning agreement to share the benefits of the Bullawah Wind Farm with the local community.

Yours sincerely



Aidan O'Mahony
Major Developments Leader NSW

Offer accepted on behalf of Hay Shire Council



David Webb
General Manager
Hay Shire Council
134 Lachlan Street
Hay, NSW 2711

Date: 16, 2, 26

RELEVANT MATTERS UNDER SECTION 7.4 OF THE ACT	
Development Application – Section 7.4(1)(b)	Bullawah Wind Farm (SSD-50505215)
Description of the land to which the planning agreement applies – Section 7.4(3)(a)	See Schedule 3
The scope, timing and manner of delivery of contributions required by the Planning Agreement – Section 7.4(3)(c)	Monetary Contribution to the three councils.¹ Total payments for a stage calculated based on the installed capacity for the stage (adjusted for any changes made to reflect actual installed capacity). 85% of the total payments to be paid to the three councils split in accordance with agreement between the three councils.² Upfront non-refundable payment to the Council of four years of the total annual payments for each stage, made to Council on notice of Commencement of Construction.³ Annual payments to be calculated net of the up-front 4 year payment, and to begin on the Commencement of Commercial Operations.⁴
Mechanism for dispute resolution – Section 7.4(3)(f)	TBA in template planning agreement
Enforcement of the Planning Agreement by a suitable means – Section 7.4(3)(g)	TBA in template planning agreement
APPLICATION OF CONTRIBUTIONS UNDER THE ACT	
Applicability of section 7.11 of the Act – Section 7.4(3)(d)	Excluded
Applicability of section 7.12 of the Act – Section 7.4(3)(e)	Excluded

¹ Hay Shire Council, Edwards River Council and Murrumbidgee Council.

² Written agreement from the three councils to the split of funding is required.

³ Commencement of Construction means the date of the start of construction of the project stage on the land, including but not limited to any quarrying activities and other earthworks, and the construction of ancillary infrastructure.

⁴ Commencement of Commercial Operations means the date upon which the development reaches 'Commercial Operations' as defined in, and pursuant to, the Developer's Project Development Agreement with EnergyCo.

BayWa r.e. Projects Australia Pty Ltd | ABN 51 706 142 757 | Melbourne | Brisbane
Suite 1, Level 13, 254 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

DAW
16/2/26

Applicability of Division 7.1, Subdivision 4 of the Act – Section 7.4(3)(d)	Excluded
PURPOSE OF COMMUNITY BENEFIT FUND	
Public purposes Sections 7.4(1) & 7.4(2).	The funding paid to the Council is to be applied in accordance with the Hay Shire Council Renewable Energy Community Benefit Framework (as varied from time to time) following consultation. The 15% of the total Planning Agreement funding not paid directly to the Council will be used to provide First Nations benefits. The First Nations funding will be: - administered by Bullawah Wind Farm as an annual payment to relevant First Nations group within the Hay Shire LGA. - used for organisational capacity building or for other community benefit purposes. - allocated either through an annual grant program or direct annual payment to support capacity building. - provided to potential recipients including but not limited to the Hay Local Aboriginal Land Council, Nari Nari Tribal Council, Hay Aboriginal Community Working Party, relevant local Registered Aboriginal Parties (RAPs) and other local First Nations people. - provided subject to conditions including reporting on the use of funding to be shared with Council.
TERM, CONTRIBUTION RATE AND ANNUAL ADJUSTMENT	
Term	30 years
Rate	Total payment per stage = \$1,050 per MW per year x total installed capacity for the stage. Total payment to Councils per stage = 85% x Total payments per stage x agreed % split per Council. See Schedule 2.

BayWa r.e. Projects Australia Pty Ltd - ABN 51 506 342 757 - Melbourne / Brisbane
Suite 1, Level 11, 356 Collins Street, Melbourne, 3000, Australia
www.baywa-re.com.au

8w
16/2/26

Annual Adjustment	CPI is applied to payments from the 2024-25 Financial Year up to the date of the relevant payment. CPI will be calculated by the Consumer Price Index All Groups in the capital city of the State or Territory in which the Land is situated published by the Australian Bureau of Statistics in the most recent June Quarter as at calculation/corresponding number in June 2025 quarter.
SECURITY FOR THE AGREEMENT	
Form of security	Bank Guarantee
Amount of security	Eight (8) times the annual payment to the Council for each stage, provided on or before the 'Commencement of Construction'.
REGISTRATION ON TITLE	
Registration of the Planning Agreement – Section 7.6	Planning Agreement will not be registered
PAYMENT OF COSTS	
Costs in preparation of planning agreement	Council's reasonable costs to be met.
Costs in administering Community Benefit Fund.	Costs of administration to be met from the Fund.



r.e.think energy

Schedule 2: Planning Agreement Payments

Stage	Number of turbines	Generation (MW)	Payment per MW/year	Total Planning Agreement payments / annum	85% allocation to Councils	Allocation to Hay SC (as per agreed split by LGA)	Total payment per year (over 30 years)	4 - year upfront payment	Bank guarantee (amount = 8 years)	Indicative timing	Subsequent annual payments (net of 4 - year upfront payment)
1	52	312	\$1,050	\$327,600	\$278,460	37.5%	\$104,422.50	\$417,690	\$835,380	Q4 2026*	\$90,489.50
2	46	276	\$1,050	\$289,800	\$246,330	37.5%	\$92,373.75	\$369,485	\$738,990	Q1 2027*	\$80,057.25
3	TBC	215.7 (TBC)	\$1,050	\$226,485	\$192,512	37.5%	\$72,192.06	\$288,768	\$577,536	Unknown**	\$62,566.48

Notes:

Payments including the upfront payment will be CPI adjusted at the time of payment using the 2024/25 Financial Year as the base.

* Dates are subject to change and subject to commercial viability

** Indicative timing cannot be given as there is currently no grid capacity available

Baywah Wind Farm Pty Ltd (BNF) is a 100% owned subsidiary of Bullawah Wind Farm Pty Ltd (BWF). BWF is a 100% owned subsidiary of Bullawah Wind Farm Pty Ltd (BWF). BWF is a 100% owned subsidiary of Bullawah Wind Farm Pty Ltd (BWF).

SW
16/2/26

APPENDIX 4 SUBDIVISION PLAN



FIGURE 1.6

Electricity Reticulation, Grid Connection and Indicative Subdivisions

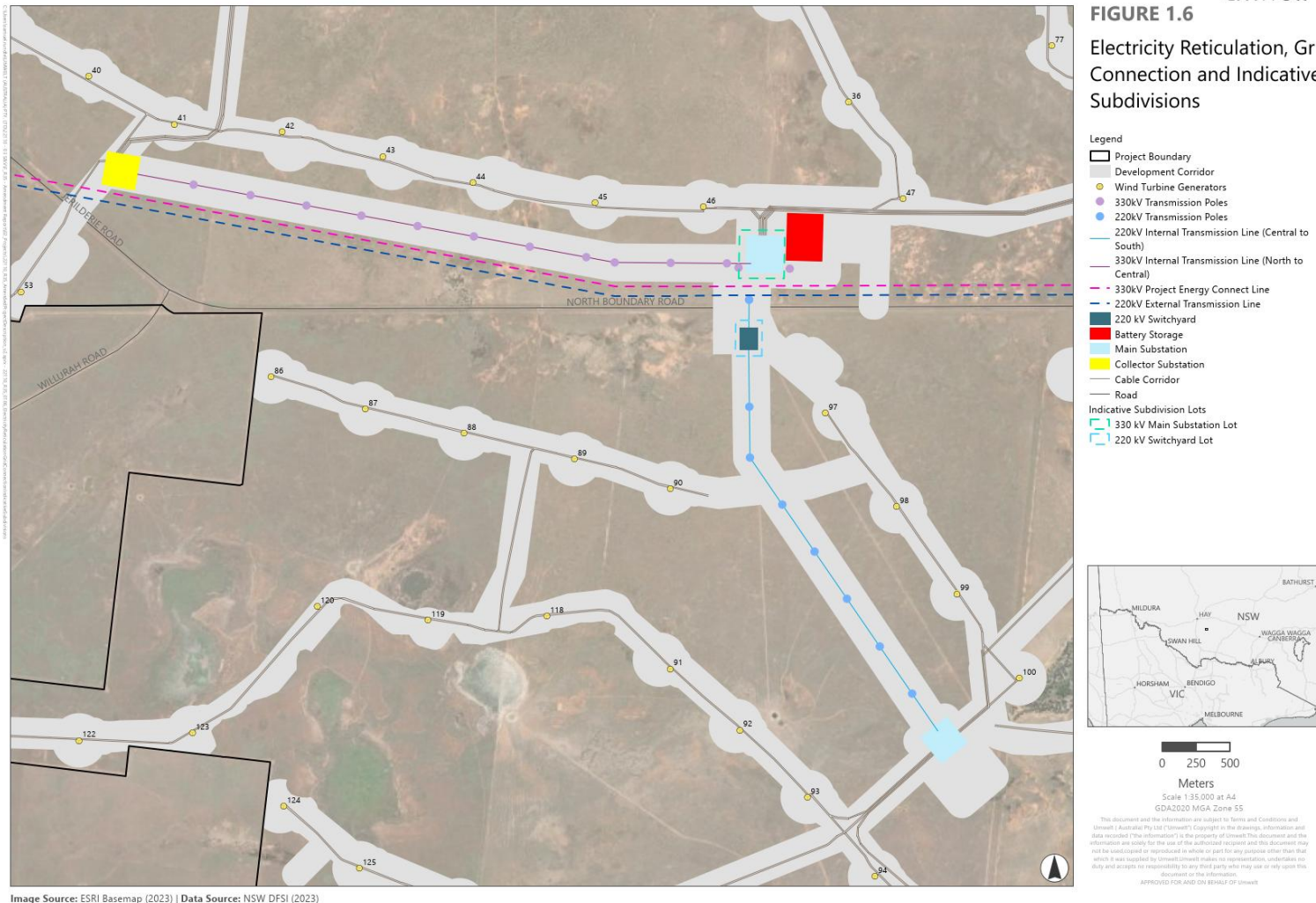


Image Source: ESRI Basemap (2023) | Data Source: NSW DFSI (2023)

