



## Appendix A: Assessment against Development Consent

Condition		Review
<b>SCHEDULE 2 – ADMINISTRATIVE CONDITIONS</b>		
<b>Condition 1</b> Obligation to minimise harm to the environment	In addition to meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the development.	<i>The Modified Project will not impact the ability to comply with this condition.</i> Measures to minimise any material harm to the environment will be outlined in the management plans in accordance with the Conditions of Consent.
<b>Condition 2</b> Terms of consent	The Applicant must carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent.  <i>Note: The general layout of the development is shown in Appendix 2.</i>	The Applicant is seeking a modification to the Development Consent to ensure the Project is generally in accordance with the EIS and the Conditions of this Consent as several of the Conditions are being modified and the Development layout is to be replaced (contained at Appendix A).
<b>Condition 3</b> Terms of consent	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 4</b> Terms of consent	The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 5</b> Limits on consent (Wind turbines)	The Applicant may construct, operate and replace or upgrade as necessary up to 92 wind turbines.	The Modified Project proposes to reduce the number of turbines from 92 to 80 whilst replacing them with larger, more efficient turbines. This is discussed in Section 4 of the Modification Application report.
<b>Condition 6</b> Limits on consent (Wind turbines)	This consent does not authorise the development of wind turbine numbers 16, 29, 44, 45, 47, 90, 93, 94, 95, 96, 97, 98, 99, 101, 133, 134 and 144.  <i>Notes:</i> <ul style="list-style-type: none"><li>• To identify the wind turbines, see the figures and corresponding GPS Coordinates (for those wind turbines approved) in Appendix 2.</li><li>• To avoid any doubt, the Applicant does not require additional approval to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent.</li></ul>	The Modified Project proposes to further reduce the number of turbines as discussed in Section 4 of the Modification Application report.
<b>Condition 7</b> Limits on consent (Wind turbine height)	No wind turbines may be greater than 157 metres in height (measured from above ground level to the blade up).	This Modification Application is to increase the maximum turbine height (Condition 7 from 157m to 200m)  The Modified Project proposes to use larger, more efficient turbines for greater renewable energy generation. This is discussed further in Section 4 of the Modification Application report.
<b>Condition 8</b> Limits on consent (Micro-siting Restrictions)	The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided: (a) they remain within the development corridor shown on the figures in Appendix 2; (b) no wind turbine is moved more than 250 metres from the relevant GPS coordinates shown in Appendix 2; (c) wind turbine numbers 11, 12, 38, 48, 56, 80, 83, 84, 85, 102, 125, 143, 149 and 150 are micro-sited to minimise (and if possible avoid) impacts on high conservation value vegetation, including hollow-bearing trees; (d) the revised location of a wind turbine is at least 50 metres from existing hollow-bearing trees; or where the proposed turbine location is already within 50 metres of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to the existing hollow-bearing trees; and (e) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.	The Development layout is to be replaced, refer to Appendix C.2, and update turbine coordinates (12 turbines for removal) (discussed in Section 4 of the Modification Application report).
<b>Condition 9</b> limits on consent (Staging of the development)	The Applicant may construct, operate and decommission the development in stages. Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 10</b> limits on consent	Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including: (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure; and	<i>The Modified Project will not impact the ability to comply with this condition.</i>

Condition		Review
(Final layout plan)	(b) the GPS coordinates of the wind turbines.	No plans have been submitted for endorsement to the Secretary under Condition 10. Plans will be submitted prior to commencement of construction.
<b>Condition 11</b> Notification of department	Prior to the commencement of the construction, operation and/or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement or cessation. If the construction, operation and/or decommissioning of the development is to be staged, then the Applicant must: (a) notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage; and (b) inform the local community and the Community Consultative Committee about the proposed staging plans.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 12</b> Structural adequacy	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.  <i>Notes:</i> • 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.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 13</b> Demolition	The Applicant must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: <i>The Demolition of Structures</i> , or its latest version.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 14</b> Protection of public infrastructure	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.  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.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 15</b> Operation of plant equipment	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.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 16</b> Updating & staging of strategies, plans or programs	With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.  To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.  With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.  <i>Notes:</i> • While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 17</b> Community enhancement	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must enter into VPAs with the Councils in accordance with: (a) Division 6 of Part 4 of the EP&A Act; and (b) the terms of the applicable offer as summarised in Appendix 3.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>SCHEDULE 3 – ENVIRONMENTAL CONDITIONS – GENERAL</b>		
<b>Condition 1</b> Acquisition upon request	For a period of 5 years from the commencement of construction of any of the applicable wind turbines, the owner of the land listed in Table 1 may request the Applicant to acquire their land.  Upon receiving a written request from this owner, the Applicant must acquire the land in accordance with the procedures in conditions 2 and 3 of schedule 4.	Wind turbine 149 has been removed from the modified layout, however this will not affect compliance with Condition 1.

