

18 June 2020

Dr Paul Rutherford
Senior Compliance Officer
Planning and Assessment
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Dr Paul Rutherford,

RE: Bango Wind Farm SSD6686 – Condition 5 of Schedule 4 – Non-compliance notification

BWF Nominees Pty Ltd (BWF) is writing to the Department of Planning, Industry and Environment (DPIE), to notify of two non-compliances, in accordance with Condition 5 of Schedule 4 of State Significant Development 6686 (SSD6686). BWF have identified these non-compliances during a recent internal compliance review and provide the following details.

Condition 14 of Schedule 2

Condition 14 states:

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).*
- (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 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

Details of non-compliance

Substation building works have been carried out by TransGrid without first obtaining a Construction Certificate (CC), as required under Part 6 of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

Reason for non-compliance

TransGrid commenced building works without obtaining CC as it is their view that as a public utility, they are able to self-certify their building works. There is a disagreement regarding the requirement for obtaining CC and TransGrid are seeking further advice from DPIE to clarify the requirements.

Actions undertaken / proposed

BWF understands that TransGrid are seeking further advice from DPIE in relation to the requirements of this Condition.

BWF has appointed an accredited certifier per Part 6 of the EP&A Act and TransGrid are now using this certifier for their substation building works. Substation building works that had already commenced without certification are likely to be subject to Building Information Certificates and issued by Yass Valley Council.

Condition 30 of Schedule 3

Condition 30 states:

Within 30 days of the installation of any wind turbine or mast, the Applicant must:

- (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or update the information previously provided.*

Details of non-compliance

Three wind monitoring masts were installed at Bango Wind Farm on 21 February 2020: TMM30, TMM26, PMM2630.

BWF provided notification of these installed masts (including updating the information previously provided per Condition 29) to the aviation authorities on 1 May 2020. This notification was not provided within 30 days after installation of the masts, as required by Condition 30.

Reason for non-compliance

BWF made numerous requests to the mast installation contractor to provide final survey details of the masts. This information was not provided to BWF to enable it to be notified within 30 days of installation.

Actions undertaken / proposed

The details of the installed masts (TMM30, TMM26, PMM2630) were notified to aviation authorities on 1 May 2020.

If you require additional information or to further discuss please contact me on 0477 056 801 or leannecross@cwprenewables.com.

Yours sincerely,



Leanne Cross
Environment Manager
CWP Renewables