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7 September, 2018

The Secretary
Department of Planning and Environment
Level 22, 320 Pitt Street
SYDNEY NSW 2000
AUSTRALIA

Our Reference: *0178462_MODIFICATION.DOCX*

Attention: **Nicole Brewer**

Dear Secretary,

RE: BIALA WIND FARM - PART 3A PROJECT APPROVAL SSD 13_6039 MODIFICATION APPLICATION

1. PURPOSE OF THIS LETTER

Newtricity Developments Biala Pty Ltd (Developments Biala) is the proponent of the Biala Wind Farm. Developments Biala was acquired by a subsidiary of Beijing Jingneng Clean Energy Company Limited (BJCE) in September 2017. BJCE owns the Biala Wind Farm through its ownership of Developments Biala.

The construction and operation of the Biala Wind Farm is authorised under Project Approval SSD 6039 granted by the Minister for Planning through the Planning & Assessment Commission (PAC) on 12 April 2017 (Project Approval) under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Approval permits the erection of three (3) meteorological monitoring masts and Developments Biala seeks to modify the Approval to allow for one additional meteorological monitoring mast which would be a total of four (4).

The purpose of this letter is to request the Minister to modify the Project Approval under section 4.55(1A) of the EP&A Ac.

Given the nature of the proposed modification, Developments Biala anticipates that it may be determined as a modification "involving minimal environmental impact, where the development as originally approved remains substantially the same". The impacts associated with meteorological monitoring masts were considered and assessed as part of the EIS for the Project Approval. In the determination it was not considered necessary to stipulate the specific location of the meteorological masts given their minimal environmental impact with respect to the overall wind farm development. Therefore inclusion of an additional mast can be considered to have an negligible effect on the overall environmental impact of the development.

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2. BACKGROUND

Developments Biala received planning approval for the Project by the NSW PAC, subject to the Conditions of Consent, for the construction and operation of a wind farm and ancillary infrastructure in April 2017 (the Project).

The Project is located near the locality of Biala in the Southern Tablelands regions of New South Wales (NSW). The Project covers approximately 1,936 hectare (ha), on which Wind Turbine Generators (WTGs), an electrical reticulation network, access roads and ancillary structures will be located.

3. PROPOSED MODIFICATION AND JUSTIFICATION

To monitor the operational performance of the Project, permanent meteorological monitoring masts are required to be installed. The Environmental Impact Statement (EIS) included up to three proposed permanent masts to allow for monitoring of the operational performance of the Project. In order to reliably test the performance of the wind turbines and provide sufficient data, four permanent masts are required. Developments Biala seeks a modified approval allowing for:

- four (4) meteorological monitoring masts to be installed which is an increase of one (1);

The EIS noted that each mast would take up approximately 1m^2 so accordingly the modification would cause an increase in the estimated permanent footprint from 0.0003 hectares (ha) to 0.0004 ha.

4. SUPPLEMENTARY INSTALLATION INFORMATION

4.1 LOCATION

Met Mast Label	EASTING (M)	NORTHING (M)
Mast 4	715322	6169606

Met mast four is located in an open paddock that is used for stock grazing.

Figure 1: Mast 4 location

4.2 INSTALLATION SUMMARY

1. Transportation – the mast is transported to site in 3m sections using a standard heavy vehicle. The load is then transferred onto small trailers and delivered directly to the mast site (See photo of light vehicle with equipment below). Existing farm tracks will be utilised to get the mast components safely to the installation site.
2. The mast is erected using a winch and rigger; no other machinery is required. The mast is secured using guy wires and 6 subsurface anchors.
3. The anchor foundations are made of concrete with an approx. size of 1m x 2m. The foundation is set underground, with compacted topsoil placed back on top.
4. Permanent Disturbance Footprint:
    a. 1.2 m2 concrete mast foundation + 6 pvc pipe sleeves (for guy wires)
    b. 6 x (1m x 2m) soil backfilled after anchor is installed underground
5. The base of the tower and the anchors are protected by stockproof fencing.