Figure 2 Subdivision Plan

APPENDIX 5 HAULAGE ROUTE AND ROAD UPGRADES

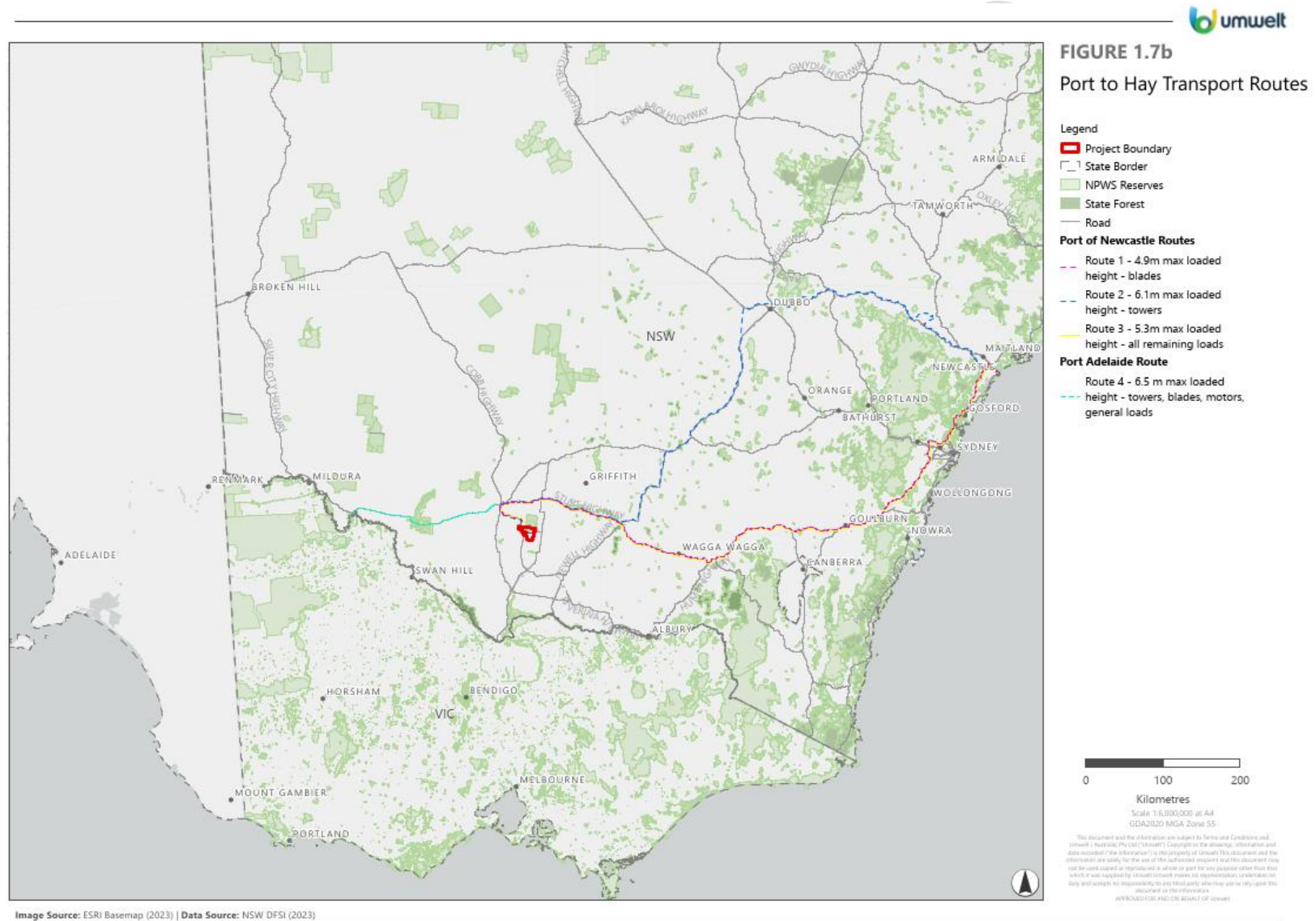


Figure 3 Transport routes

FIGURE 1.9
Local Transport Route

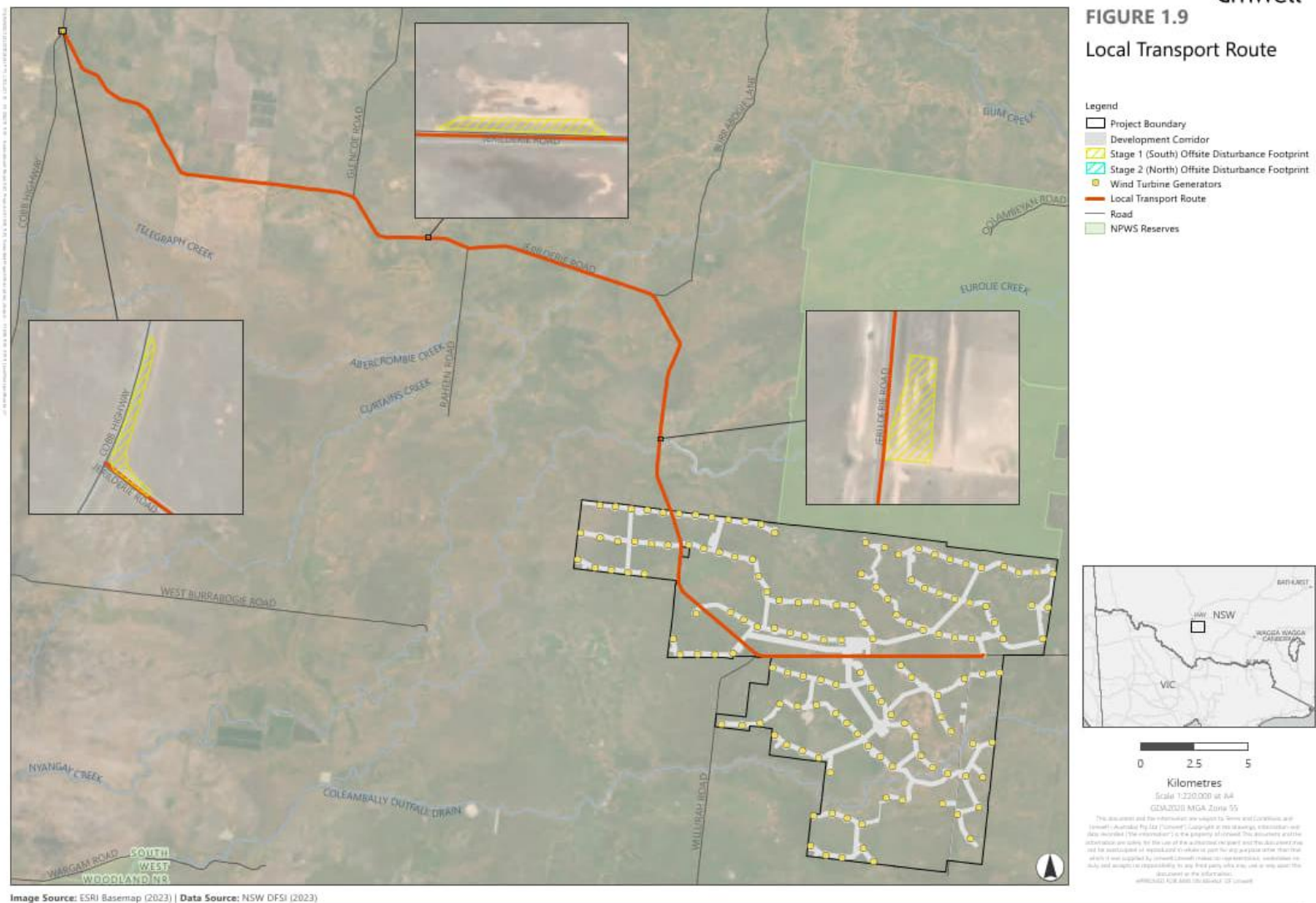


Figure 4 Transport route - Hay to site

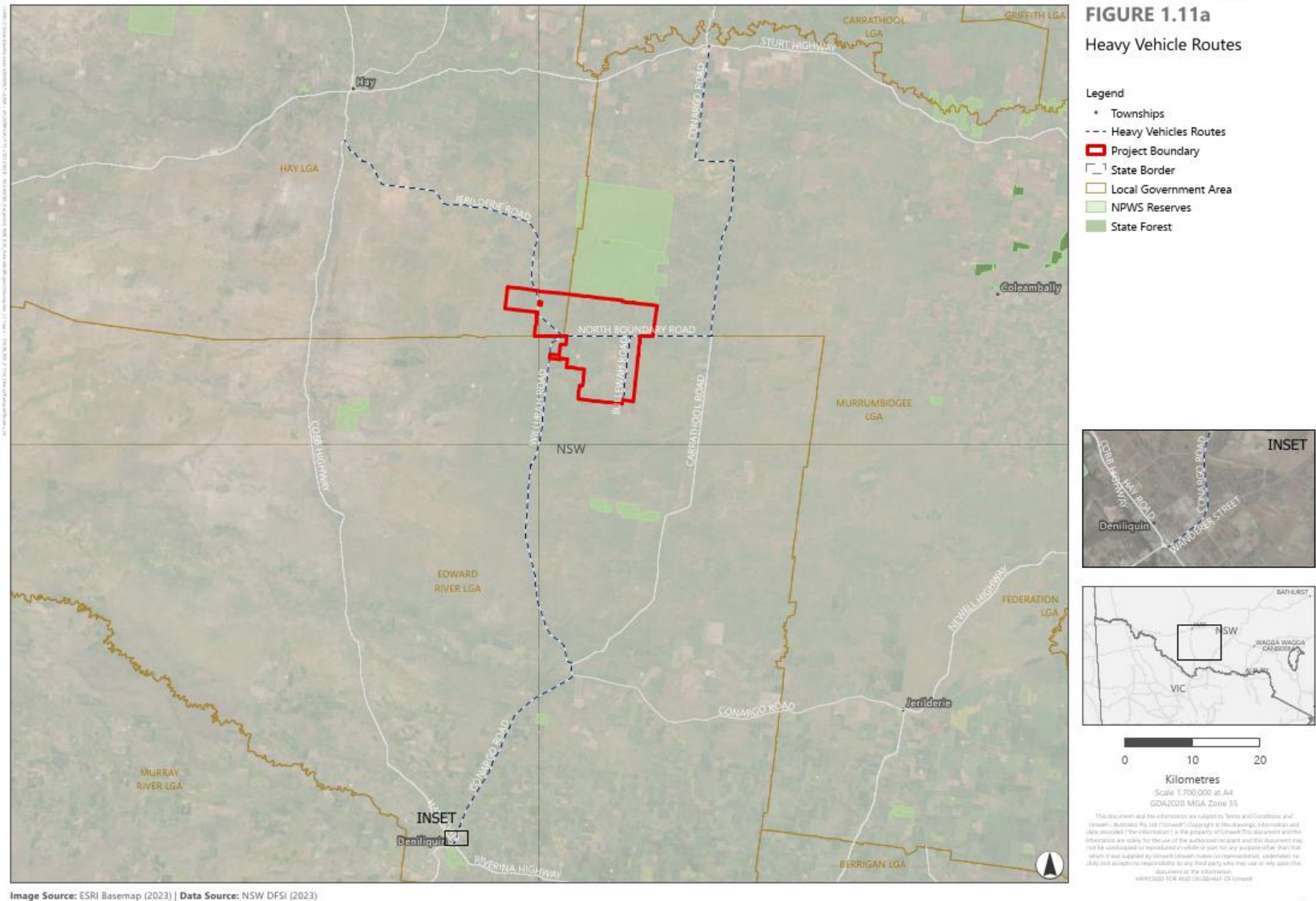


Figure 5 Transport routes – heavy vehicles

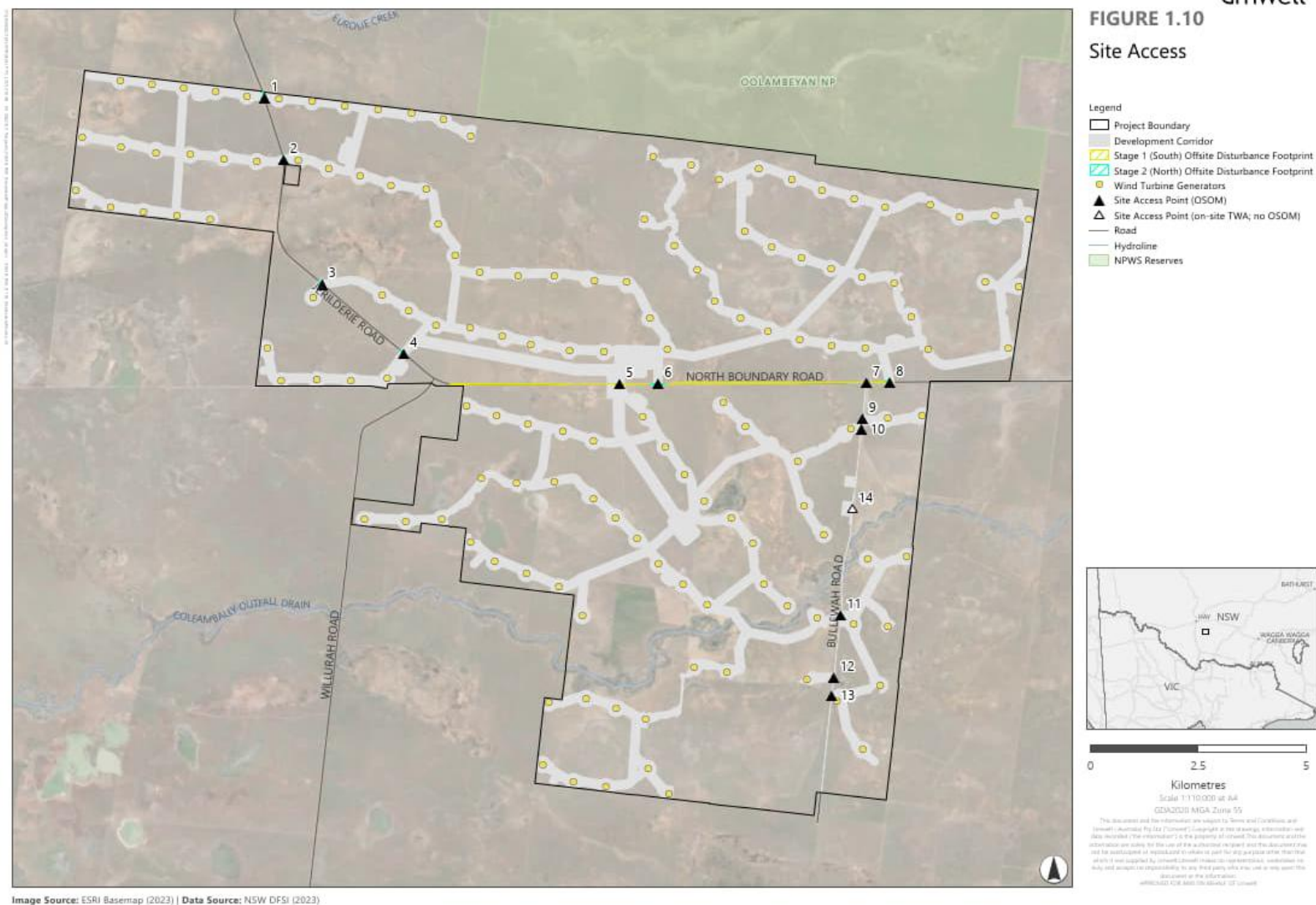


Figure 6 Site access locations

Table 5 Road upgrades

Road/ Intersection	Chainage	Treatment	Timing
Port to Hay Transport Routes			
Murray Valley Highway onto Sturt Highway at Euston	546 km (Route from Port Adelaide)	As shown on Figure 7 : - Additional hardstand and embankment to be installed. 1-metre-wide strengthened and sealed shoulder to be provided on section of the Sturt Highway. - Signs to be made removable or relocated.	Prior to use by high-risk heavy vehicles requiring escort
Sturt Highway at Balranald	647 to 648 km (Route from Port Adelaide)	As shown on Figure 8 : - Alterations to existing traffic islands. - Signs to be made removable with flush bases. - Pavement to be assessed and upgraded where required.	Prior to use by high-risk heavy vehicles requiring escort
Right hand bend on Sturt Highway (Market Street) at Balranald	623.7 km (Route from Port Adelaide)	Installation of Option 1 treatments (Figure 9) or Option 2 treatments (Figure 10). Option 1, shown on Figure 9 : - Hardstand to be installed on inside of corner - Existing traffic islands to be strengthened and made trafficable for high-risk heavy vehicles requiring escort, with roll over kerbs - Light poles and property connections to be relocated - Signs to be made removable or relocated. Option 2, as shown on Figure 10 : - Hardstand to be installed on outside of corner, within the existing road reserve - Existing traffic islands to be strengthened and made trafficable for high-risk heavy vehicles requiring escort, with roll over kerbs - Light poles and property connections to be relocated - Signs to be made removable or relocated.	Prior to use by high-risk heavy vehicles requiring escort

Table 6 Road upgrades undertaken by the Applicant

Road/ Intersection	Chainage	Treatment	Timing
Port to Hay Transport Routes			
Roundabout on Sturt Highway onto Cobb Highway at Hay	750 km (Route from Port Adelaide)	As shown on Figure 11 : - Several light poles and signs to be removed or relocated. - Hardstand to be installed on exit of corner.	Prior to use by high-risk heavy vehicles requiring escort
Roundabout at the corner of Edward Street (Sturt Highway) and Pearson Street, Wagga Wagga	621.5 km (Route 1 from Port of Newcastle)	As shown on Figure 12 : - Existing apron on the roundabout to be traversed by the transporter. Centre of roundabout to be made trafficable. - Sign to be made removable or relocated.	Prior to use by high-risk heavy vehicles requiring escort
Roundabout at the corner of Mason Street /	618.4 km (Route 1 from Port of	As shown on Figure 13 :	Prior to use by high-risk heavy vehicles

Road/ Intersection	Chainage	Treatment	Timing
Norton Street and Hammond Avenue (Sturt Highway), East Wagga Wagga	Newcastle)	- Existing apron on the roundabout to be traversed by the transporter. Centre of roundabout to be made trafficable. - Sign to be made removable or relocated.	requiring escort
Roundabout at the corner of Koorigal Road and Hammond Avenue (Sturt Highway), East Wagga Wagga	617.3 km (Route 1 from Port of Newcastle)	As shown on Figure 14 : - Existing apron on the roundabout to be traversed by the transporter. Centre of roundabout to be made trafficable. - Sign to be made removable or relocated.	Prior to use by high-risk heavy vehicles requiring escort
Roundabout at the corner of Tasman Road and Hammond Avenue (Sturt Highway), East Wagga Wagga	614.6 km (Route 1 from Port of Newcastle)	As shown on Figure 15 : - Existing apron on the roundabout to be traversed by the transporter. Centre of roundabout to be made trafficable. - Sign to be made removable or relocated.	Prior to use by high-risk heavy vehicles requiring escort
Left hand bend on the Sturt Highway at Gillenbah	Approx. 711 km (Route 1 from Port of Newcastle)	As shown on Figure 16 : - Several signs to be relocated or made removable. - Light/power pole to be relocated out of swept path. - Section of traffic island to be made trafficable.	Prior to use by high-risk heavy vehicles requiring escort
Golden Highway through Merriwa	224.5 to 224.8 km (Route 2 from Port of Newcastle)	As shown on Figure 17 : - Pedestrian kerb crossing/ramp to be removed. - Islands to be made trafficable or chevrons lines put in place. - Several signs and bollards to be made removable.	Prior to use by high-risk heavy vehicles requiring escort
Mitchell Highway onto Derribong Avenue, Narromine	450 km (Route 2 from Port of Newcastle)	As shown on Figure 18 : Modifications to the existing hardstand on the outside of the corner to improve safety in all weather conditions.	Prior to use by high-risk heavy vehicles requiring escort
Local Transport Route			
Intersection of Jerilderie Road and Cobb Highway	758 km (Route from Port Adelaide) 889 km (Route 1 from Port of Newcastle)	As shown on Figure 19 : Channelised Left-turn treatment.	Prior to commencement of pre-construction minor works
North Boundary Road	809 km from (Route from Port Adelaide) 940 km (Route 1 from Port of Newcastle)	Widening of a 10-kilometre-long segment of North Boundary Road to a 4-metre-wide carriageway, with 1-metre-wide shoulders on both sides and associated roadside drainage.	Prior to use by high-risk heavy vehicles requiring escort
Site Access Points			

