

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



David Gainsford
Deputy Secretary
Assessment and Systems Performance

Sydney

15 April 2021

SCHEDULE 1

Development consent:	The development consent (SSD 6693) granted by the Planning Assessment Commission as delegate of the Minister for Planning on 27 May 2017
For the following:	Rye Park Wind Farm
Applicant:	Rye Park Renewable Energy Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Modification:	Turbine dimension increase, project layout refinements and additional site access route options

SCHEDULE 2

1. In the table of DEFINITIONS in Schedule 1, delete the definitions for 'Department', 'EEC', 'EIS', 'Minister', 'OEH', 'RMS' and 'TSC Act' and insert the following definitions in alphabetical order:

BC Act	<i>Biodiversity Conservation Act 2016</i>
BCS	Biodiversity, Conservation and Science Directorate
CEEC	Critically endangered ecological community, as defined under the <i>Biodiversity Conservation Act 2016</i>
Department	Department of Planning, Industry and Environment
EIS	The Environmental Impact Statement for the Rye Park Wind Farm, (Epuron Pty Ltd, January 2014), as modified by: <ul style="list-style-type: none"> • the Response to Submissions, dated 12 May 2016; • the Modification Application for the changes to turbines of the project dated 23 April 2020, including associated Response to Submissions dated 18 August 2020, the Amendment Reports dated 19 August 2020 and 19 March 2021 and additional information provided on 30 October 2020 and 15 January 2021.
Minister	Minister for Planning and Public Spaces, or delegate
TfNSW	Transport for NSW

2. In Schedule 1 to 5 and Appendix 1 to 8, delete all references to:
 - i. 'Planning and Environment', and replace with 'Planning, Industry and Environment';
 - ii. 'Secretary', and replace with "Planning Secretary"; and
 - iii. 'RMS', and replace with 'TfNSW'.
3. In Schedule 1 to 5 and Appendix 1 to 8 excluding condition 25 of Schedule 3, delete all references to 'OEH' and replace with 'BCS'.
4. Delete condition 6 of Schedule 2.
5. In condition 5(b) of Schedule 3, delete 'complies with CASA's requirements' and replace with 'implemented is to the satisfaction of the CASA. If there is a dispute about the number of, or need for aviation hazard lighting to be implemented, then either party may refer the matter to the Planning Secretary for resolution'.
6. In condition 5(c) of Schedule 3:
 - i. after 'hazard lighting design' insert 'complies with the *National Airports Safeguarding Framework Guideline D* and';
 - ii. after 'visibility,' insert 'utilises an aircraft detection lighting system';
 - iii. after 'simultaneously),' insert 'unless otherwise agreed by'; and
 - iv. after 'CASA' insert 'and the Planning Secretary'.
7. In condition 5(d) of Schedule 3, delete '*Australian Standard AS 4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*' and replace with '*Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting*'.
8. Delete condition 11 of Schedule 3, and replace with:
 11. 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 (LA90

(10-minute)) plus 5 dB(A) for each integer wind speed, measured at hub height, from cut-in to rated 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* (2016) (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* (2016) (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.

9. In condition 12 of Schedule 3:

- i. delete '*NSW Industrial Noise Policy*' and insert '*Noise Policy for Industry* (2017)'; and
- ii. delete 'as modified by the provisions in Appendix 4'.

10. Delete conditions 13 and 14 of Schedule 3 and insert the following:

Noise Management Plan

13. Prior to commissioning of the turbines, the Proponent must prepare a Noise Management Plan to manage noise emissions from the operation of the development, to the satisfaction of the Planning Secretary. The Plan must include:

- (a) compliance monitoring within 3 months of operations, or the commencement of operation of a cluster of turbines if the development is to be staged, unless the Planning Secretary agrees otherwise, in accordance with the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version) to determine whether the development is complying with the relevant conditions of this consent;
- (b) description of the parameters and meteorological conditions which trigger the use of noise management mode and sector management;
- (c) an auditable process that compliance can be independently confirmed for the use of noise management mode and sector management;
- (d) procedures and corrective actions to be undertaken if non-compliance is detected;
- (e) provision of a copy of the compliance monitoring results to the Secretary and the EPA.