Figure 2: Indicative base of mast

Figure 3: Indicative guy wire anchors

Figure 4: Indicative final installation. Note: the top of the mast is the same height as turbine hub height

5. ASSESSMENT

The permanent masts are described in the EIS document, considered through the assessment process and facilitated through the conditions. The Development Consent enables the installation of 3 masts with due regard for site constraints and accordingly an additional 4th mast, following the same principles, would have negligible environmental impact.

ERM has surveyed the mast four site location. The proposed met mast location does not result in any impact to mapped biodiversity values (including but not limited to woodland, derived native grassland and key fauna habitats) or any known Aboriginal heritage values.

Further to the above, the BMP and ACHMP identifies sensitive areas and provides guidance for developing the overall windfarm. All project infrastructure, including met masts, will be installed in accordance with the Project Approval and consistent with the approved construction management plans. Developments Biala is committed to updating the project's relevant management plans to reflect any proposed changes. In this regard there will be no impacts to biodiversity values as defined in the Biodiversity Conservation Act 2017 and Biodiversity Conservation Regulations 2017.

The EIS noted that each mast would take up approximately 1m2 so accordingly the modification would cause an increase in the estimated permanent footprint of the masts from 0.0003 hectares (ha) to 0.0004 ha. The anticipated Development ERM

Footprint for the Project remains at 42.37 ha. In this regard the increased area from the 4th mast is very minimal

It should also be noted that the windfarm approval enables the construction of 31 WTGs to a maximum height of 185 metres, whilst the meteorological masts will be a maximum height of 110 metres. Given this, Developments Biala considers that the addition of one permanent mast would have negligible implication for the visual impacts as assessed in the EIS.

No additional allowance for clearing of vegetation is required for the additional met mast.

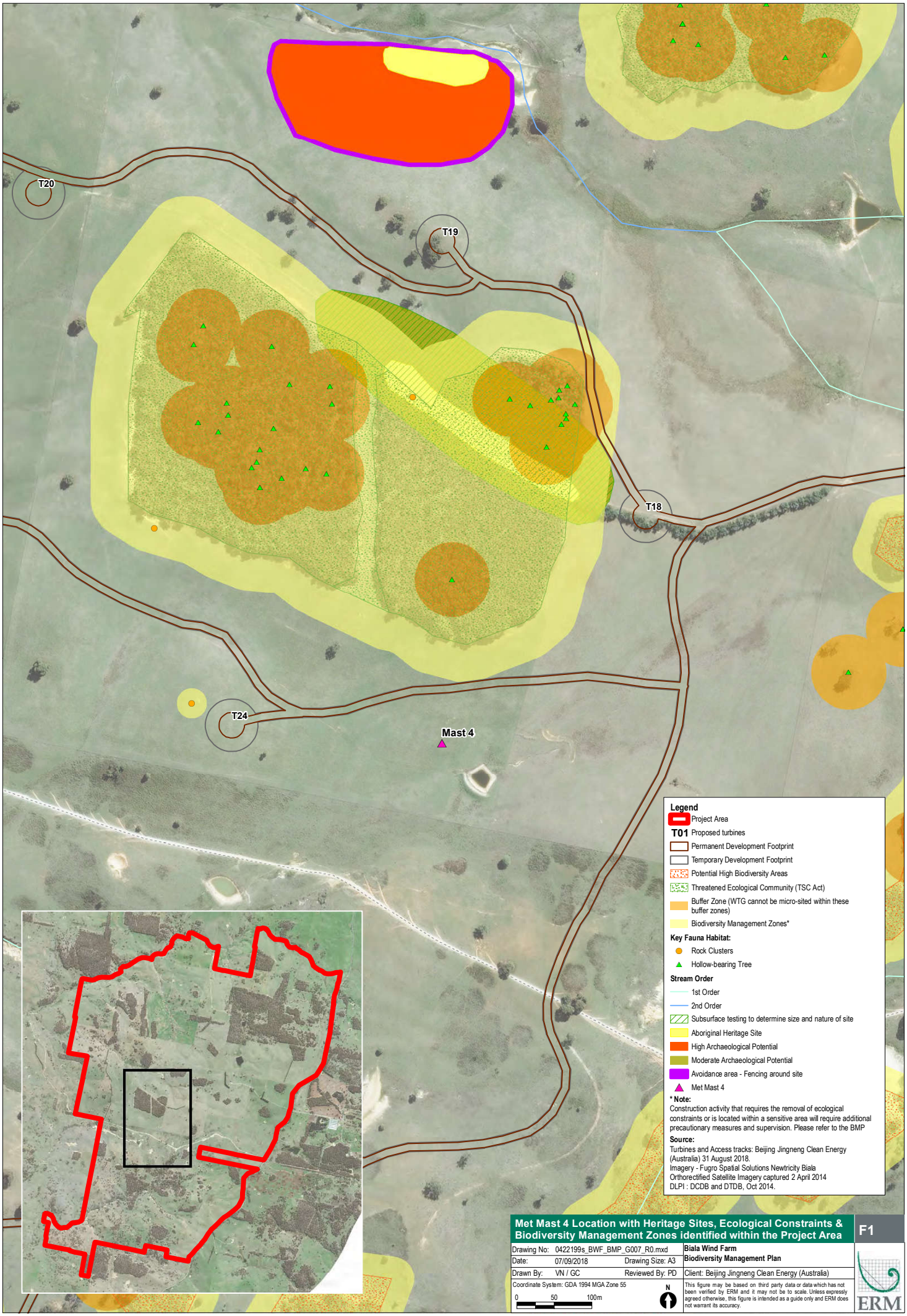
Due to the above points it is considered that the addition of one permanent mast would have minimal impacts on the overall impact of the windfarm and therefore the implications for the environmental impacts as assessed in the EIS are negligible.