Road/ Intersection	Chainage	Treatment	Timing
Site accesses 1-4, Jerilderie Road, within the Hay LGA Site accesses 5-8, North Boundary Road, within the Edward River and Murrumbidgee LGAs Site accesses 9 to 13, Bullewah Road, within the Edward River LGA	Various points from 800 km to 825 km (Route from Port Adelaide) Various points from 937 km to 961 km (Route 1 from Port of Newcastle)	Prior to use by a semi-trailer: - Temporary gravel treatment to be provided to accommodate semi-trailer. Prior to use by high-risk heavy vehicles requiring escort: - Formalisation of access intersection to accommodate oversize and/or overmass (OSOM) vehicles, as shown in Figure 20 to Figure 32.	Prior to commencement of construction
Site access point 14 from Bullewah Road, within the Edward River LGA	821 km (Route from Port Adelaide) 957 km (Route 1 from Port of Newcastle)	- Temporary gravel treatment to be provided to accommodate semi-trailer, prior to use by a semi-trailer. - As shown in Figure 33, formalisation of access, turning right from Bullewah Road, to provide semi-trailer access to the on-site Temporary Workers Accommodation (TWA) camp.	Prior to commencement of construction
Transport of quarried materials			
Willurah Road / Carrathool Road intersection, in the Edward River LGA	N/A	As shown in Figure 34: Basic left-turn (BAL) treatment, including line marking and repaving works.	Prior to use of the intersection by heavy vehicles associated with the development

