

Notice of Modification

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

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



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Executive Director
Resource Assessments and Business Systems

Sydney 5 DECEMBER 2016

SCHEDULE 1

The Project Approval for the Bodangora Wind Farm (MP10_0157) granted by the Minister for Planning on 30 August 2013.

SCHEDULE 2

1. In the table of definitions, delete the definitions for "Council" and "EA" and insert the following in alphabetical order:

Council	Dubbo Regional Council
EA	<i>Bodangora Wind Farm Environmental Assessment</i> (Bodangora Wind Farm Pty Ltd, May 2012) as amended by: <ul style="list-style-type: none">• <i>Preferred Project Report</i> (Bodangora Wind Farm Pty Ltd, February 2013) and <i>Submissions Response Report</i> (Bodangora Wind Farm Pty Ltd, February 2013);• <i>Section 75W Modification Application 1</i>, prepared by Bodangora Wind Farm Pty Ltd and dated 1 September 2015; and• <i>Section 75W Modification Application 2</i>, prepared by Bodangora Wind Farm Pty Ltd and dated 5 October 2016.
Proponent	Bodangora Wind Farm Pty Ltd, or any person who seeks to carry out the development approved under this approval.
Transmission line corridor	Includes the Proposed OHV Cabling and 100 m wide Collection Feeder Corridor as per the figure in Appendix 1.

2. Replace all references to Wellington Council with "Council".
3. In the Definitions, insert the words "or implement" after the words "to build" in the definition of "Feasible and Reasonable".
4. Delete condition B3 in schedule B and replace with the following:
- B3. The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- any strategies, plans, programs, reviews, audit correspondence that are submitted in accordance with the requirements of this approval;
 - any report, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - the implementation of any actions or measures contained in these documents.
5. Following condition B10 in schedule B, insert the following:

Note: This condition is relevant to construction and occupation certificates for the Project.

6. Delete condition B11 in schedule B and replace with the following:

B11. With the approval of the Secretary, the Proponent may submit any plan or program required by this approval on a progressive basis.

To ensure the plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Proponent may prepare any revised plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval.

Notes:

- *While any plan or program may be submitted on a progressive basis, the Proponent must ensure that all development being carried out on site is covered by suitable plans or programs at all times.*
- *If the submission of any plan or program is to be staged, then the relevant plan or program must clearly describe the specific stage to which the plan or program applies, the relationship of this stage to any future critical stages, and the trigger for updating the plan or program.*

7. Delete condition B12 in schedule B.
8. Delete condition B13 in schedule B.
9. Delete condition B14 in schedule B.
10. After condition B16 in schedule B, insert the following:

FINAL LAYOUT PLANS

B17. Prior to the commencement of construction, the Proponent must submit detailed plans of the final layout of the Project to the Secretary, including:

- (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure; and
- (b) the GPS coordinates of the final wind turbine locations.

Note: If the construction of the Project is to be staged, then the provision of these plans may be staged.

NOTIFICATION TO DEPARTMENT

B18. Prior to the commencement of the construction, operation and/or decommissioning of the Project or the cessation of operations, the Proponent must notify the Department in writing of the date of commencement or cessation.

If the construction, operation and/or decommissioning of the Project is to be staged, then the Proponent 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 Consultation Committee (CCC) about the proposed staging plans.

11. Delete condition C1 in schedule C and replace with the following:

Operating Conditions

C1. The Proponent must:

- (a) ensure that no more than 1.32 hectares (ha) of native vegetation is cleared for the Project, unless the Secretary agrees otherwise;
- (b) minimise:
 - impacts on hollow-bearing trees;
 - impacts on threatened bird and bat populations; and
 - the clearing of native woodland vegetation and fauna habitat.

12. In condition C2 schedule C, delete the words “Construction Flora and Fauna Management Plan” and replace with “Construction Biodiversity Management Plan”.

13. Delete condition D1 in schedule D and replace with the following:

D1. From the commencement of construction, the Proponent must operate a CCC for the Project to the satisfaction of the Secretary, in accordance with the *Community Consultative Committee Guidelines for State Significant Projects (2016)* or its latest version.

14. In condition E16(a) schedule E, after “including appropriate site distances”, insert “, [specifically at the intersection of Goolma Road and Gillinghall Road], appropriate setback of gate[s] at property entry and exit location(s) to ensure safety for other road users”.
15. Delete condition E21(f) in schedule E and insert the following:
 - (f) a **Construction Biodiversity Management Plan** to detail how construction impacts on biodiversity will be minimised and managed. This plan must be prepared in consultation with OEH and must:
 - i. include baseline mapping of the vegetation communities and key fauna habitat on the site, including detailed maps of the transmission line corridor;
 - ii. clearly identify the areas on site that would be disturbed;
 - iii. include a description of the measures that would be implemented for:
 - minimising the amount of native vegetation clearing within the approved development footprint;
 - minimising the impacts on fauna on site, including minimising impacts on tree hollows, undertaking pre-clearance surveys and maintaining a vegetation clearance register;
 - managing potential indirect impacts on threatened flora and fauna species;
 - rehabilitating and revegetating temporary disturbance areas;
 - protecting vegetation and fauna habitat outside the approved disturbance area;
 - 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;
 - controlling weeds and feral pests;
 - controlling erosion;
 - controlling access; and
 - bushfire management; and
 - iv. include a detailed program to monitor and report on the effectiveness of the above measures.
16. Delete the figure in Appendix 1 and insert the following:

APPENDIX 1 PROJECT LAYOUT