Condition		Review										
	<p>However, this condition does not apply if the Applicant has an agreement with the owner of the relevant land in regard to the visual impacts associated with the development, and the Applicant has advised the Department in writing of the terms of this agreement.</p> <p><i>Table 1: Residence subject to acquisition upon request</i></p> <table border="1" data-bbox="537 352 1240 510"> <thead> <tr> <th>Residence</th> <th>Lot/DP</th> <th>Applicable Wind Turbines</th> </tr> </thead> <tbody> <tr> <td rowspan="2">R38</td> <td>49/754136</td> <td rowspan="2">62, 67, 71 – 76, 78, 141</td> </tr> <tr> <td>104/754136</td> </tr> <tr> <td>-</td> <td>75/754136</td> <td>146, 147, 148, 149</td> </tr> </tbody> </table> <p><i>Note: To identify the residence and wind turbines referred to in Table 1, see the applicable tables and figures in Appendix 2.</i></p>	Residence	Lot/DP	Applicable Wind Turbines	R38	49/754136	62, 67, 71 – 76, 78, 141	104/754136	-	75/754136	146, 147, 148, 149	
Residence	Lot/DP	Applicable Wind Turbines										
R38	49/754136	62, 67, 71 – 76, 78, 141										
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-	75/754136	146, 147, 148, 149										
<p><b>Condition 2</b> Visual (Visual agreement)</p>	<p>The Applicant must not construct the applicable wind turbines listed in Table 2 unless the Applicant has an agreement with the owner(s) of the relevant land in regard to the visual impacts associated with the project, and the Applicant has advised the Department in writing of the terms of this agreement.</p> <p><i>Table 2: Residence subject to visual agreement</i></p> <table border="1" data-bbox="537 720 1267 848"> <thead> <tr> <th>Residence</th> <th>Lot/DP</th> <th>Applicable Wind Turbines</th> </tr> </thead> <tbody> <tr> <td rowspan="3">R56</td> <td>97/754122</td> <td rowspan="3">145</td> </tr> <tr> <td>180/754122</td> </tr> <tr> <td>181/754122</td> </tr> </tbody> </table> <p><i>Note: To identify the residence and wind turbines referred to in Table 2, see the applicable tables and figures in Appendix 2.</i></p>	Residence	Lot/DP	Applicable Wind Turbines	R56	97/754122	145	180/754122	181/754122	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>		
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R56	97/754122	145										
	180/754122											
	181/754122											
<p><b>Condition 3</b> visual (Visual impact mitigation)</p>	<p>For a period of 5 years from the commencement of construction, the owner of any non-associated residence within 4 km of any wind turbine may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage).</p> <p>Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.</p> <p>These mitigation measures must be reasonable and feasible, aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence.</p> <p>All mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.</p> <p>If the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li><i>To avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.</i></li> <li><i>The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While owners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the relevant wind turbines are visible from their residence.</i></li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>										
<p><b>Condition 4</b> Visual (Visual appearance)</p>	<p>The Applicant must:</p> <p>(a) minimise the off-site visual impacts of the development;</p> <p>(b) ensure the wind turbines are:</p> <ul style="list-style-type: none"> <li>• painted off white/grey, unless otherwise agreed by the Secretary; and</li> <li>• finished with a surface treatment that minimises the potential for glare and reflection;</li> </ul> <p>(c) ensure the visual appearance of all ancillary infrastructure (including paint colours), blends in as far as possible with the surrounding landscape; and</p> <p>(d) not mount any advertising signs or logos on wind turbines or ancillary infrastructure.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>										
<p><b>Condition 5</b> Visual (Lighting)</p>	<p>The Applicant must:</p> <p>(a) minimise the off-site lighting impacts of the development;</p> <p>(b) ensure that any aviation hazard lighting complies with CASA's requirements;</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>										

Condition		Review																										
	<p>(c) ensure that any aviation hazard lighting design includes all reasonable and feasible measures to minimise visual impact (such as being partially shielded, only operating at night and at times of reduced visibility, and turned on and off simultaneously), provided these measures are determined in consultation with CASA, do not compromise the lightings operational effectiveness, and are consistent with condition 5(b);</p> <p>(d) ensure that all external lighting associated with the development (apart from any aviation hazard and construction lighting):</p> <ul style="list-style-type: none"> <li>• is installed as low intensity lighting (except where required for safety or emergency purposes);</li> <li>• does not shine above the horizontal;</li> <li>• uses best management practice for bat deterrence; and</li> <li>• complies with Australian Standard AS 4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version.</li> </ul>																											
<p><b>Condition 6</b> Visual (Shadow flicker)</p>	<p>The Applicant must ensure that shadow flicker from operational wind turbines does not exceed 30 hours per year at any non-associated residence.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>The Modified Project will remain compliant with Condition 6 with no non-associated residences to experience operational shadow flicker of more than 30 hours per year. This is discussed further in Section 7.2 of the Modification Application report.</p>																										