14. Following the Planning Secretary's approval, the Applicant must implement the measures described in the Noise Management Plan.

11. In condition 18(c) of Schedule 3:

- i. delete '2012' and replace with '*NRAR, 2018*';
- ii. delete 'and' after '(2012), or its latest version';
- iii. and after '(2004), or its latest version;' insert the following:
and
 - *Policy and Guidelines for Fish Habitat Conservation and Management Update* (2013), or its latest version.

12. In condition 19 of Schedule 3, delete text in (a) and insert the following:

- (a) ensure that no more than:
 - 37.34 hectares of the Box Gum Woodland CEEC, including Box Gum Woodland derived grassland; and
 - 85.22 hectares of Golden Sun Moth habitat;is cleared for the development,;.

13. In condition 20(b) of Schedule 3:
 - i. delete '*Framework for Biodiversity Assessment*' and replace with '*Biodiversity Assessment Method*'; and
 - ii. delete '*NSW Biodiversity Offsets Scheme*' and replace with 'NSW Biodiversity Offsets Scheme'.
14. In condition 21 of Schedule 3:
 - i. delete '*NSW Biodiversity Offsets Policy for Major Projects*' and replace with '*NSW Biodiversity Offsets Scheme*'; and
 - ii. in part (a), delete the text after 'retiring' and insert "biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016'.
15. In condition 23 of Schedule 3, in the last dot point delete '.' and insert:

; and

 - (f) provisions for a copy of all the raw data collected as part of the monitoring program to be submitted to BCS and the Planning Secretary.
16. In condition 25(b) of Schedule 3, delete 'OEH' and replace with 'Heritage NSW'.
17. In condition 26 of Schedule 3:
 - i. after the text 'site is via', delete 'the designated routes identified in the figures in Appendix 7,' and insert:

Trucking Yard Road, Dillon Street, Long Street, Boorowa-Rye Park Road, Grassy Creek Road, Yass Street, Gunning Road and Rye Park-Dalton Road and:

 - Route 1 - Port of Newcastle to project site via Gunning (using the Port of Newcastle via Selwyn Street, Industrial Drive, George Street, Maitland Road, New England Highway, John Renshaw Drive, M1, Pennant Hills Road, M2, M7, Hume Highway and Lachlan Valley Way); or
 - Route 2 - Port of Newcastle to project site via Dubbo - for tower sections only (using the Port of Newcastle via Selwyn Street, Industrial Drive, George Street, Maitland Road, New England Highway, John Renshaw Drive, Hunter Expressway, Golden Highway, Putty Road, Denman Road, Bengalla Road, Wybong Road, Boothenda 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, Goldfields Way, Kitchener Road, Bundawarra Road, Milvale Road, Waratah Street, Burley Griffin Way, Hume Highway and Lachlan Valley Way); or
 - Route 3 - Port Kembla to project site (using Port Kembla via Tom Thumb Road, Masters Road, M1, Picton Road, Hume Highway and Lachlan Valley Way),
 - ii. delete 'applicable roads authority' and replace with 'Planning Secretary';
 - iii. delete 'Cook Streets, Dirthole Creek Road, High Rock Road and Lagoon Creek Road' and replace with 'Cook Street and Dirthole Creek Road' from the second dot point in Notes;
 - iv. after the second dot point in Notes, insert:
 - *Certain over-dimensional vehicles travelling towards the site would use Lot 1 DP580999 to turn from Rye Park Road north onto Grassy Creek Road and south onto Yass Street.*
 - v. in the last dot point in Notes, after 'points 1' replace 'and' with ', 3 to 6,' and after '9' insert 'and 13'.
18. In condition 27 of Schedule 3, after the text 'relevant timing requirements' insert 'unless otherwise agreed to by the Planning Secretary'.
19. In condition 29 of Schedule 3, delete 'NSW Department of Industry – Lands' and replace with 'Department's Crown Lands Division'.