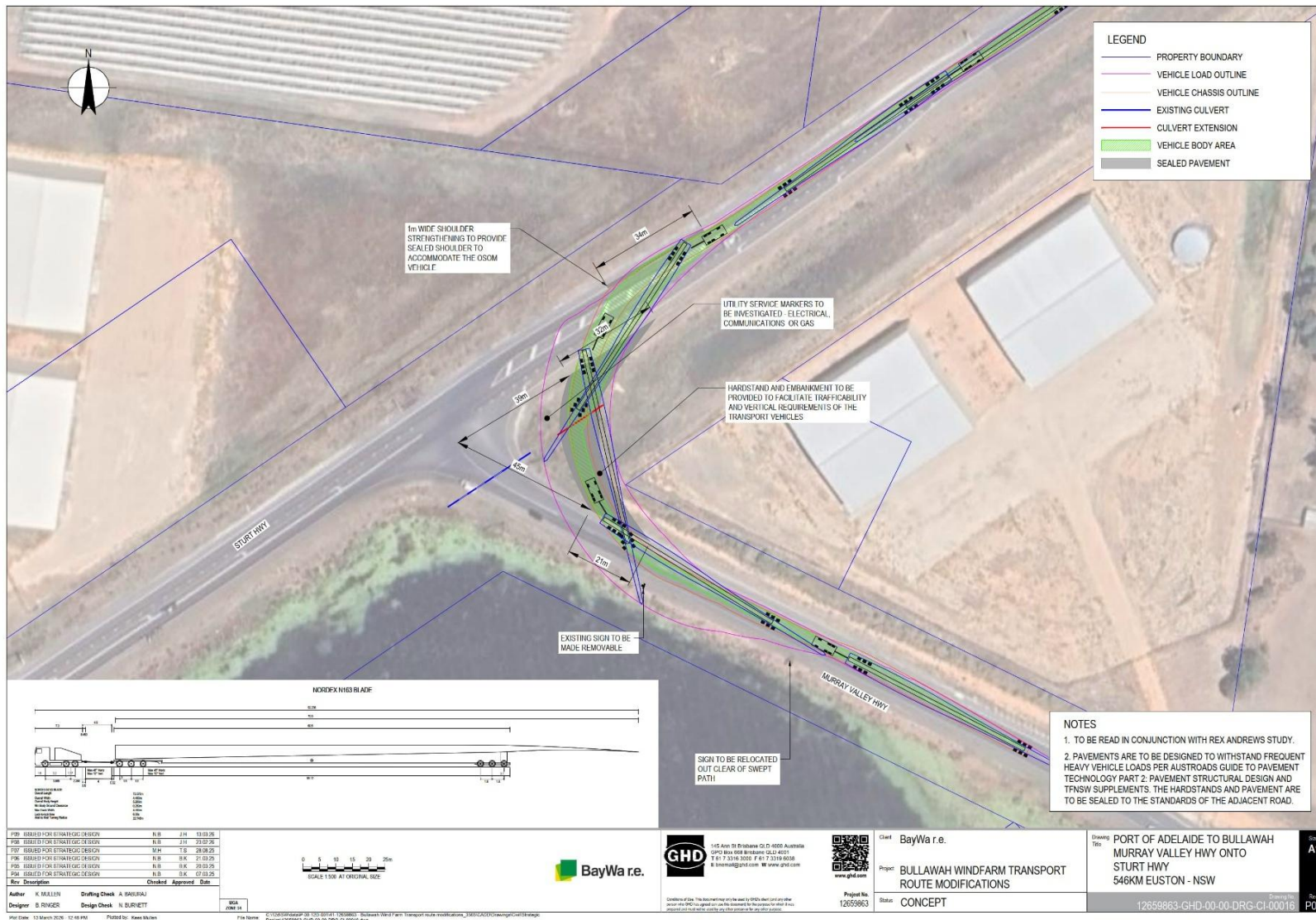


Figure 7 Murray Valley Highway onto Sturt Highway

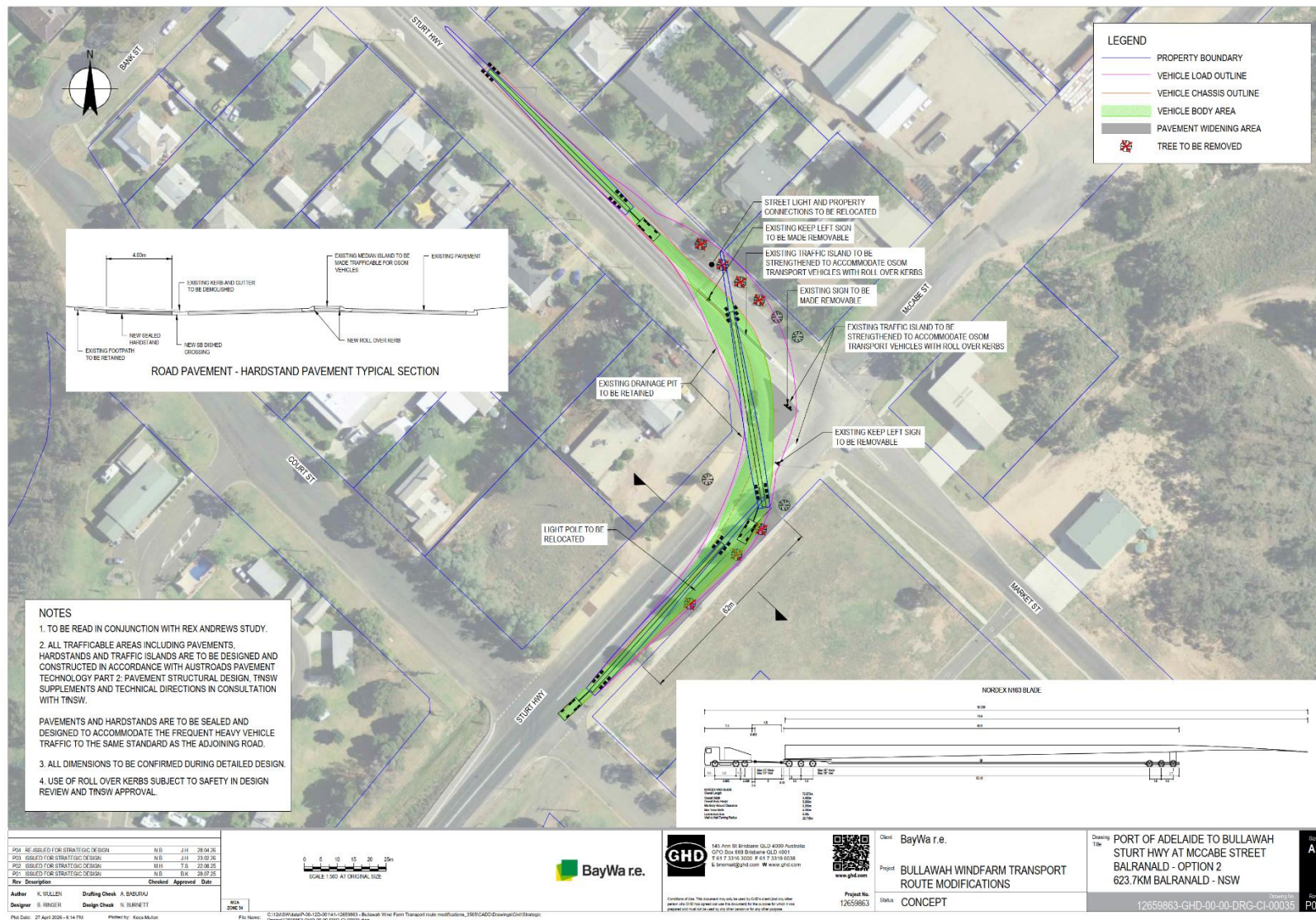


Figure 10 Right hand bend on Sturt Highway at Balranald – Option 2

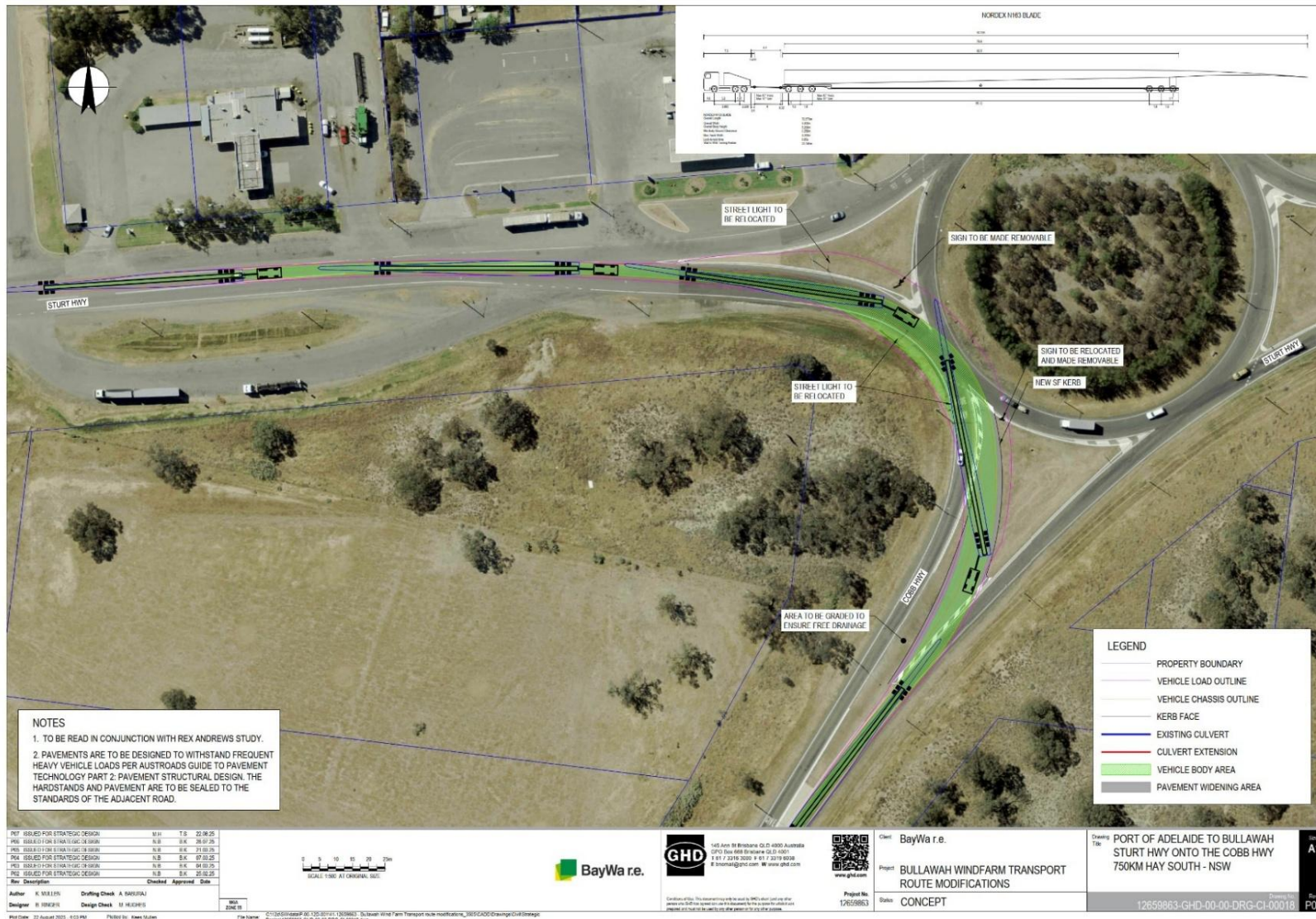


Figure 11 Roundabout on Sturt Highway onto Cobb Highway at Hay

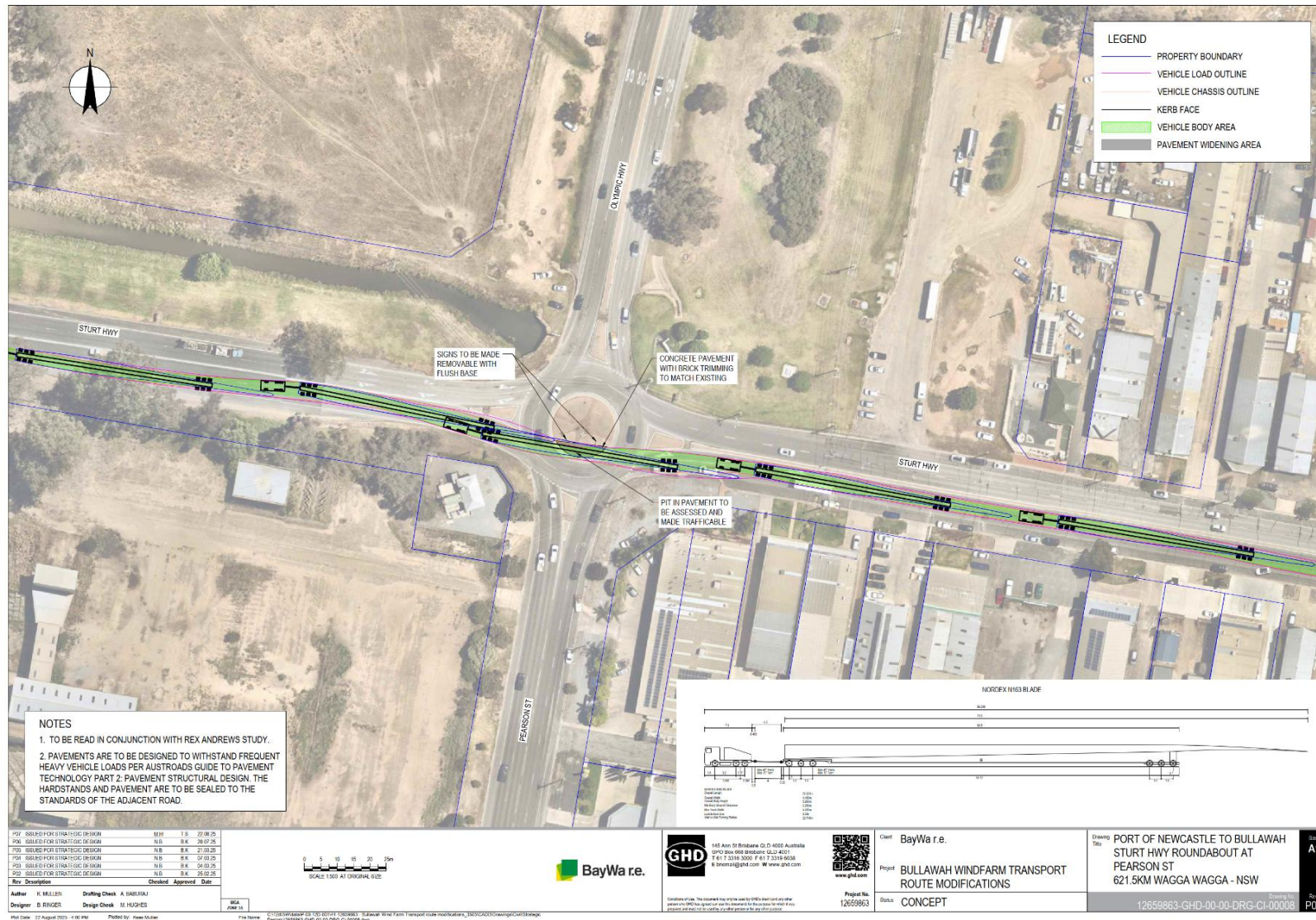


Figure 12 Roundabout at corner of Edward Street (Sturt Highway) and Pearson Street

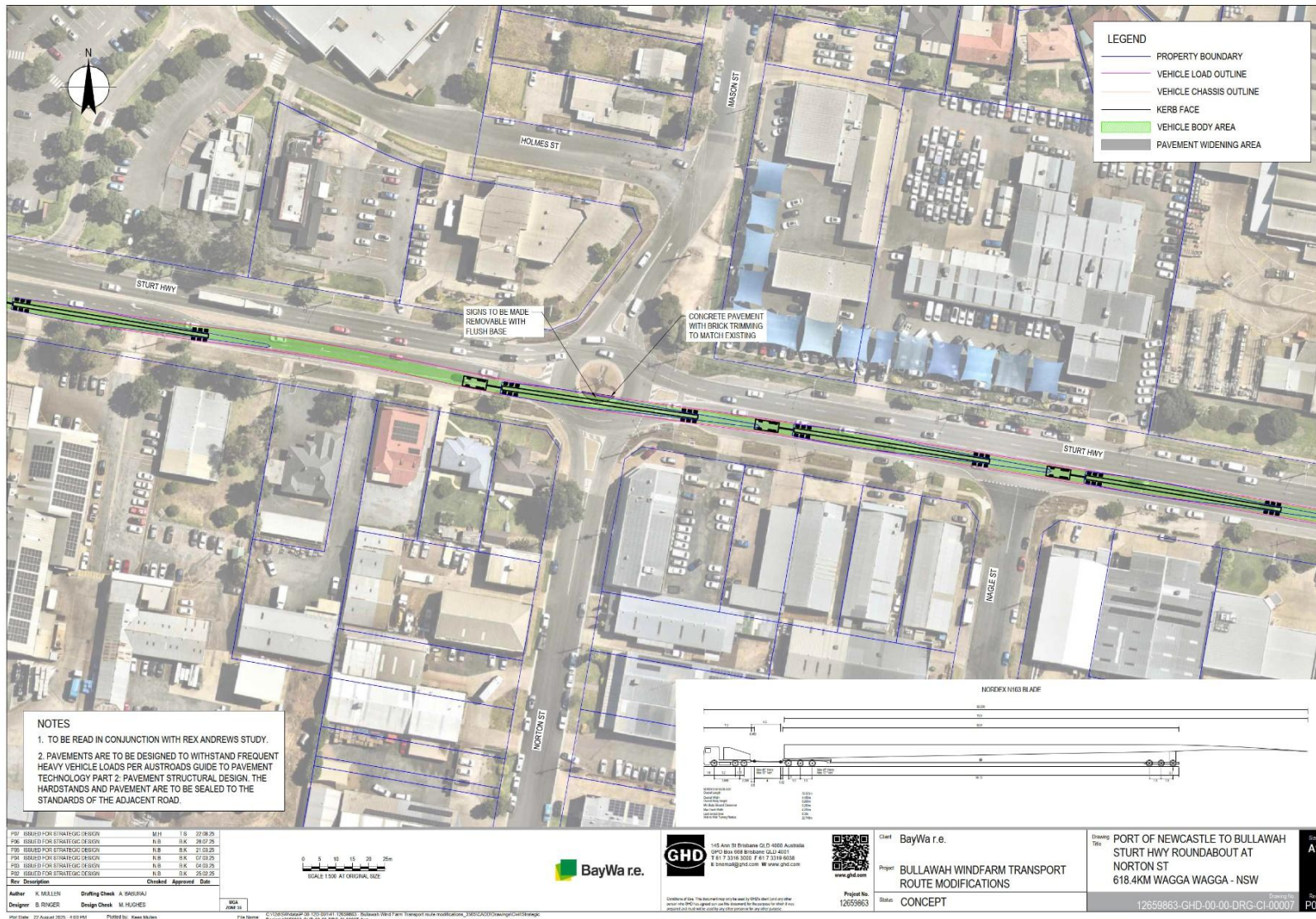


Figure 13 Wagga Wagga – Roundabout at the corner of Mason Street / Norton Street and Hammond Avenue (Sturt Highway)