<p><b>Condition 7</b> Noise (Construction &amp; decommissioning noise)</p>	<p>The Applicant must:</p> <p>(a) minimise the construction or decommissioning noise of the development, including any associated traffic noise; and</p> <p>(b) ensure that the noise generated by any construction or decommissioning activities is managed in accordance with the best practice requirements outlined in the Interim Construction Noise Guideline (DECC, 2009), or its latest version.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>																										
<p><b>Condition 8</b> Noise (Construction &amp; decommissioning noise)</p>	<p>Unless the Secretary agrees otherwise, the Applicant must only undertake construction or decommissioning activities between:</p> <p>(a) 7 am to 6 pm Monday to Friday;</p> <p>(b) 8 am to 1 pm Saturdays; and</p> <p>(c) at no time on Sundays and NSW public holidays.</p> <p>The following construction or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:</p> <ul style="list-style-type: none"> <li>• activities that are inaudible at non-associated residences;</li> <li>• the delivery of materials requested by the NSW Police Force or other authorities for safety reasons; or</li> <li>• emergency work to avoid the loss of life, property and/or material harm to the environment.</li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>																										
<p><b>Condition 9</b> Noise (Blasting)</p>	<p>The Applicant may only carry out blasting on site between 9 am and 5 pm Monday to Friday and between 8 am to 1 pm on Saturday. No blasting is allowed on Sundays or public holidays.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>																										
<p><b>Condition 9</b> Noise (Blasting)</p>	<p>The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 3.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>																										
<p><b>Condition 10</b> Noise (Blasting)</p>	<p>The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 3.</p> <p><i>Table 3: Blasting criteria</i></p> <table border="1" data-bbox="537 1461 1522 1619"> <thead> <tr> <th>Location</th> <th>Airblast overpressure dB(Lin Peak))</th> <th>Ground vibration</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Any non-associated residence</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts or events over a rolling period of 12 months</td> </tr> </tbody> </table>	Location	Airblast overpressure dB(Lin Peak))	Ground vibration	Allowable exceedance	Any non-associated residence	120	10	0%	115	5	5% of the total number of blasts or events over a rolling period of 12 months	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>															
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<p><b>Condition 11</b> Noise (Operational noise Criteria – wind turbines)</p>	<p>The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 4 at any non-associated residence.</p> <p><i>Table 4: Blasting criteria</i></p> <table border="1" data-bbox="537 1803 1436 1902"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="8">Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)</th> </tr> <tr> <th>5</th> <th>6</th> <th>7</th> <th>8</th> <th>9</th> <th>10</th> <th>11</th> <th>12</th> </tr> </thead> <tbody> <tr> <td>R1</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>39</td> <td>41</td> <td>43</td> <td>46</td> </tr> </tbody> </table>	Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)								5	6	7	8	9	10	11	12	R1	35	35	36	37	39	41	43	46	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>The Proposed Modifications remains compliant with condition 11 at all neighbouring receivers with the implementation of a curtailment strategy. This is discussed further in Section 7.4 of the Modification Application report.</p>
Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)																											
	5	6	7	8	9	10	11	12																				
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Condition											Review
	R6, R7, R8, R9, R10,	35	35	35	35	35	37	38	40		
	R11	35	35	35	35	37	39	41	44		
	R17, R19, R20, R22	36	36	36	37	38	39	40	42		
	R26, R29, R38	35	35	35	35	35	35	35	35		
	R40, R65	35	35	35	35	35	35	37	40		
	R45, R170	35	35	35	35	35	37	40	42		
	R47, R48	35	35	35	35	35	36	38	40		
	R50, R53, R324	35	35	35	35	35	37	39	41		
	R56	35	35	35	35	36	38	40	41		
	R63	36	37	38	39	41	42	44	45		
	All other non-associated residences	The higher of 35 dB(A) or the existing background noise level LA90 (10-minute) plus 5 dB(A)									
	<p><i>Note: To identify the residences referred to in Table 4, see the applicable figure in Appendix 2.</i></p> <p><i>Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the South Australian Environment Protection Authority's Wind Farms – Environmental Noise Guidelines 2009 (or its latest version), as modified by the provisions in Appendix 4. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.</i></p> <p><i>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.</i></p>										
<b>Condition 12</b> Noise (Operational noise Criteria – ancillary infrastructure)	The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) LAeq(15 minute) at any non-associated residence.  Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW <i>Industrial Noise Policy</i> (or its equivalent) as modified by the provisions in Appendix 4.										<i>The Modified Project will not impact the ability to comply with this condition.</i>  A Noise Impact Assessment was undertaken and determined that operation of ancillary infrastructure will not exceed 35dB(A) at any non-associated residences. This is discussed further in Section 7.4 of the Modification Application report.