20. Delete condition 34 of Schedule 3 and the sub-heading '**BUSHFIRE**' and insert the following:

HAZARDS

Emergency Plan

34. Prior to commencing construction, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of FRNSW and the RFS. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The Plan must:
- (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'* and RFS's *Planning for Bushfire Protection 2019* (or equivalent);
 - (b) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;
 - (c) list works that should not be carried out during a total fire ban;
 - (d) include availability of fire suppression equipment, access and water;
 - (e) include procedures for the storage and maintenance of any flammable materials;
 - (f) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;
 - (g) include a figure showing site infrastructure, Asset Protection Zone and the fire fighting water supply;
 - (h) include location of hazards (physical, chemical and electrical) that may impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations;
 - (i) include details of the location, management and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone;
 - (j) include bushfire emergency management planning; and
 - (k) include details of how the 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; or
 - there are any proposed activities to be carried out during a bushfire danger period.

Following approval, the Applicant must implement the Emergency Plan.

21. In condition 2 of Schedule 5, in part (a) delete '5' and replace with '7', and in part (b) delete '7' and replace with '11'.
22. In condition 3 of Schedule 5, delete '2016' and replace with '2019'.
23. Delete conditions 4 to 8 of Schedule 5 and insert the following:

NOTIFICATIONS

Notification of Department

4. Prior to commencing the road upgrades, construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department 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

5. 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, showing comparison to the approved layout and including details on the siting of wind turbines and ancillary infrastructure.

Work as Executed Plans

6. 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 approved final layout plans to the Department via the Major Projects website.

Incident Notification

7. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 8.

Non-Compliance Notification

8. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
9. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

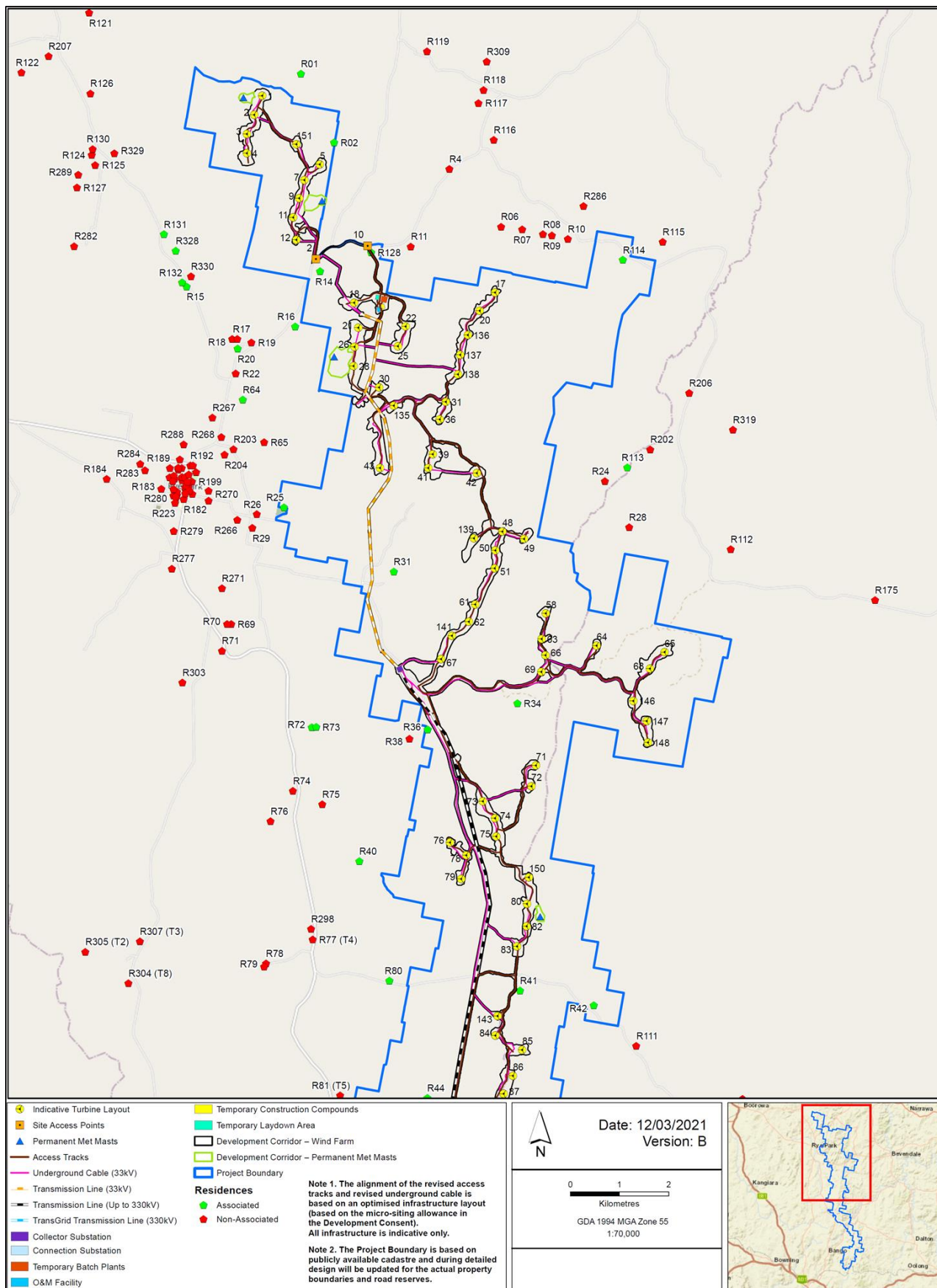
11. Independent Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements* (2020) to the following frequency:
 - (a) within 3 months of commencing construction; and
 - (b) within 3 months of commencement of operations.