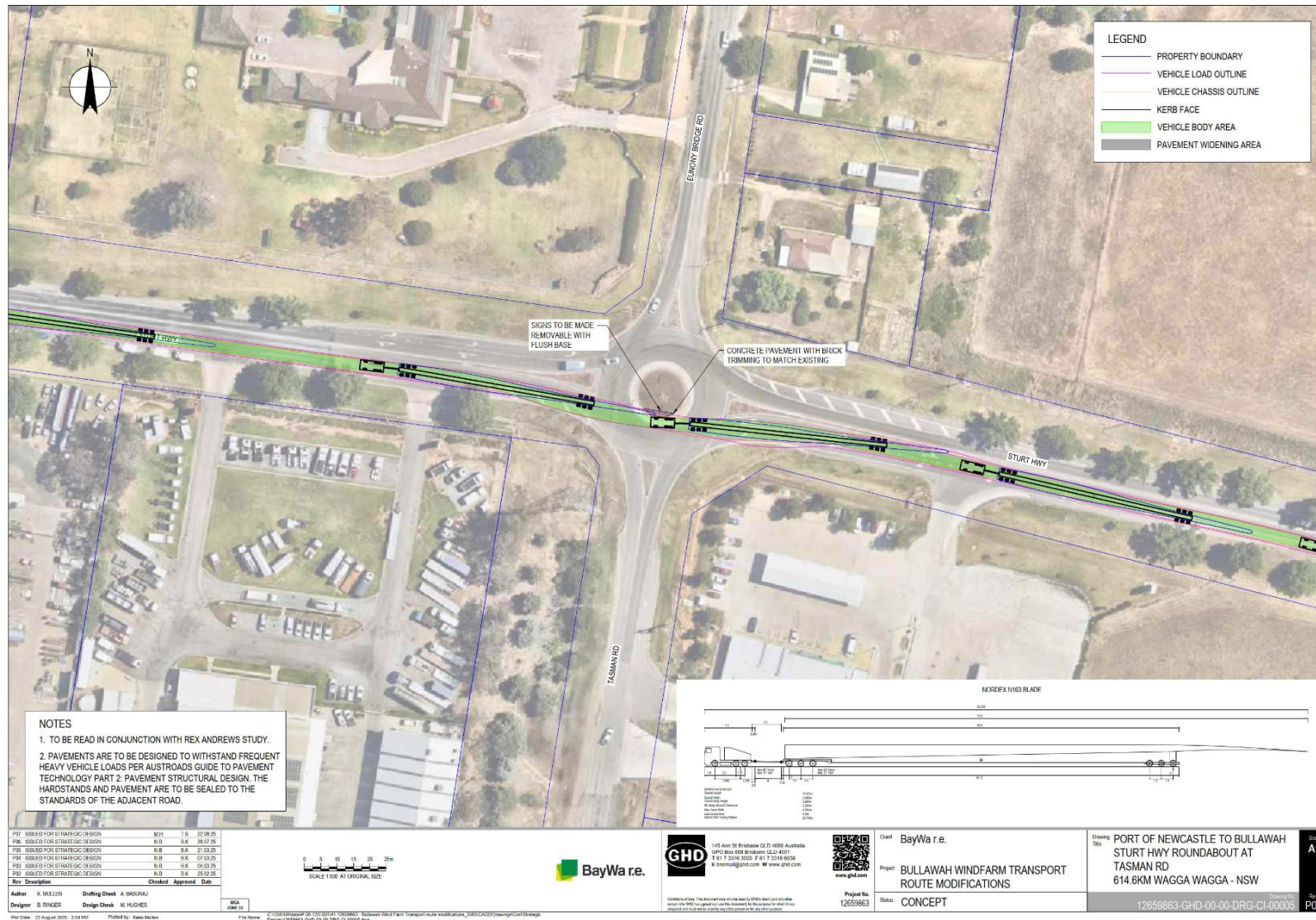


Figure 15 Roundabout at corner of Tasman Road and Hammond Ave

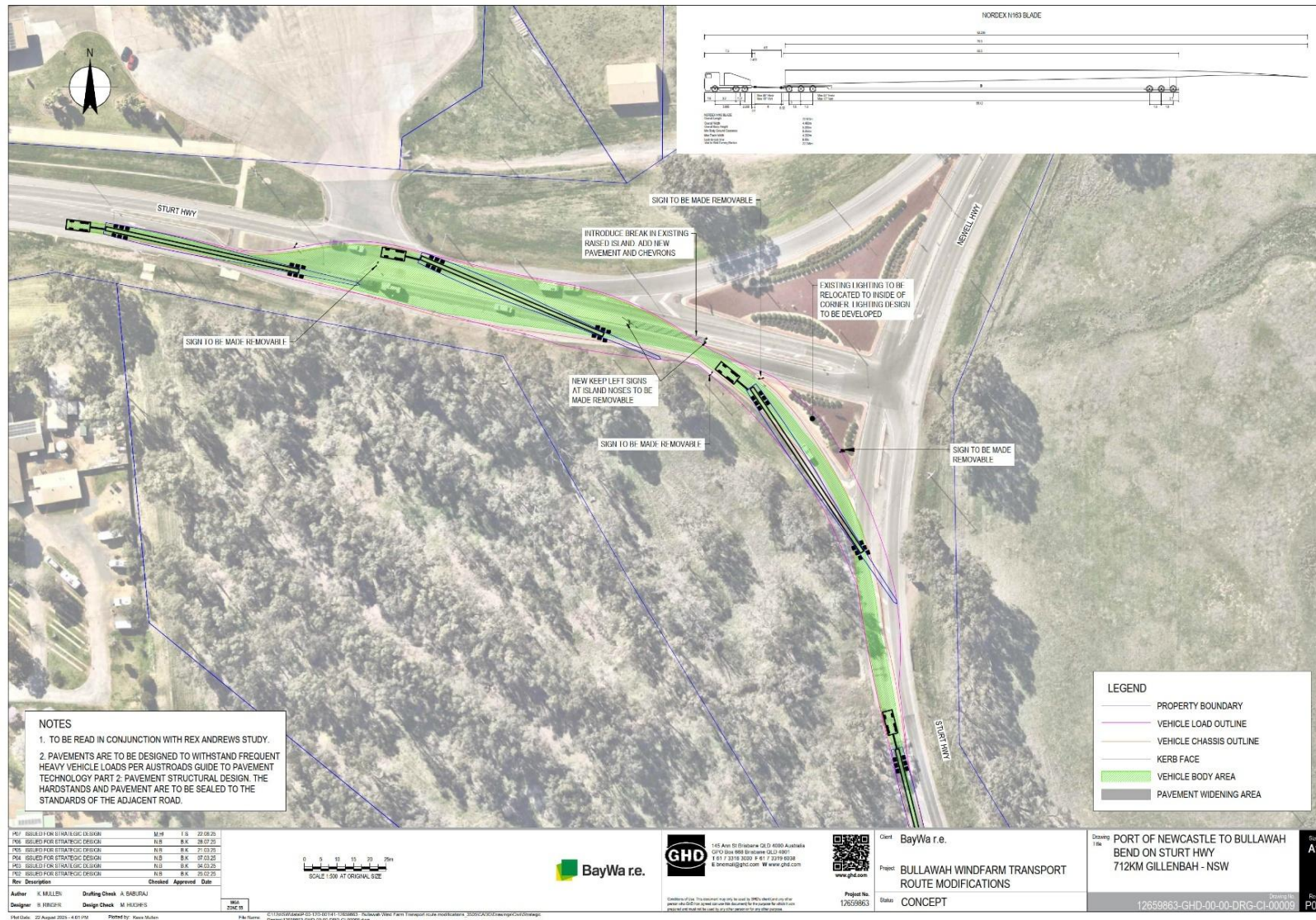


Figure 16 Left hand bend on the Sturt highway at Gillenbah



Figure 17 Golden Highway through Merriwa

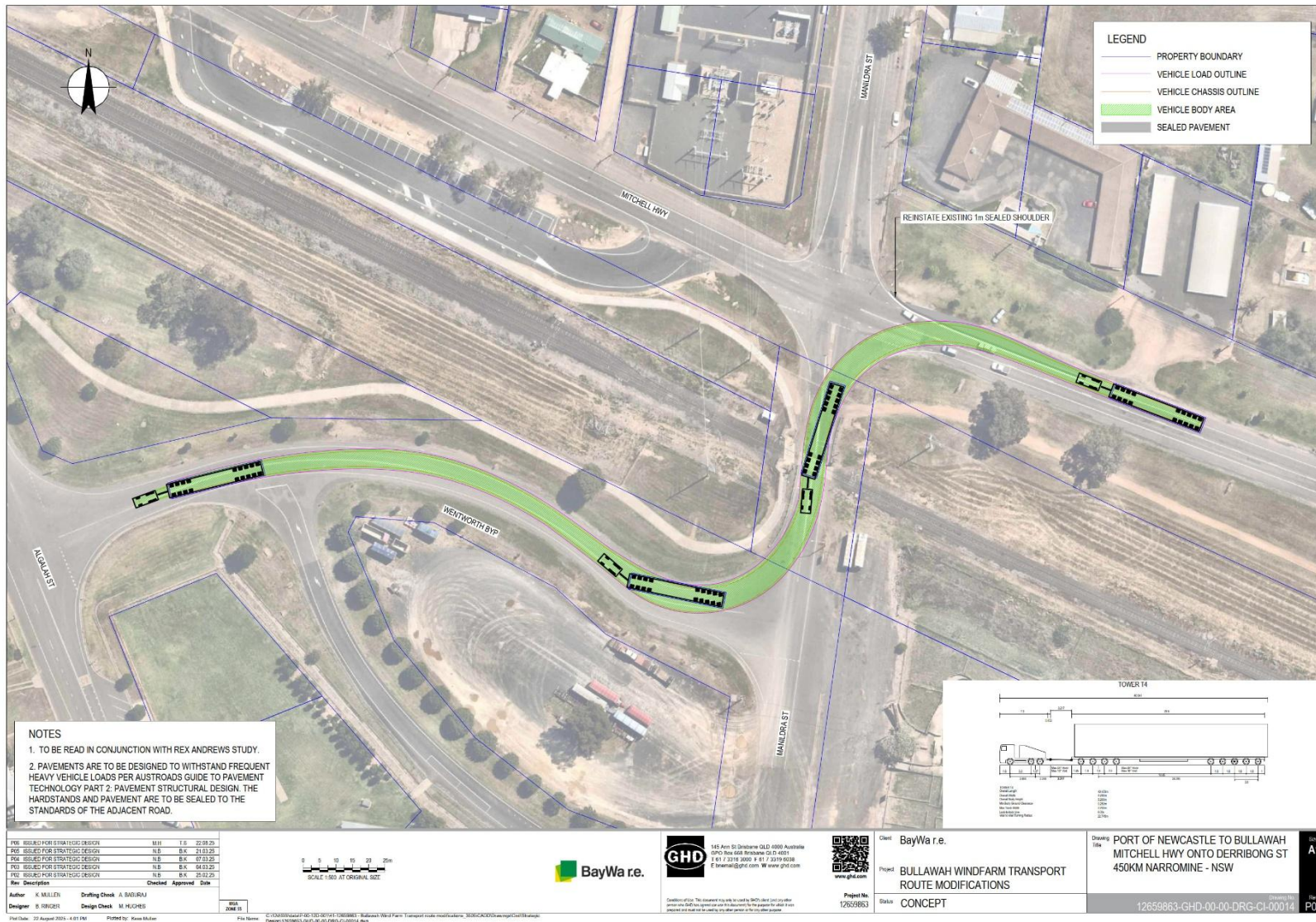


Figure 18 Mitchell Highway onto Derribong Avenue Narromine

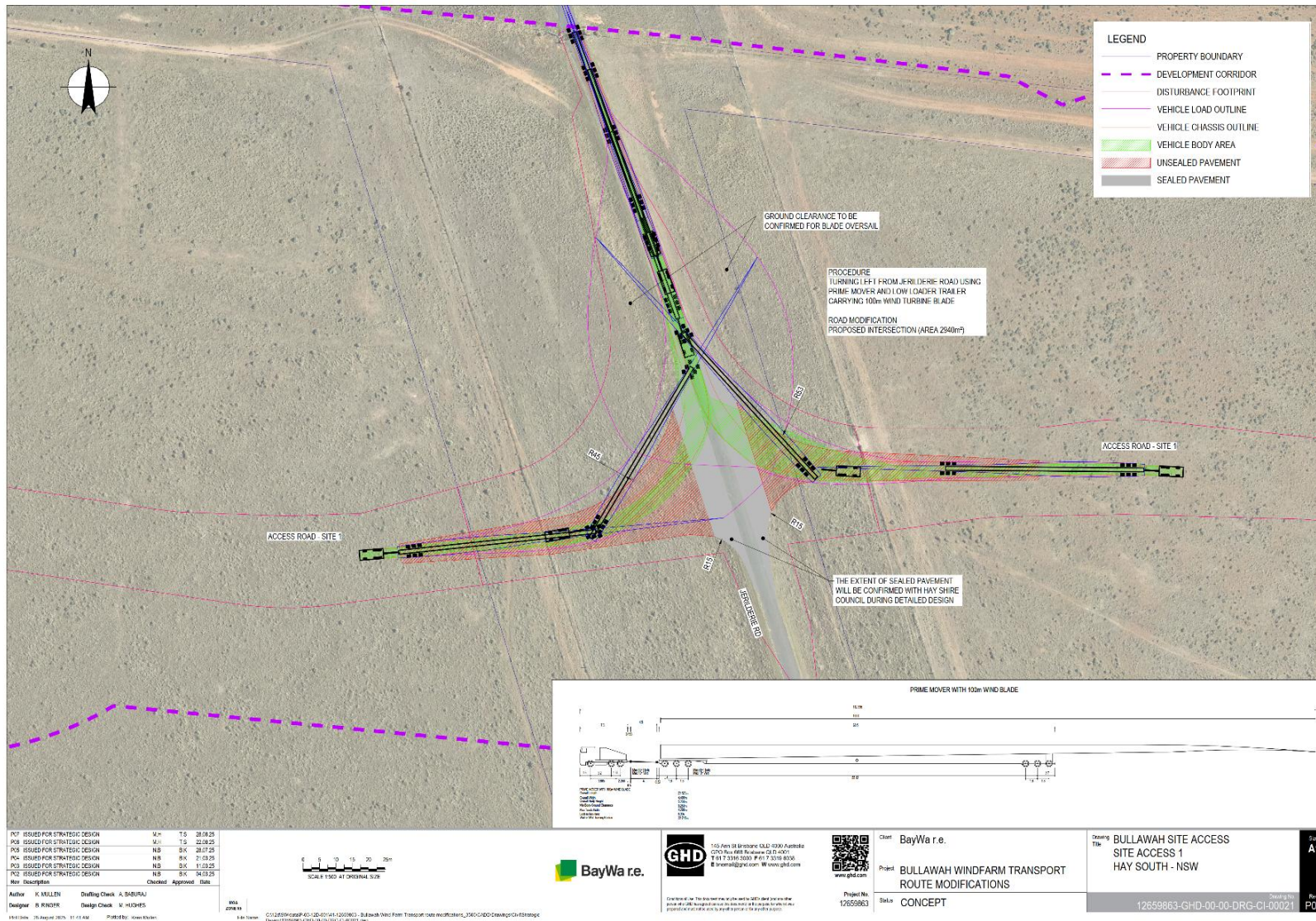


Figure 20 Site access 1

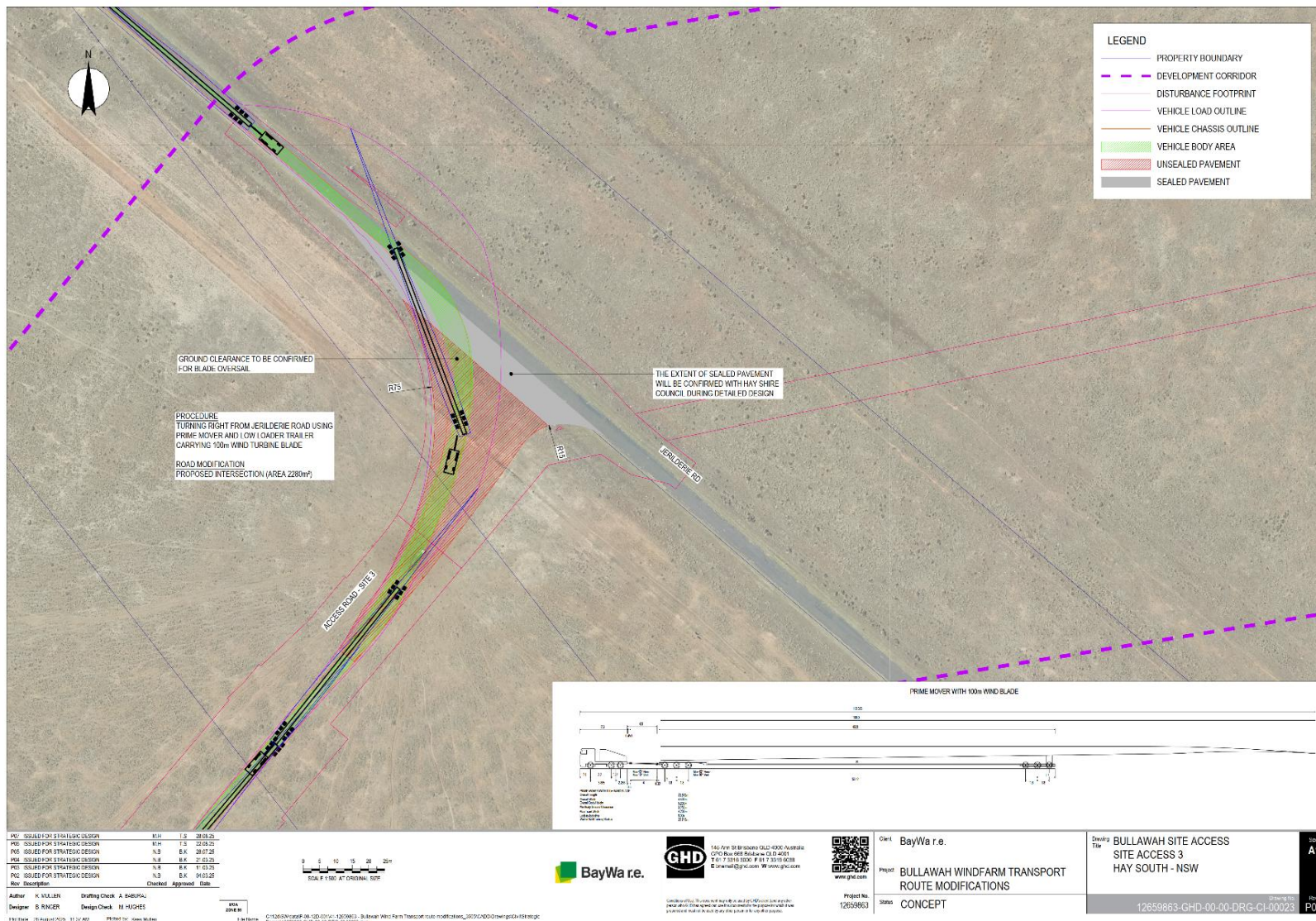


Figure 22 Site access 3

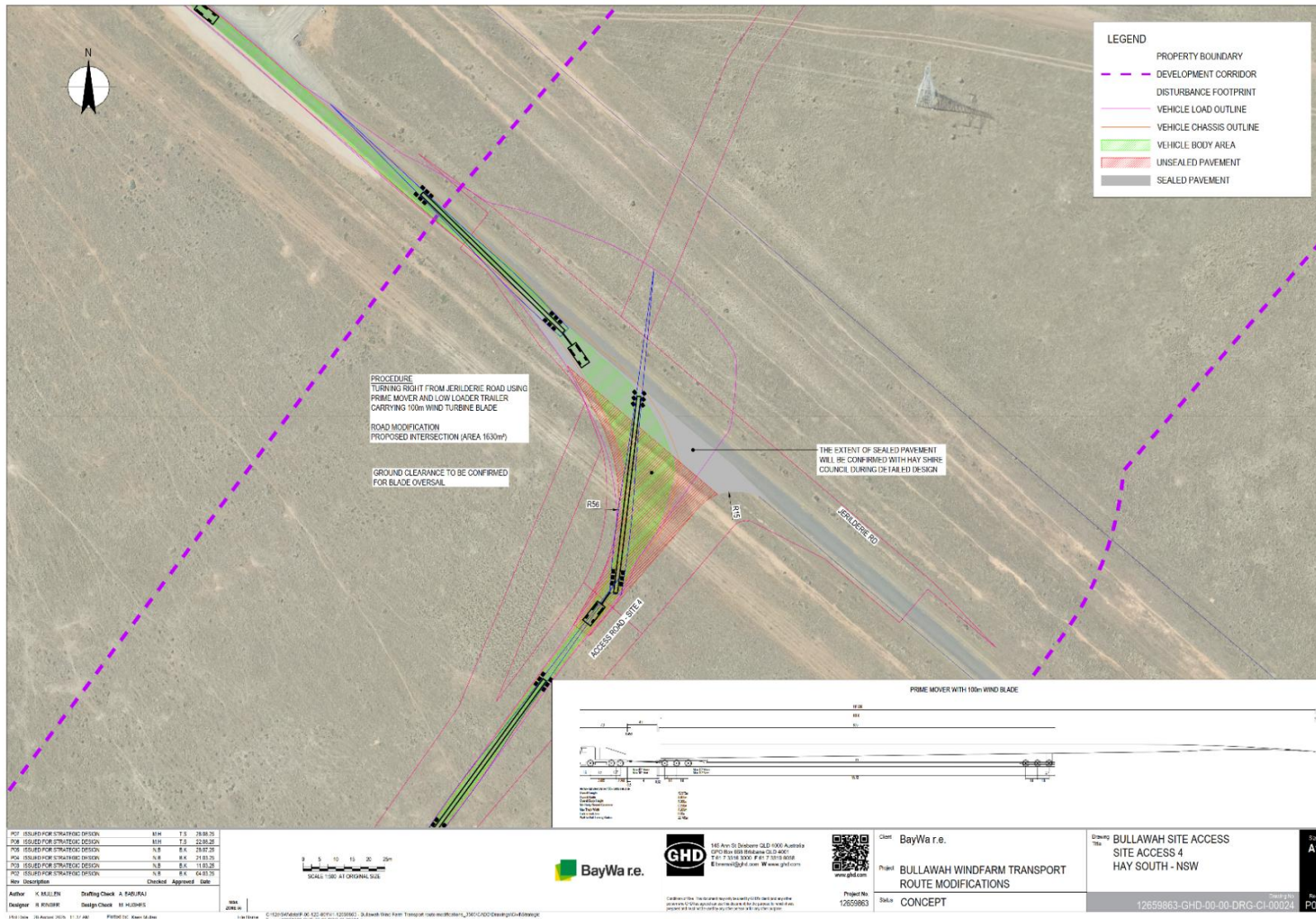


Figure 23 Site access 4

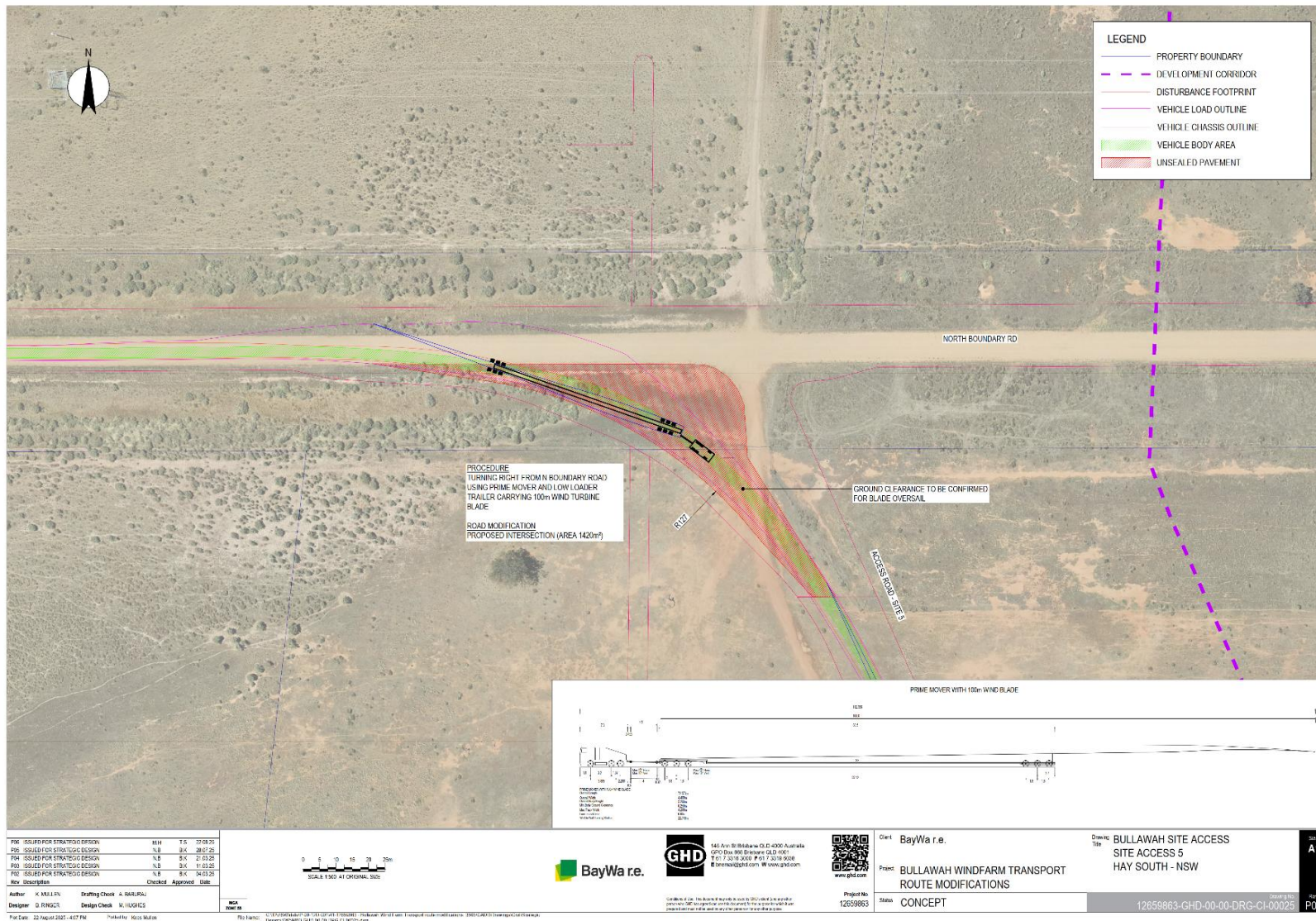


Figure 24 Site access 5

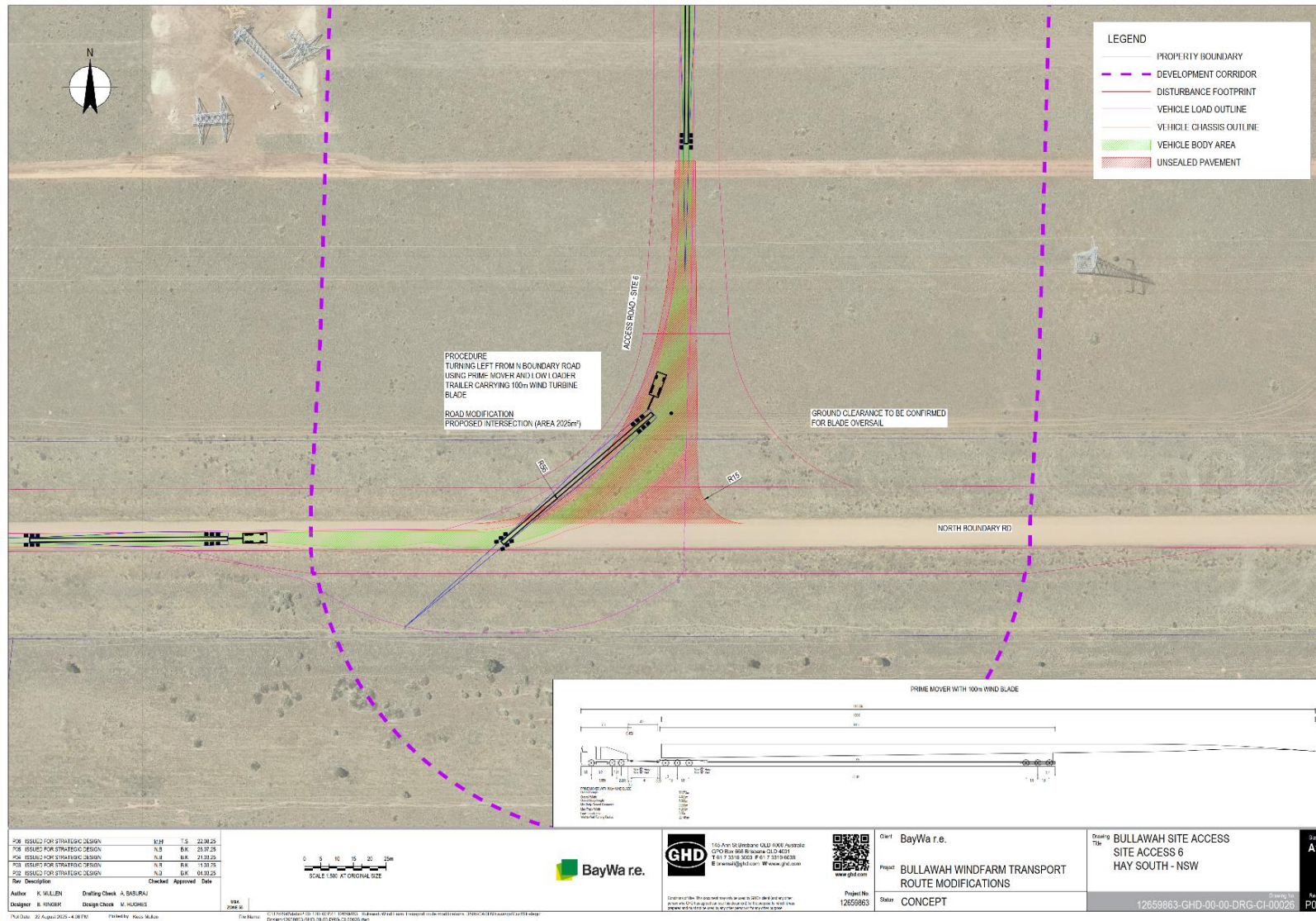


Figure 25 Site access 6

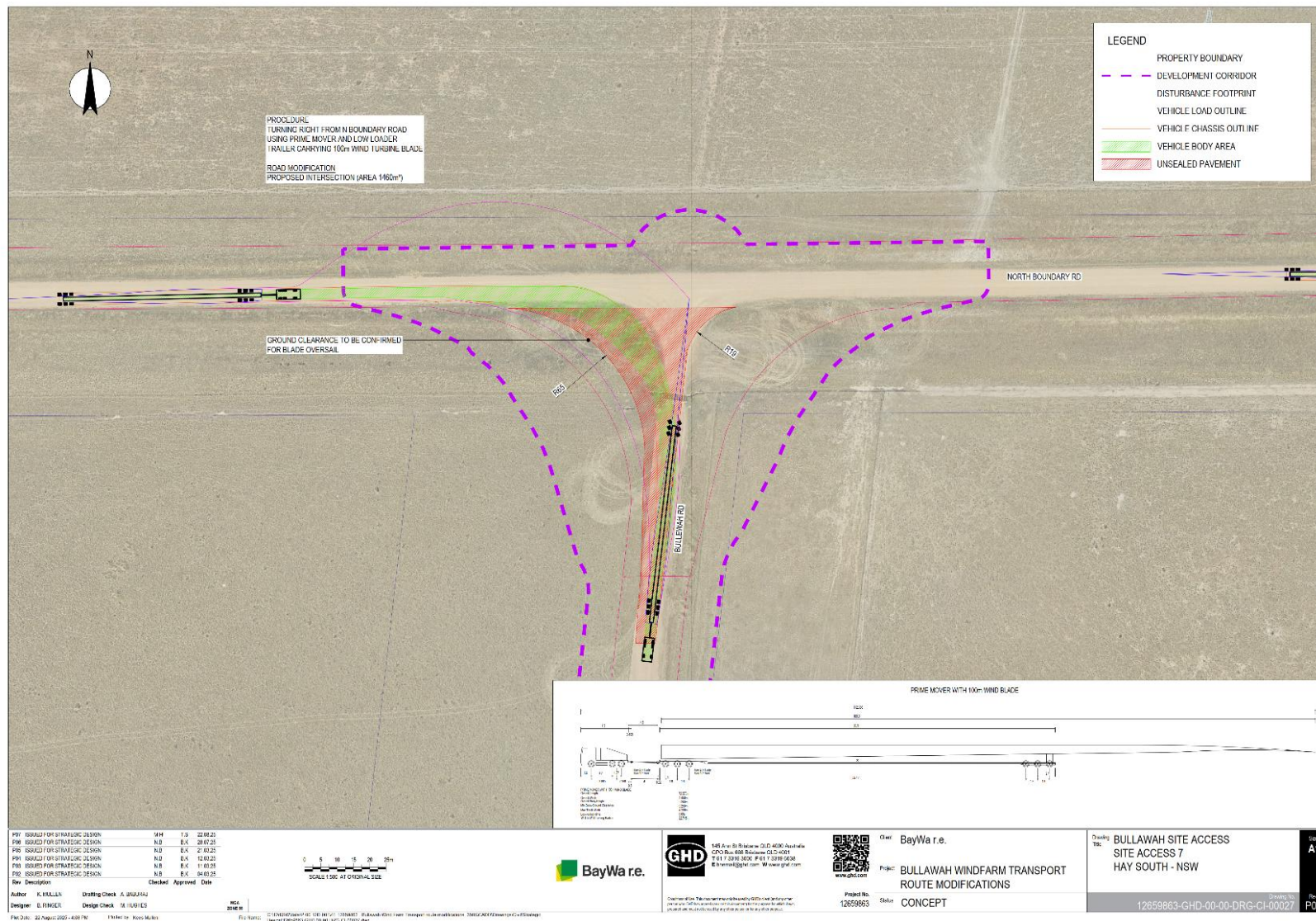


Figure 26 Site access 7



Figure 27 Site access 8

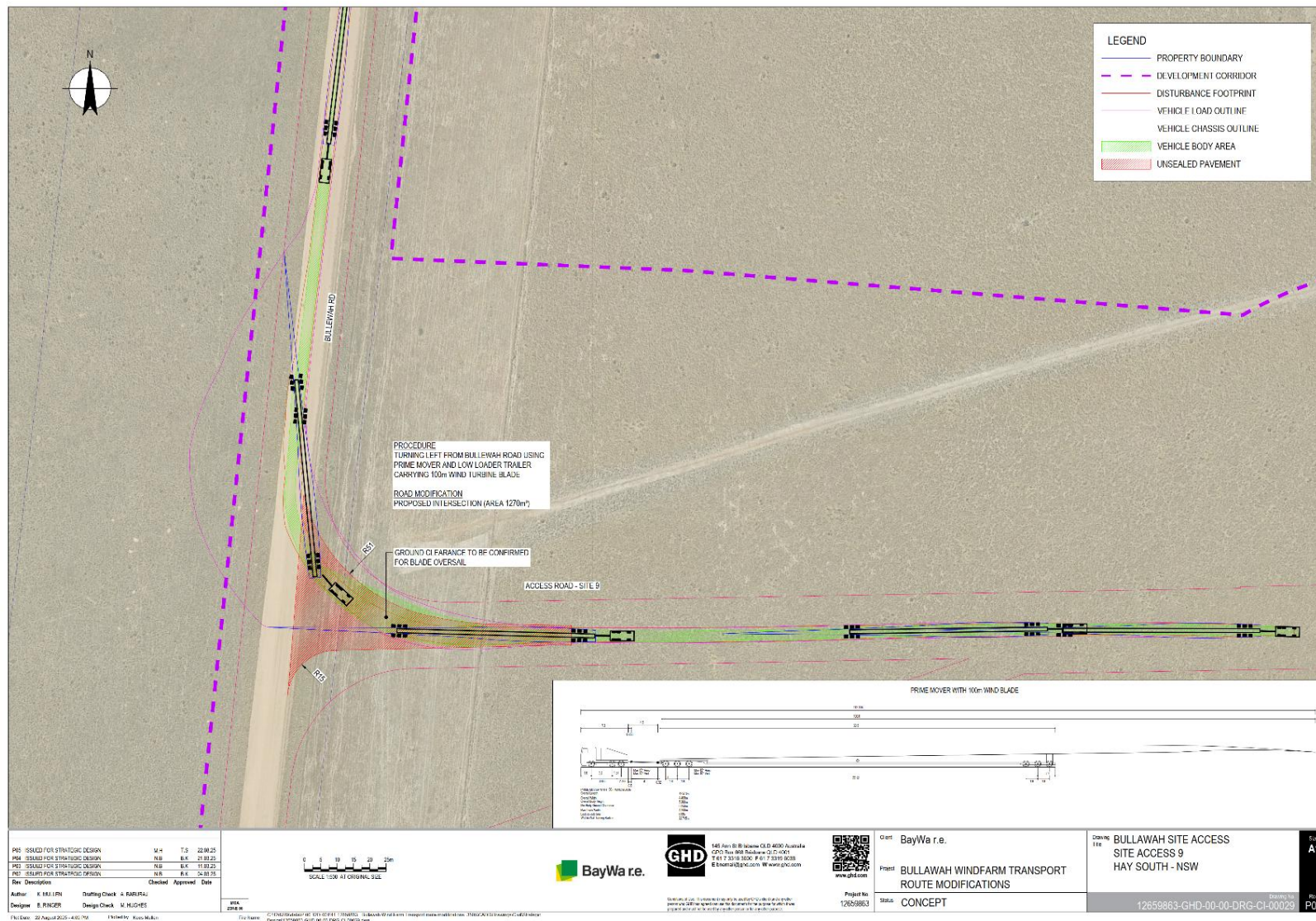


Figure 28 Site access 9

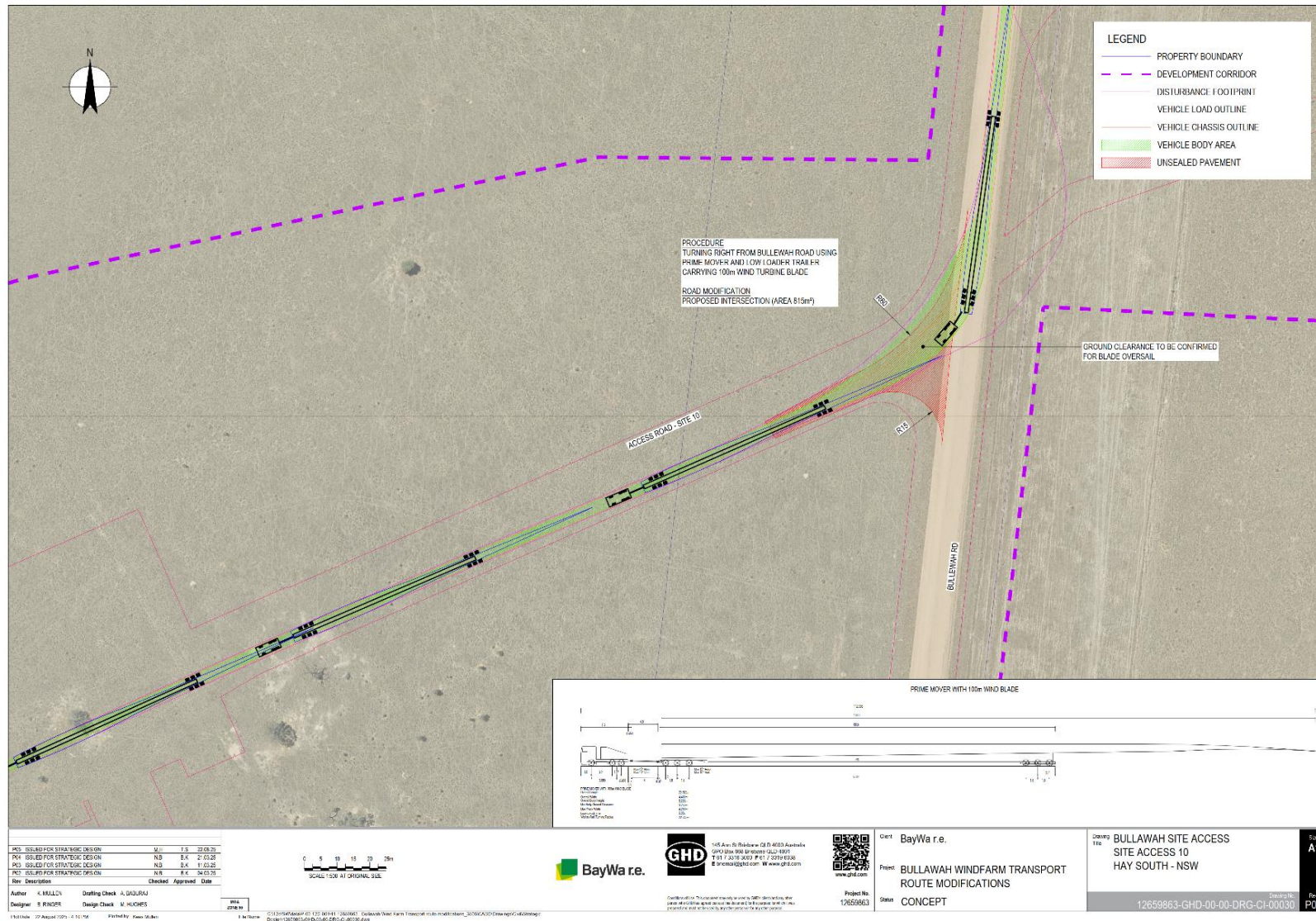


Figure 29 Site access 10

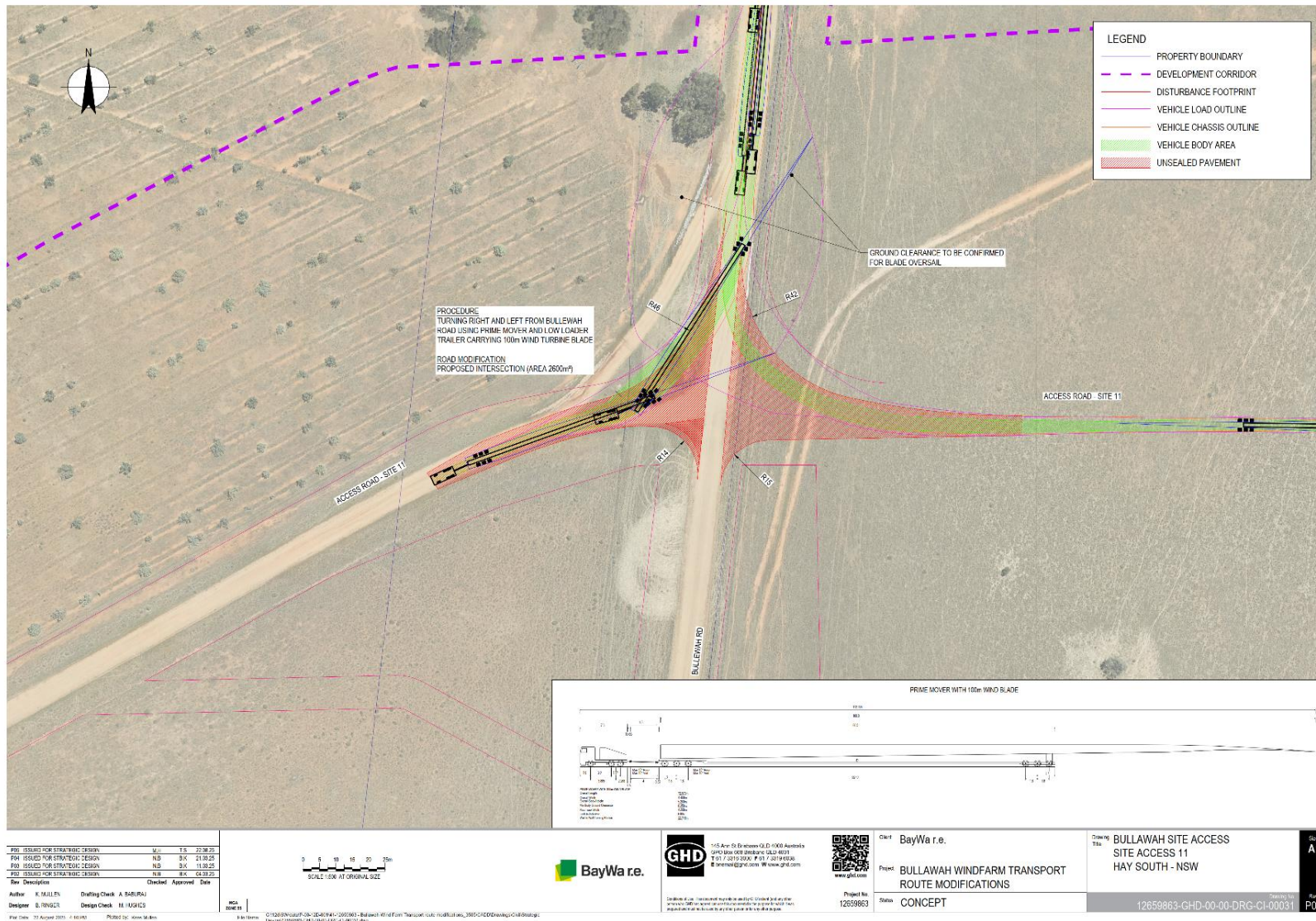


Figure 30 Site access 11

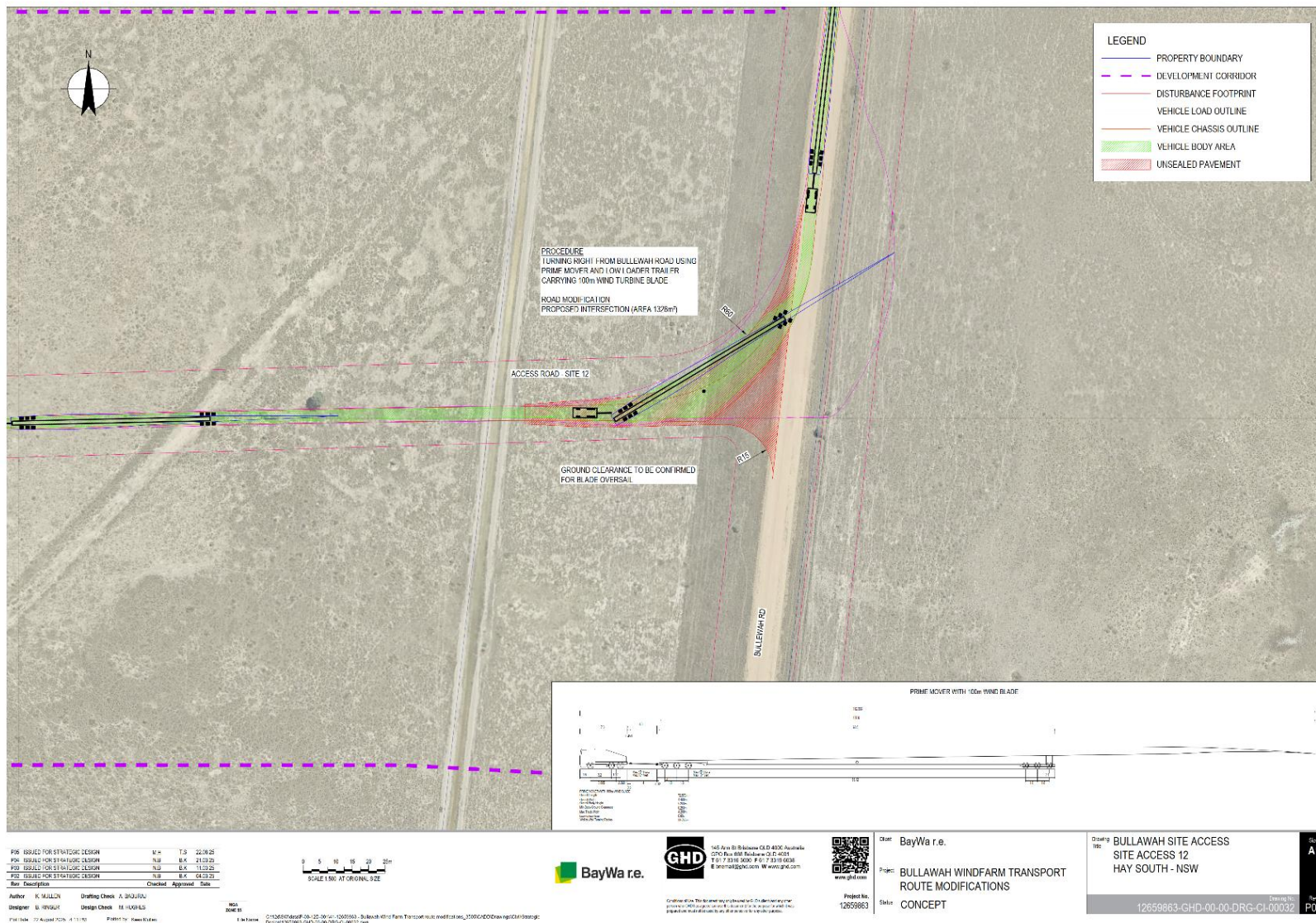


Figure 31 Site access 12

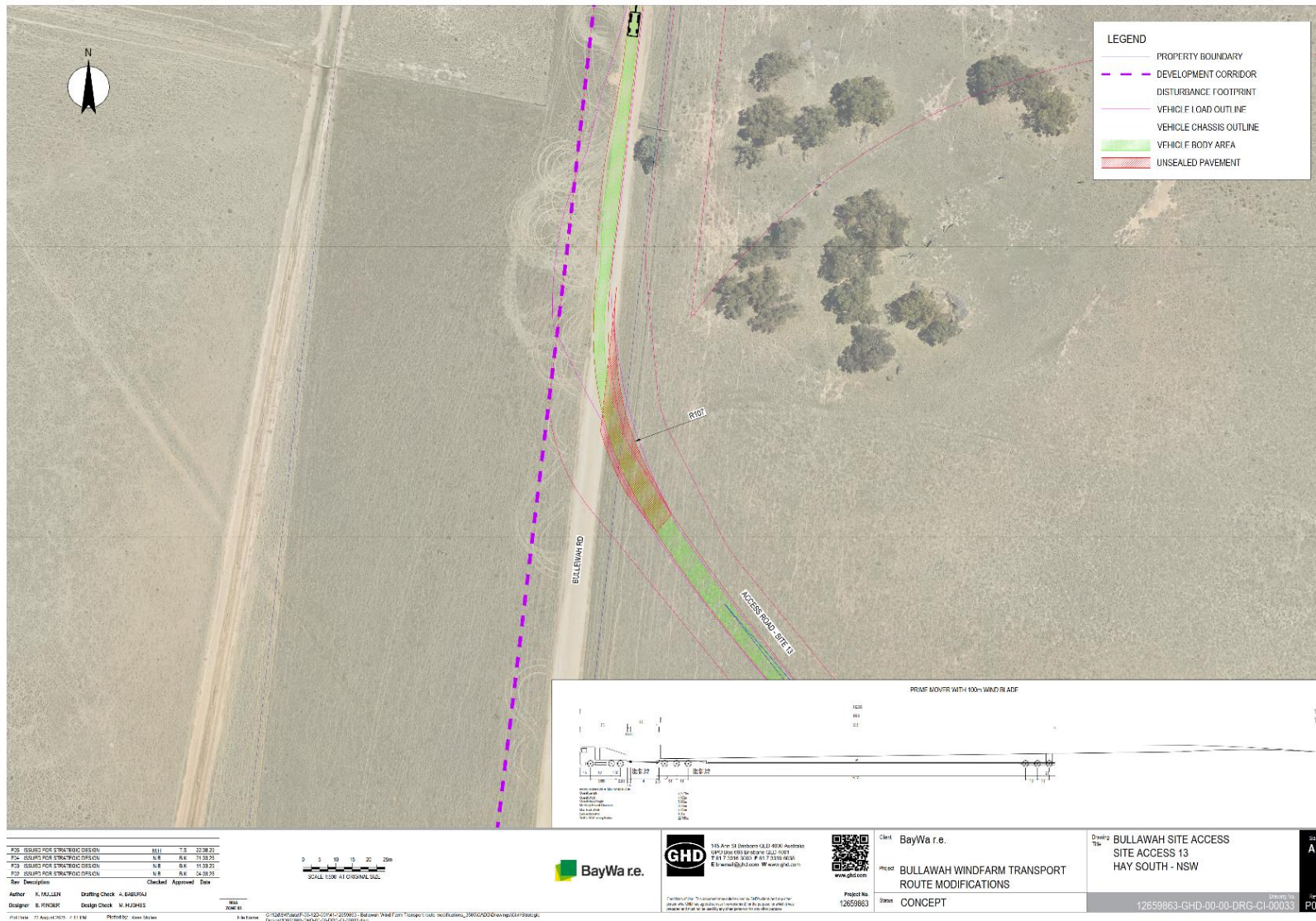


Figure 32 Site access 13

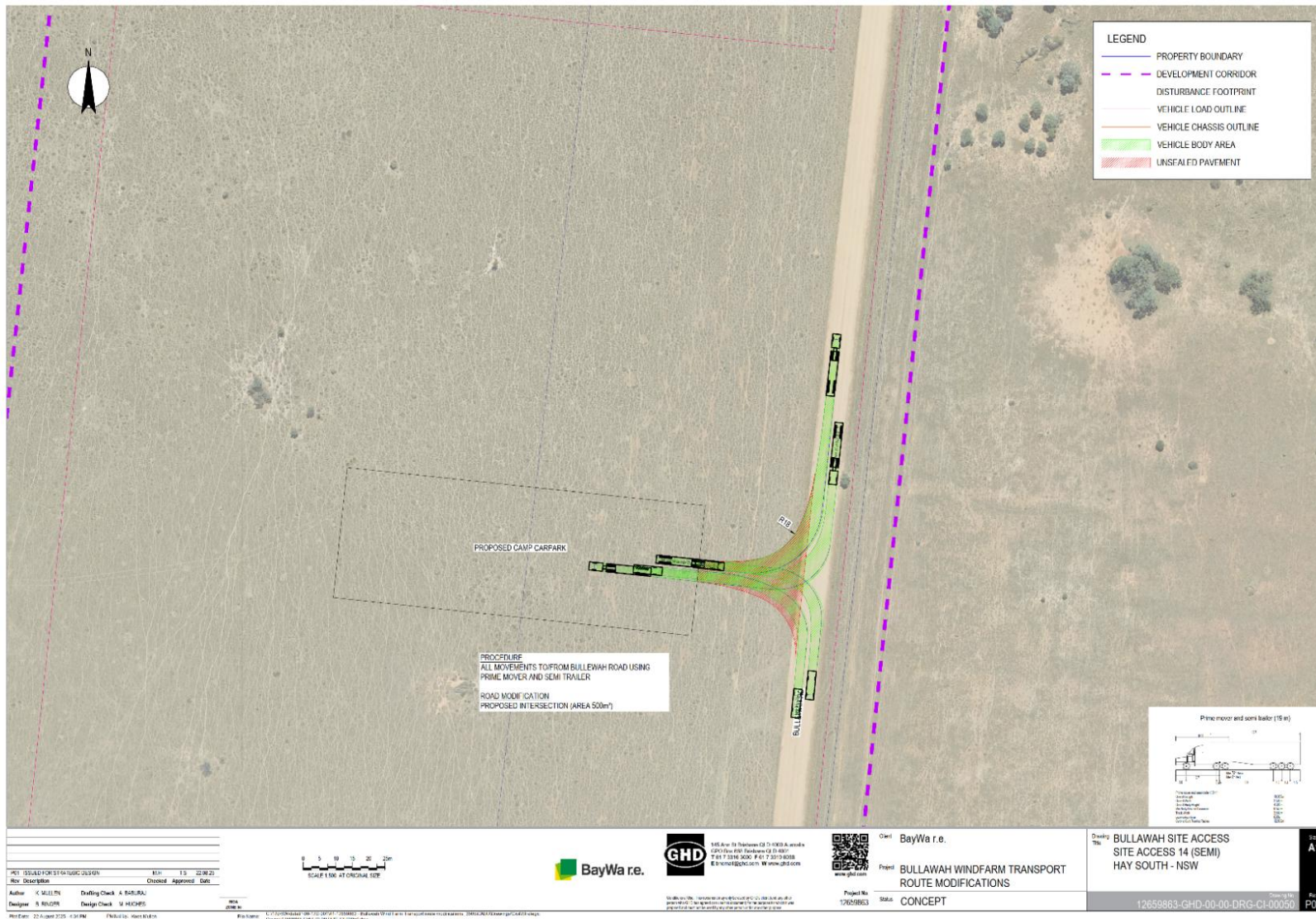


Figure 33 Site access 14



Figure 34 Intersection of Carrathool Road and Willurah Road

APPENDIX 6 BIODIVERSITY

Table 7 Overall clearing limits and offset liability for native vegetation

Plant Community Type (PCT)	Condition	Conservation Status: BC Act	Conservation Status: EPBC Act	Impact Area (ha)	Ecosystem Credit Liability
PCT 10: River Red Gum – Black Box woodland wetland of the semi-arid (warm) climatic zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	Moderate - good	-	-	2.23	29