<b>Condition 13</b> Noise (Operational noise monitoring)	Within 6 months of the commencement of operations, 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.										<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 14</b> Noise (Operational noise monitoring)	The Applicant must undertake further noise monitoring of the development if required by the Secretary.										<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 15</b> Air	The Applicant must: (a) minimise the off-site dust, fume and blast emissions of the development; and (b) minimise the surface disturbance of the site.										<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 16</b> Soil & water (Water supply)	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.  <i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i>										<i>The Modified Project will not impact the ability to comply with this condition.</i>  The Applicant is working with a local hydrologist to secure a suitable water source and obtain necessary water licences for development. This is discussed further in Section 4.3.6 of the Modification Application report.
<b>Condition 17</b> Soil & water (Water pollution)	Unless an EPL authorises otherwise, the Applicant must comply with Section 120 of the POEO Act.  <i>Note: Section 120 of the POEO Act makes it an offence to pollute any waters.</i>										<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 18</b> Soil & water (Operating conditions)	The Applicant must: (a) ensure the wind turbines and ancillary infrastructure, particularly any access roads on steep slopes, are designed, constructed and maintained to minimise any soil erosion; (b) minimise any soil erosion associated with the construction and decommissioning of the development by implementing the relevant mitigation measures in Managing Urban Stormwater: Soils and Construction (Landcom, 2004), or its latest version; (c) ensure all waterway crossings are constructed in accordance with the:										<i>The Modified Project will not impact the ability to comply with this condition.</i>

Condition		Review
	<ul style="list-style-type: none"> <li>• Water Guidelines for Controlled Activities on Waterfront Land (2012), or its latest version; and</li> <li>• Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004), or its latest version;</li> </ul> (d) store and handle all dangerous or hazardous materials on site in accordance with AS1940-2004: The storage and handling of flammable and combustible liquids, or its latest version; (e) ensure the concrete batching plants and substation are suitably bunded; and (f) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.	
<b>Condition 19</b> Biodiversity (Restrictions on clearing and habitat)	The Applicant must: (a) ensure that no more than 50.2 hectares of the Box Gum Woodland EEC, including Box Gum Woodland derived grassland, is cleared for the development, unless the Secretary agrees otherwise; (b) avoid impacts to the Crimson Spider Orchid ( <i>Caladenia concolor</i> ) and Southern Pygmy Perch ( <i>Nannoperca australis</i> ); (c) minimise: <ul style="list-style-type: none"> <li>• the impacts of the development on hollow-bearing trees and termite mounds;</li> <li>• the impacts of the development on threatened bird and bat populations; and</li> <li>• the clearing of native vegetation and key habitat within the approved disturbance footprint.</li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>The Applicant remains under the 50.2 ha clearance limit for Box Gum Woodland EEC.</p> <p>The Crimson Spider Orchid (<i>Caladenia concolor</i>) was not recorded within the Development Corridor.</p> <p>Impacts to Southern Pygmy Perch will be avoided through detailed design and appropriate fauna construction management.</p> <p>Where possible, hollow-bearing trees and termite mounds have been avoided. Pre-clearance surveys for key fauna habitat will be undertaken to limit removal of these habitats.</p> <p>This is discussed further in Section 7.5 of the Modification Application report.</p>
<b>Condition 20</b> Biodiversity (Biodiversity offset)	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must: (a) update the baseline mapping of the vegetation and key habitat within the final disturbance area; and (b) calculate the biodiversity offset credit liabilities for the development in accordance with the Framework for Biodiversity Assessment under the NSW Biodiversity Offset Policy for Major projects, in consultation with OEH, and to the satisfaction of the Department.	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>As part of this BDAR, the Applicant has updated baseline mapping and calculated the biodiversity offset credit liabilities. This is discussed further in Section 7.5 of the Modification Application report.</p>
<b>Condition 21</b> Biodiversity (Biodiversity offset)	Within 2 years of the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire the required biodiversity credits, to the satisfaction of OEH.  The retirement of the credits must be carried out in accordance with the NSW Biodiversity Offsets Policy for Major Projects, and can be achieved by: (a) acquiring or retiring credits under the biobanking scheme in the TSC Act; (b) making payments into an offset fund that has been established by the NSW Government; or (c) providing suitable supplementary measures.	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>The Applicant is in the process of securing the required offsets. This is discussed further in Section 7.5 of the Modification Application report and in the BDAR in Appendix G..</p>
<b>Condition 22</b> Biodiversity (Biodiversity Management Plan)	Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with OEH; and (b) include: <ul style="list-style-type: none"> <li>• a description of the measures that would be implemented for:               <ul style="list-style-type: none"> <li>- minimising the amount of native vegetation clearing within the approved development footprint;</li> <li>- minimising the loss of key fauna habitat, including tree hollows and termite mounds;</li> <li>- minimising the impacts on fauna on site, including undertaking pre-clearance surveys;</li> <li>- minimising the potential indirect impacts on threatened:                   <ul style="list-style-type: none"> <li><input type="checkbox"/> flora species, including the Crimson Spider Orchid (<i>Caladenia concolor</i>); and</li> <li><input type="checkbox"/> fauna species, including the Southern Pygmy Perch (<i>Nannoperca australis</i>), Golden Sun Moth (<i>Synemon plana</i>) and Superb Parrot (<i>Polytelis swainsonii</i>);</li> </ul> </li> <li>- rehabilitating and revegetating temporary disturbance areas;</li> <li>- protecting native vegetation and key fauna habitat outside the approved disturbance area;</li> <li>- maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;</li> <li>- collecting and propagating seed (where relevant);</li> <li>- controlling weeds and feral pests;</li> </ul> </li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>A Biodiversity Management Plan has not been submitted for endorsement to the Secretary under Condition 22. This plan will be submitted prior to the commencement of construction.</p> <p>The mitigation measures outlined in Condition 22 remain appropriate to mitigate impacts on biodiversity. This is further in Section 7.5 of the Modification Application report.</p>