As required, a Political Donations Disclosure Statement accompanies this application.

Should you have any questions in relation to this matter, please do not hesitate to contact Paul Douglass by email paul.douglass@erm.com or on 0417 911 049.

Yours sincerely,
for Environmental Resources Management Australia Pty Ltd

Paul Douglass
Partner


T20
T19
T18
T24
Mast 4
Legend
Project Area
T01 Proposed turbines
Permanent Development Footprint
Temporary Development Footprint
Potential High Biodiversity Areas
Threatened Ecological Community (TSC Act)
Buffer Zone (WTG cannot be micro-sited within these buffer zones)
Biodiversity Management Zones*
Key Fauna Habitat:
Rock Clusters
Hollow-bearing Tree
Stream Order
1st Order
2nd Order
Subsurface testing to determine size and nature of site
Aboriginal Heritage Site
High Archaeological Potential
Moderate Archaeological Potential
Avoidance area - Fencing around site
Met Mast 4
* Note:
Construction activity that requires the removal of ecological constraints or is located within a sensitive area will require additional precautionary measures and supervision. Please refer to the BMP
Source:
Turbines and Access tracks: Beijing Jingneng Clean Energy (Australia) 31 August 2018.
Imagery - Fugro Spatial Solutions Newtricity Biala Orthorectified Satellite Imagery captured 2 April 2014
DLPI : DCDB and DTDB, Oct 2014.
Met Mast 4 Location with Heritage Sites, Ecological Constraints & Biodiversity Management Zones identified within the Project Area
F1
Drawing No: 0422199s_BWF_BMP_G007_R0.mxd
Date: 07/09/2018
Drawing Size: A3
Drawn By: VN / GC
Reviewed By: PD
Coordinate System: GDA 1994 MGA Zone 55
0 50 100m
N
Biala Wind Farm
Biodiversity Management Plan
Client: Beijing Jingneng Clean Energy (Australia)
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.
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