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)	Moderate - good	-	-	0.08	3
PCT 17: Lignum shrubland wetland of the semi-arid (warm) plains (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	Moderate – good	-	-	2.05	77
PCT 24: Canegrass swamp tall grassland wetland of drainage depressions: lakes and pans of the inland plains	Moderate - good	-	-	1.97	27
PCT 26: Weeping Myall pen woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	DNG	Endangered	-	17.88	307
PCT 26: Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	Moderate - good	Endangered	Endangered	4.92	135
PCT 28: White Cypress Pine open woodland of sand plains, prior streams and dunes mainly of semi-arid (warm) climate zone	DNG	Endangered	-	57.61	1,418
PCT 44: Forb-rich Speargrass – Windmill Grass – White Top grassland of the Riverina Bioregion	Moderate – good	-	-	169.25	4,077
PCT 46: Curly Windmill Grass – speargrass – wallaby grass grassland on alluvial clay and loam on the Hay Plain: Riverina Bioregion	Moderate – good	-	-	333.15	8,546
PCT 160: Nitre Goosefoot shrubland wetland on clays of the inland floodplains	Moderate - good	-	-	2.55	56
PCT 164: Cotton Bush open shrubland of the semi-arid (warm) zone	Moderate - good	-	-	40.97	746
Scattered Trees	-	-	-	N/A	N/A
Total	-	-	-	632.67	15,421

Table 8 Overall species credit requirements

Species	BC Act	EPBC Act	Impact (hectares)	Species Credit Liability
Fauna				
Little Eagle <i>Hieraaetus morphnoides</i>	Vulnerable	-	34.63	643
Barking Owl <i>Ninox connivens</i>	Vulnerable	-	2.8	49
Southern Bell Frog <i>Ranoidea raniformis</i>	Endangered	Vulnerable	52.16	1,426
Flora				
Chariot Wheels <i>Maireana cheelii</i>	Vulnerable	Vulnerable	4.67	116
Silky Swainson-pea <i>Swainsona sericea</i>	Vulnerable	-	9.78	282