Condition		Review
	<ul style="list-style-type: none"> <li>- controlling erosion; and</li> <li>- bushfire management;</li> <li>• a detailed program to monitor and report on the effectiveness of these measures.</li> </ul> <p>Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.</p>	
<p><b>Condition 23</b> Biodiversity (Bird and Bat Adaptive Management Plan)</p>	<p>Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with OEH, and to the satisfaction of the Secretary. This plan must include:</p> <p>(a) at least 12 months' worth of baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could be affected by the development;</p> <p>(b) a detailed description of the measures that would be implemented on site for minimising bird and bat strike during operation of the development, including:</p> <ul style="list-style-type: none"> <li>• minimising the availability of raptor perches;</li> <li>• prompt carcass removal;</li> <li>• controlling pests; and</li> <li>• using best practice methods for bat deterrence, including managing potential lighting impacts;</li> </ul> <p>(c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations;</p> <p>(d) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird and/or bat species or populations; including the implementation of measures to:</p> <ul style="list-style-type: none"> <li>• reduce the mortality of those species or populations; or</li> <li>• enhance and propagate those species or populations in the locality; and</li> </ul> <p>(e) a detailed program to monitor and report on the effectiveness of these measures, and any bird and bat strikes on site.</p> <p>Following the Secretary's approval, the Applicant must implement the Bird and Bat Adaptive Management Plan.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>A Bird and Bat Adaptive Management Plan has not been submitted for endorsement to the Secretary under Condition 23.</p> <p>The bird and bat strike mitigation measures outlined in Condition 23 of the remain appropriate to monitor and respond to the increased collision risk of bird species that fly above 30m and some bat species. This is discussed further in Section 7.6 of the Modification Application report.</p>
<p><b>Condition 24</b> Heritage (Protection of Aboriginal Heritage Items)</p>	<p>The Applicant must:</p> <p>(a) ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 in Appendix 5, or located outside the approved disturbance area;</p> <p>(b) minimise any impacts on the Aboriginal heritage items identified in Table 2 in Appendix 5; and</p> <p>(c) minimise any impacts on the Aboriginal heritage items identified in Table 3 in Appendix 5, and carry out detailed test excavations and salvage of potential archaeological deposits at these sites if impacts cannot be avoided.</p> <p><i>Note: The locations of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 5.</i></p>	<p>Aboriginal Heritage Items to be avoided, impacts minimised and salvaged is to be replaced (contained at Appendix C.4).</p>
<p><b>Condition 25</b> Heritage (Heritage Management Plan)</p>	<p>Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with OEH and Aboriginal stakeholders;</p> <p>(c) include updated baseline mapping of the heritage items within and adjoining the development disturbance area;</p> <p>(d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• protecting Aboriginal heritage items outside the project disturbance area;</li> <li>• minimising and managing the impacts of the development on heritage items within the disturbance area, including: <ul style="list-style-type: none"> <li>- test excavations and salvage (if required) at the Aboriginal heritage items identified in Table 3 in Appendix 5; and</li> <li>- a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works;</li> </ul> </li> <li>• a contingency plan and reporting procedure if: <ul style="list-style-type: none"> <li>- Aboriginal heritage items outside the approved disturbance area are damaged;</li> <li>- previously unidentified Aboriginal heritage items are found; or</li> <li>- Aboriginal skeletal material is discovered;</li> </ul> </li> <li>• ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and</li> <li>• ongoing consultation with Aboriginal stakeholders during the implementation of the plan;</li> </ul> <p>(e) a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.</p> <p>Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>A Heritage Management Plan has not been submitted for endorsement to the Secretary under Condition 25.</p> <p>The ACHA proposes measures to mitigate potential impacts to archaeological sites, artefact scatters, isolated finds and PADS. This is discussed further in Section 7.7 of the Modification Application report.</p>
<p><b>Condition 26</b> Transport (Designated heavy and over-dimensional vehicle routes)</p>	<p>The Applicant must ensure that all over-dimensional and heavy vehicle access to and from the site is via the designated routes identified in the figures in Appendix 7, unless the applicable roads authority agrees otherwise.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• <i>The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.</i></li> </ul>	<p>Over dimensional and heavy vehicle access routes to be updated and access points to be updated with the Preferred Transport Route. This is contained at Appendix C.5.</p>

Condition		Review
	<ul style="list-style-type: none"> <li>To avoid any doubt, this consent does not allow the use of Banks Street, Blakney Creek South Road, Cemetery Drive, Cook Streets, Dirthole Creek Road, High Rock Road and Lagoon Creek Road as over-dimensional or heavy vehicle access routes.</li> <li>To avoid any doubt, this consent does not allow the use of site access points 1 and 9 identified in the EIS.</li> </ul>	This is discussed further in Section 4.4 of the Modification Application report.