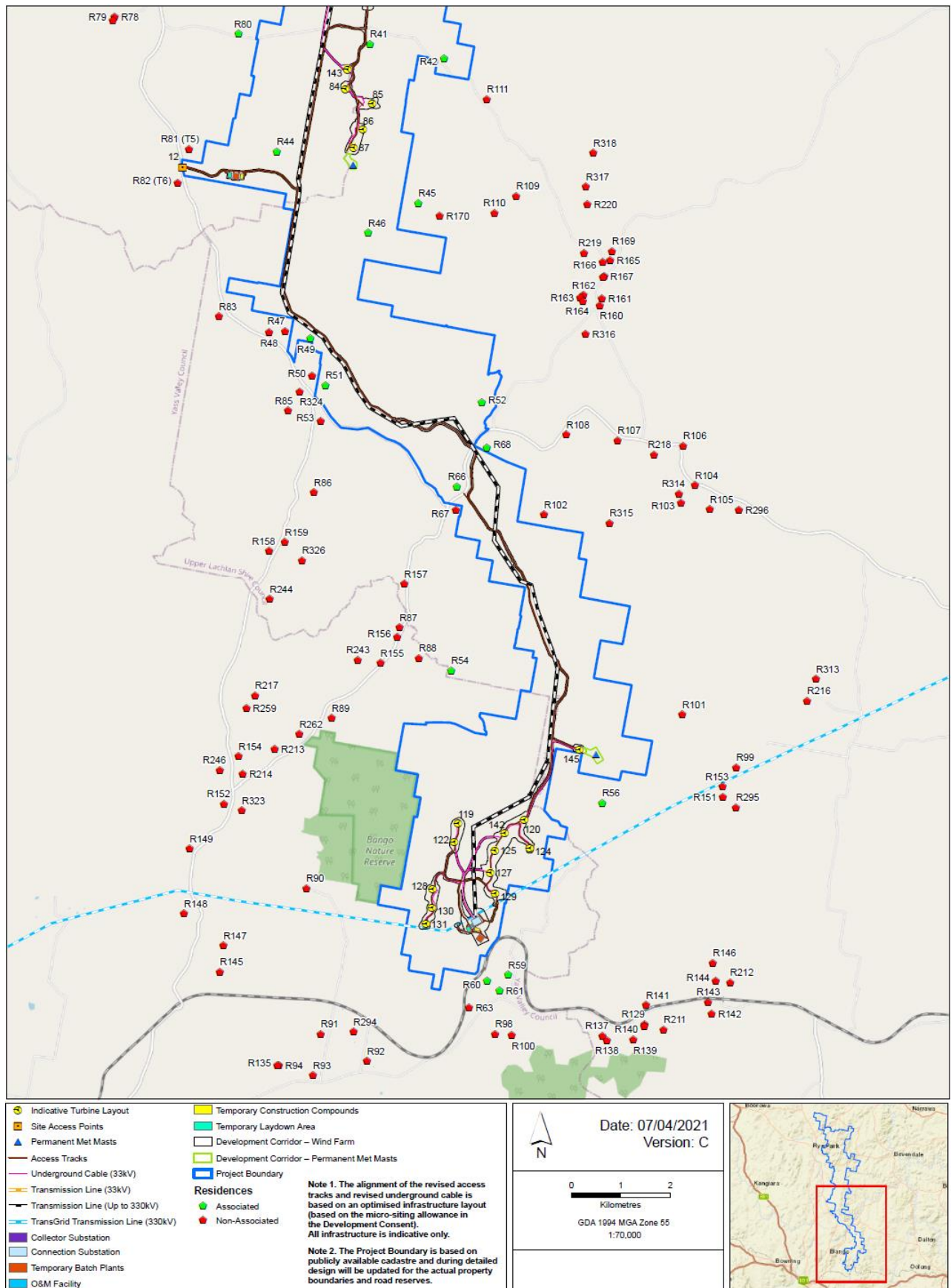
12. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
13. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition 11 of Schedule 4 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.
14. In accordance with the specific requirements in the *Independent Audit Post Approval Requirements* (2020), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under condition 11 of Schedule 4 of this consent, or condition 13 of Schedule 4 where notice is given by the Planning Secretary;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary. unless otherwise agreed by the Planning Secretary.
15. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approvals Requirements* (2020) unless otherwise agreed by the Planning Secretary.
16. Notwithstanding the requirements of the *Independent Audit Post Approvals Requirements* (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.
24. In Appendix 1, under the heading 'SCHEDULE OF LAND' insert the following rows:

2	591580
63	754103
95	754136
2	858272
1	580999
1	219928
1	838933
501	1035674
154	754145
60	754135
61	754135
502	1035674

25. Delete the figures in Appendix 2 and insert the following:

DEVELOPMENT LAYOUT





26. In Appendix 3:

- i. delete all references to '\$2,500' and replace with:
 - for the Hilltops Council row '\$162,500';
 - for the Upper Lachlan Shire Council row '\$40,000'; and
 - for the Yass Valley Council row '\$27,500';
- ii. delete all references to 'per wind turbine built';
- iii. after all references to 'the CPI' insert 'commencing at June 2011 quarter'; and
- iv. for the Hilltops Council row, and the Upper Lachlan Shire Council row, delete '(not less than 20%) allocated to local education assistance'.

27. Delete Appendix 4.

28. In Appendix 5, delete all tables and the figure, and replace with the following:

Table 1: Aboriginal heritage items – avoid impacts

Item	AHIMS No.	Item	AHIMS No.	Item	AHIMS No.
Flakney Creek 1	51-4-0058	Cultural Tree	N/A	SU27/L1	N/A
Cultural Tree 1	N/A	Resource: Quartz deposit	N/A	SU30/L1	51-1-0152
Cultural Tree 2	N/A	SU3/L1	51-5-0203	SU30/L3	51-1-0154
Cultural Tree 3	N/A	SU6/L1	51-5-0204	SU33/L3	51-4-0343
AFT 3	51-5-0334	SU7/L1	51-5-0205	SU37/L1	51-5-0263
AFT 6	51-4-0418	SU8/L1	51-5-0206	SU37/L2	51-5-0264
AFT 1 + PAD	51-5-0335	SU15/L1	51-4-0286	SU37/L3	51-5-0267
AFT 5 + PAD	51-5-0327	SU17/L2	N/A	SU40/L1	51-5-0348
IF 11	51-4-0421	SU23/L1	51-1-0117	SU47/L1	51-5-0266
PAD 2	N/A	SU23/L2	51-4-0289	SU47/L2	N/A
PAD 3	N/A	SU24/L1	51-1-0118	Cultural Tree 5	N/A