Slender Darling Pea <i>Swainsona murrayana</i>	Vulnerable	Vulnerable	445.21	13,058
Spike-rush <i>Eleocharis obicis</i>	Vulnerable	Vulnerable	7.31	193
Winged Peppercress <i>Lepidium monoplacoides</i>	Endangered	Endangered	3.52	88
Total	-	-	-	15,855

APPENDIX 7 HERITAGE ITEMS

Table 9 Aboriginal Heritage items – avoid impacts

AHIMS ID / Site name and site features
48-6-0322 Bullawah AS9_2023 (Artefact)
48-6-0323 Bullawah AS10_2023 (Artefact)
48-6-0335 Bullawah Hearth 1_2023 (Hearth)
48-6-0331 Bullawah Earth Mound 1_2023 (Earth Mound)
48-6-0336 Bullawah Culturally Modified Tree1_2023 (Modified Tree (Carved or Scarred))
Various Hearths located within site complexes ¹ (Hearth)
48-6-0131 South Burrabogie 1.1 (Artefact, Earth Mound)
48-6-0132 South Burrabogie 1.2 (Artefact, Earth Mound)
48-6-0133 South Burrabogie 1.3 (Artefact, Hearth)
48-6-0134 South Burrabogie 1.4 (Artefact, Hearth)
48-6-0135 South Burrabogie 1.5 (Artefact)
48-6-0136 South Burrabogie 1.6 (Artefact, Hearth)
48-6-0137 South Burrabogie 1.7 (Water Hole)
48-6-0138 South Burrabogie 1.8 (Hearth)
48-6-0139 South Burrabogie 2 (Artefact, Hearth)
48-6-0140 South Burrabogie 3 (Hearth)
48-6-0222 PEC-E-101 (Artefact)
48-6-0223 PEC-E-100 (Artefact, Hearth)
48-6-0160 PEC-E-38 (Artefact)
48-6-0161 PEC-E-39 (Artefact)

Note 1: For the purposes of the Aboriginal Cultural Heritage Assessment, all individual hearth locations have been counted as a single 'site'.

Table 10 Aboriginal heritage items – partially avoid, minimise and / or salvage

AHIMS ID / Site name and site features
48-6-0311 Bullawah IF1_2023 (Artefact)
48-6-0312 Bullawah IF2_2023 (Artefact)
48-6-0313 Bullawah IF3_2023 (Artefact)
48-6-0314 Bullawah IF4_2023 (Artefact)