<b>Condition 27</b> Transport (Road upgrades)	The Applicant must implement the road upgrades identified in Appendix 6 in accordance with the relevant timing requirements, to the satisfaction of the relevant roads authority.  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 Secretary for resolution.	<i>The Modified Project will not impact the ability to comply with this condition.</i>  The Preferred Transport Route to site is contained within the designated routes identified in Appendix 6 of the Development Consent. In consultation with Hilltops Council (the relevant roads authority), The Applicant has agreed to the required road upgrades along the Preferred Transport Route. This is discussed further in Section 4.4 of the Modification Application report.
<b>Condition 28</b> Transport (Road maintenance)	The Applicant must: (a) prepare a dilapidation survey of the designated over-dimensional and heavy vehicle route: <ul style="list-style-type: none"> <li>prior to the commencement of any construction or decommissioning works other than pre-construction minor works;</li> <li>within 1 month of the completion of any construction or decommissioning works other than pre-construction minor works;</li> </ul> (b) rehabilitate and/or make good any development-related damage: <ul style="list-style-type: none"> <li>identified during 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</li> <li>identified during any dilapidation survey carried out following the completion of the relevant construction and/or decommissioning works within 2 months of the completion of the survey, unless the relevant roads authority agrees otherwise, to the satisfaction of the relevant roads authority.</li> </ul> If the construction and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of construction and/or decommissioning.  If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 29</b> Transport (Unformed crown roads)	The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with the NSW Department of Industry - Lands.	<i>The Modified Project will not impact the ability to comply with this condition.</i>  The Applicant is consulting with the Crown Land division of NSW Department of Planning, Industry and Environment and will obtain the required licence and / or closing and purchasing the unformed Crown road reserves. This is discussed further in Section 3.2 of the Modification Application report.
<b>Condition 30</b> Transport (Traffic Management Plan)	Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and the Councils, and to the satisfaction of the Secretary. This plan must: (a) detail the measures that would be implemented to: <ul style="list-style-type: none"> <li>minimise the traffic safety impacts of the development and disruptions to local road users during the construction and decommissioning of the development, including:               <ul style="list-style-type: none"> <li>temporary traffic controls, including detours and signage;</li> <li>notifying the local community about development-related traffic impacts;</li> <li>minimising potential conflict between development-related traffic and:                   <ul style="list-style-type: none"> <li>rail services;</li> <li>stock movements; and</li> <li>school buses, in consultation with local schools;</li> </ul> </li> <li>ensuring development-related traffic does not track dirt onto the public road network;</li> <li>ensuring loaded vehicles entering or leaving the site have their loads covered or contained;</li> <li>providing sufficient parking on site for all development-related traffic;</li> <li>responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and</li> <li>a traffic management system for managing over-dimensional vehicles;</li> </ul> </li> <li>comply with the traffic conditions in this consent;</li> </ul> (b) include a drivers code of conduct that addresses: <ul style="list-style-type: none"> <li>travelling speeds;</li> <li>procedures to ensure that drivers to and from the development adhere to the designated over-dimensional and heavy vehicle routes; and</li> </ul>	<i>The Modified Project will not impact the ability to comply with this condition.</i>  A Traffic Management Plan has not been submitted for endorsement to the Secretary under Condition 30. This plan will be submitted prior to the commencement of construction.  The mitigation measures outlined in Condition 30 remain appropriate to mitigate impacts on traffic related issues. This is further in Section 7.9 of the Modification Application report

Condition		Review										
	<ul style="list-style-type: none"> <li>procedures to ensure that drivers to and from the development implement safe driving practices, particularly if using local roads through Boorowa, Jerrawa, Rye Park and Yass;</li> </ul> (c) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct.  Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.											
<b>Condition 31</b> Aviation (Notification of aviation authorities)	Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities): (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; and (d) details of any proposed aviation hazard lighting.	<i>The Modified Project will not impact the ability to comply with this condition.</i>										
<b>Condition 32</b> Aviation (Notification of aviation authorities)	Within 30 days of the practical completion of the construction of any wind turbine or mast, the Applicant must: (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or (b) update the information previously provided.	<i>The Modified Project will not impact the ability to comply with this condition.</i>										
<b>Condition 33</b> Radio-communications	If the development results in the disruption to any radiocommunications 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 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 Secretary for resolution.	<i>The Modified Project will not impact the ability to comply with this condition.</i>  The Applicant is to consult with point-to-point radio communication services to determine any impacts and mitigation measures once a final turbine is selected and layout finalised after micro-siting. This is discussed further in Section 7.10 of the Modification Application report.										
<b>Condition 34</b> Bushfire	The Applicant must: (a) ensure that the development: <ul style="list-style-type: none"> <li>provides for asset protection in accordance with the RFS's Planning for Bushfire Protection 2006 (or equivalent); and</li> <li>is suitably equipped to respond to any fires on site;</li> </ul> (b) develop procedures to manage potential fires on site, in consultation with the RFS; and (c) assist the RFS and emergency services as much as possible if there is a fire in the vicinity of the site.	<i>The Modified Project will not impact the ability to comply with this condition.</i>										
<b>Condition 35</b> Safety	The Applicant must: (a) prepare a Safety Management System for the development in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management' prior to commissioning any wind turbines on site; and (b) implement, and if necessary update, the system over the remaining life of the development.	<i>The Modified Project will not impact the ability to comply with this condition.</i>										
<b>Condition 36</b> Waste	The Applicant must: (a) minimise the waste generated by the development; (b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version); (c) store and handle all waste generated on site in accordance with its classification; (d) not receive or dispose of any waste on site; and (e) ensure all waste is disposed of at appropriately licensed waste facilities.	<i>The Modified Project will not impact the ability to comply with this condition.</i>										
<b>Condition 37</b> Rehabilitation & decommissioning (Rehabilitation objectives – decommissioning)	Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 7.  <i>Table 7: Rehabilitation Objectives</i> <table border="1" data-bbox="537 1650 1703 1894"> <thead> <tr> <th data-bbox="537 1650 961 1682">Feature</th> <th data-bbox="961 1650 1703 1682">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 1682 961 1776">Development site (as a whole)</td> <td data-bbox="961 1682 1703 1776">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</td> </tr> <tr> <td data-bbox="537 1776 961 1808">Revegetation</td> <td data-bbox="961 1776 1703 1808">Restore native vegetation generally as identified in the EIS</td> </tr> <tr> <td data-bbox="537 1808 961 1860">Above ground wind turbine infrastructure (excluding wind turbine pads)</td> <td data-bbox="961 1808 1703 1860">To be decommissioned and removed, unless the Secretary agrees otherwise</td> </tr> <tr> <td data-bbox="537 1860 961 1894">Wind turbine pads</td> <td data-bbox="961 1860 1703 1894">To be covered with soil and/or rock and revegetated</td> </tr> </tbody> </table>	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 Secretary agrees otherwise	Wind turbine pads	To be covered with soil and/or rock and revegetated	<i>The Modified Project will not impact the ability to comply with this condition.</i>
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Condition		Review								
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Land use	Restore or maintain land capability as described in the EIS									
Community	Ensure public safety									
<b>Condition 38</b> Rehabilitation & decommissioning (Progressive rehabilitation)	The Applicant must: (a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning; (b) minimise the total area exposed at any time; and (c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.	<i>The Modified Project will not impact the ability to comply with this condition.</i>								
<b>Condition 39</b> Rehabilitation & decommissioning (Progressive rehabilitation)	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 Secretary agrees otherwise.	<i>The Modified Project will not impact the ability to comply with this condition.</i>								
<b>SCHEDULE 4 – ADDITIONAL PROCEDURES</b>										
<b>Condition 1</b> Notification of land owners	Prior to the commencement of construction, the Applicant must notify the owners of: (a) the land listed in Table 1 of the conditions of this consent of their rights under condition 1 of schedule 3; and (b) any non-associated residence within 4 km of any approved wind turbine of their rights under condition 3 of schedule 3.	The Schedule of land has been replaced and is contained in Appendix B. An updated figure of non-associated residence within 4 km of any approved wind turbine is provided at Appendix C.2.								