48-6-0315 Bullawah IF5_2023 (Artefact)
48-6-0170 Bullawah AS1_2023 (Artefact)
48-6-0316 Bullawah AS2_2023 (Artefact)
48-6-0171 Bullawah AS3_2023 (Artefact)
48-6-0317 Bullawah AS4_2023 (Artefact)
48-6-0319 Bullawah AS5_2023 (Artefact)
48-6-0318 Bullawah AS6_2023 (Artefact)
48-6-0325 Bullawah AS7_2023 (Artefact)
48-6-0324 Bullawah AS8_2023 (Artefact)
48-6-0321 Bullawah AS11_2023 (Artefact)
48-6-0320 Bullawah AS12_2023 (Artefact)
48-6-0330 Bullawah AS13_2023 (Artefact)
48-6-0329 Bullawah AS14_2023 (Artefact)
48-6-0328 Bullawah AS15_2023 (Artefact)
48-6-0327 Bullawah AS16_2023 (Artefact)
48-6-0326 Bullawah AS17_2023 (Artefact)
48-6-0168 Bullawah Site Complex 2_2023 (Artefact, Hearth)
48-6-0334 Bullawah Site Complex 3_2023 (Artefact, Hearth, Potential Archaeological Deposit (PAD))
48-6-0333 Bullawah Site Complex 4_2023 (Artefact, Hearth, PAD)
48-6-0332 Bullawah Site Complex 5_2023 (Artefact, Hearth, PAD)
48-6-0337 Bullawah Site Complex 6_2023 (Artefact, Hearth, PAD)
48-6-0233 PEC-E-PAD24 (PAD)
48-6-0230 PEC-E-PAD25 (PAD)

Note: No harm is permitted to hearth features identified in Table 10 above.

Table 11 Historic heritage items – avoid impacts

Item name
PHI 1 - South Burrabogie Woolshed Group
PHI 3 - Bullawah Homestead Group

RECOMMENDED

FIGURE 10.1
Aboriginal Site Management

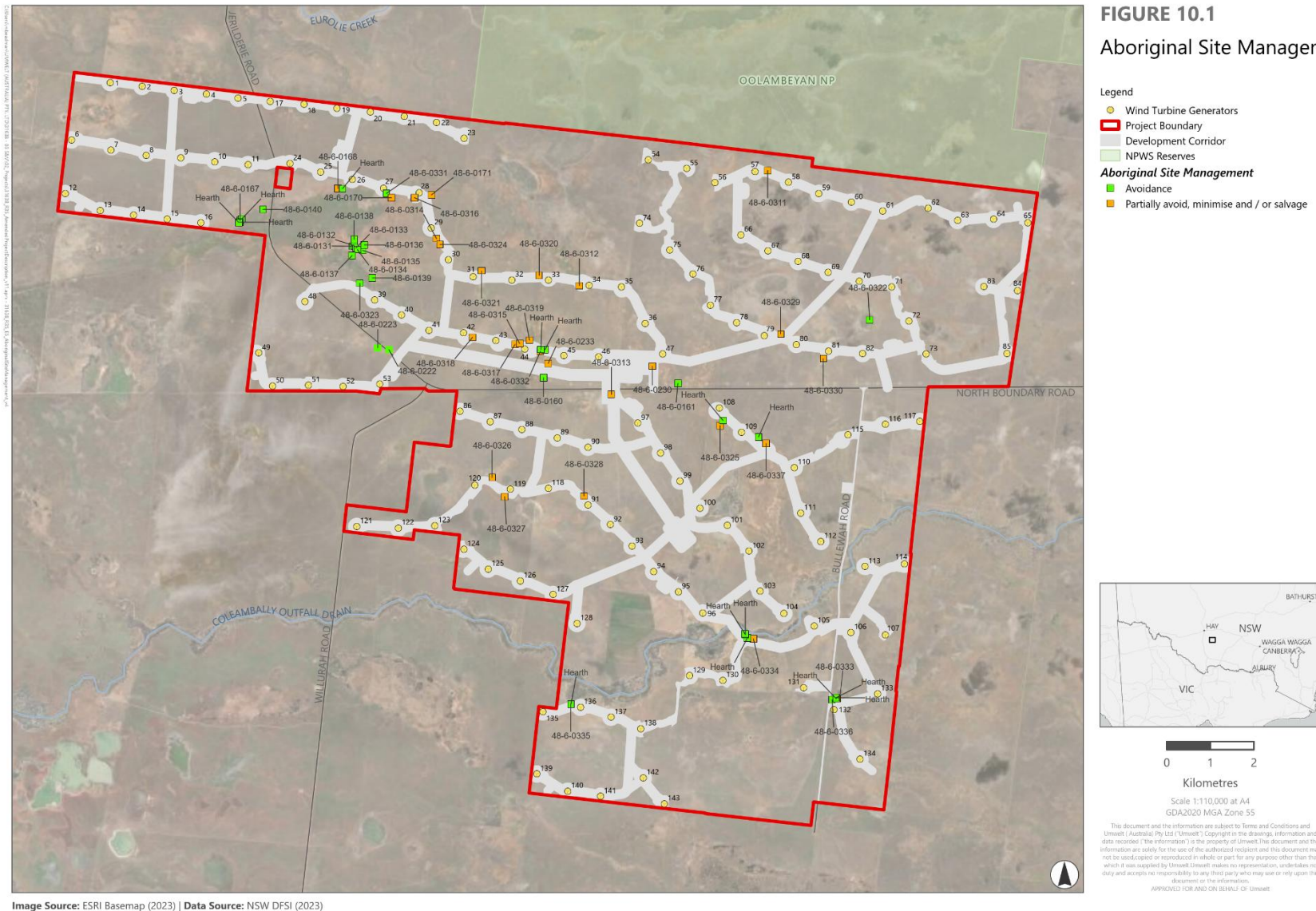


Figure 35 Aboriginal sites

APPENDIX 8 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C12 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C12), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) includes a summary of the incident;
 - (f) details outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

APPENDIX 9 AVIATION OBSTACLE LIGHTING PLAN