<b>Condition 2</b> Land acquisition	<p>Within 3 months of receiving a written request from an owner with acquisition rights, the Applicant must make a binding written offer to the owner based on:</p> <p>(a) the current market value of the owner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:</p> <ul style="list-style-type: none"> <li>existing and permissible use of the land, in accordance with the applicable environmental planning instruments at the date of the written request; and</li> <li>presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the owner's written request, and is due to be completed subsequent to that date, but excluding any improvements or reasonable costs that have resulted from the implementation of the visual impact mitigation measures in condition 2 of schedule 3;</li> </ul> <p>(b) the reasonable costs associated with:</p> <ul style="list-style-type: none"> <li>relocating within the Hilltops, Upper Lachlan or Yass Valley local government areas, or to any other local government area determined by the Secretary; and</li> <li>obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired;</li> </ul> <p>(c) reasonable compensation for any disturbance caused by the land acquisition process.</p> <p>However, if after 1 month of the owner receiving the binding written offer above, the Applicant and owner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.</p> <p>Upon receiving such a request, the Secretary must request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:</p> <ul style="list-style-type: none"> <li>consider submissions from both parties;</li> <li>determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in 2(a) to (c) above;</li> <li>prepare a detailed report setting out the reasons for any determination; and</li> <li>provide a copy of the report to both parties.</li> </ul> <p>Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the independent valuer's determination.</p> <p>However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to:</p> <ul style="list-style-type: none"> <li>the matters referred to in 2(a) to (c) above,</li> <li>the independent valuer's report,</li> <li>the detailed report of the party that disputes the independent valuer's determination,</li> </ul>	<i>The Modified Project will not impact the ability to comply with this condition.</i>								

Condition		Review
	<ul style="list-style-type: none"> <li>• whether an adjustment to the market value of the land since the independent valuation was completed is warranted; and</li> <li>• any other relevant submissions.</li> </ul> <p>Within 14 days of this determination, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the Secretary's determination.</p> <p>If the owner refuses to accept the Applicant's binding written offer under this condition within 3 months of the offer being made, unless the Secretary determines otherwise, then the Applicant's obligations to acquire the land shall cease.</p>	
<b>Condition 3</b> Land acquisition	The Applicant must pay all reasonable costs associated with the land acquisition process described in condition 2 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>SCHEDULE 5 – ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>		
<b>Condition 1</b> Environmental management (Environmental Management Strategy)	<p>Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p> <p>(b) identify the statutory approvals that apply to the development;</p> <p>(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise;</li> <li>• respond to any non-compliance;</li> <li>• respond to emergencies; and</li> </ul> <p>(e) include:</p> <ul style="list-style-type: none"> <li>• copies of any strategies, plans and programs approved under the conditions of this consent; and</li> <li>• 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.</li> </ul> <p>Following the Secretary's approval, the Applicant must implement the Environmental Management Strategy.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>An Environmental Management Strategy has not been submitted for endorsement to the Secretary under Condition 1. This plan will be submitted prior to the commencement of construction.</p>
<b>Condition 2</b> Environmental management (Revision of strategies, plans and programs)	<p>Within 3 months of the submission of:</p> <p>(a) an incident report under condition 5 below;</p> <p>(b) an audit report under condition 7 below; or</p> <p>(c) any modification to the conditions of this consent (unless the conditions require otherwise),</p> <p>the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval.</p> <p><i>Notes: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 3</b> Environmental management (Community consultative committee)	<p>The Applicant must:</p> <p>(a) establish a Community Consultative Committee for the development prior to the commencement of construction; and</p> <p>(b) operate this Committee following establishment, to the satisfaction of the Secretary and in accordance with the <i>Community Consultative Committee Guidelines for State Significant Project (2016)</i>, or its latest version.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>A Community Consultative Committee was established in 2012 and continues to meet to provide a forum for discussion between the Applicant and the community. This is discussed further in Section 6 of the Modification Application report.</p>
<b>Condition 4</b> Environmental management (Incident reporting)	The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	<i>The Modified Project will not impact the ability to comply with this condition.</i>
<b>Condition 5</b> Environmental management (Regular reporting)	The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	<i>The Modified Project will not impact the ability to comply with this condition.</i>

Condition		Review
<b>Condition 6</b> Environmental management (Auditing)	<p>Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:</p> <ul style="list-style-type: none"> <li>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</li> <li>(b) include consultation with the relevant agencies;</li> <li>(c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL/s;</li> <li>(d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and</li> <li>(e) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.</li> </ul> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• This audit team must be led by a suitably qualified auditor and/or experts in any other fields specified by the Secretary.</li> <li>• The Department's Independent Audit Guideline for State Significant Development provides an audit and reporting framework for the independent audit that will guide compliance with this condition.</li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>
<b>Condition 7</b> Environmental management (Auditing)	<p>Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>
<b>Condition 8</b> Environmental management (Auditing)	<p>The Applicant must implement these recommendations to the satisfaction of the Secretary.</p>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p>
<b>Condition 8</b> Environmental management (Access to information)	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) make the following information publicly available on its website as relevant to the stage of the development:               <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• the final layout plans for the development;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, plans or programs required under the conditions of this consent;</li> <li>• the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;</li> <li>• 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;</li> <li>• a complaints register, which is to be updated on a monthly basis;</li> <li>• minutes of CCC meetings;</li> <li>• any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary; and</li> </ul> </li> <li>(b) keep this information up to date, to the satisfaction of the Secretary.</li> </ul>	<p><i>The Modified Project will not impact the ability to comply with this condition.</i></p> <p>A publicly available information page on Rye Park Wind Farm can be located at the Applicant main website. This page is regularly updated as required by Condition 8 (b).</p>