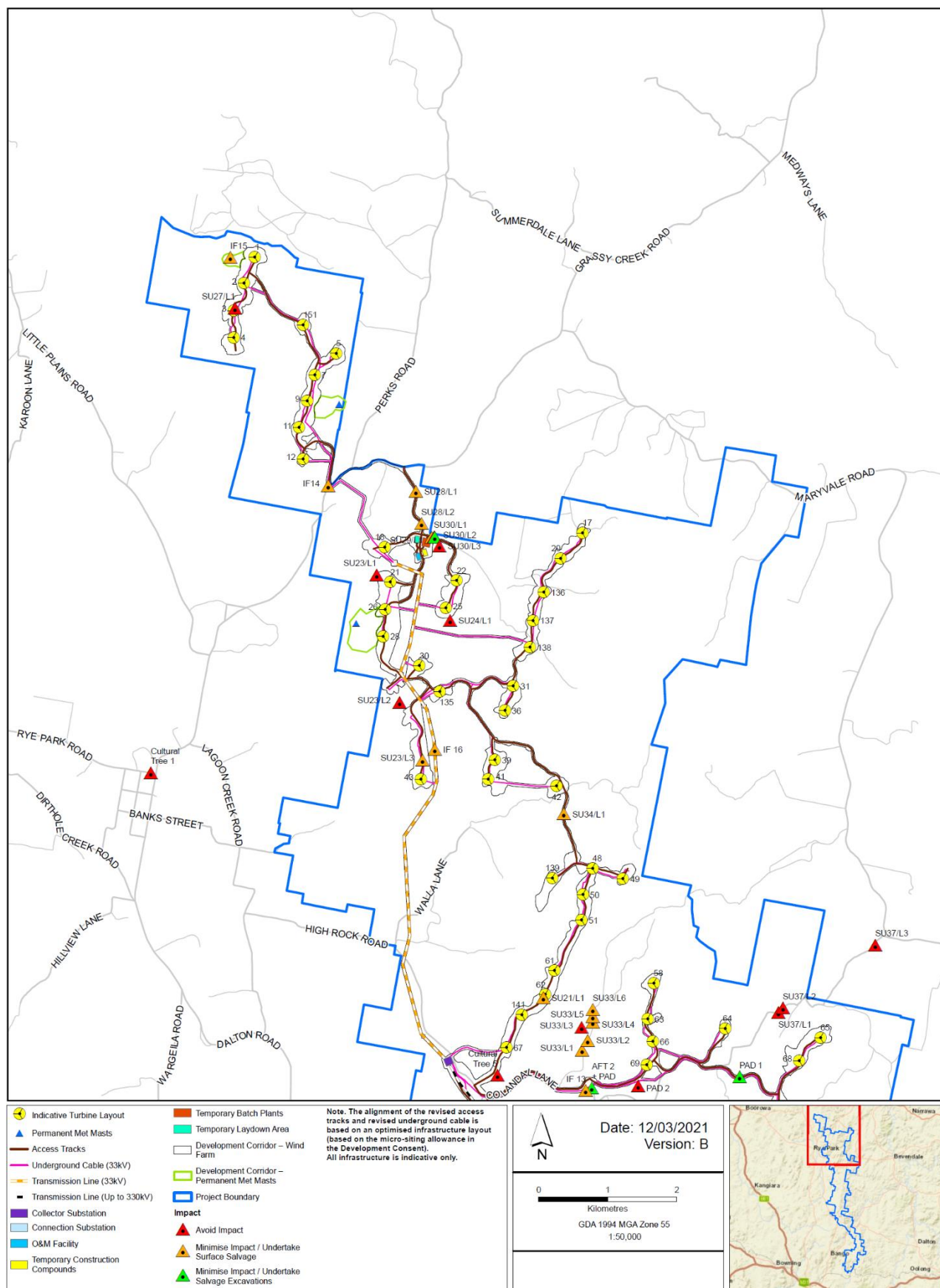
Table 2: Aboriginal heritage items – minimise impacts

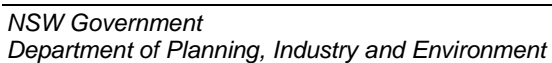
Item	AHIMS No.	Item	AHIMS No.	Item	AHIMS No.
Flakney Creek	51-4-0058	IF 9	51-5-0329	SU21/L1	51-4-0287
AFT 1	51-5-0332	IF 10	51-5-0328	SU23/L3	51-4-0289
AFT 2	51-5-0333	IF 12	51-4-0419	SU28/L1	51-1-0149
AFT 4	51-4-0428	IF 13	51-4-0420	SU28/L2	51-1-0150
AFT 5	51-4-0429	IF 14	51-1-0165	SU29/L1	51-1-0151
IF 1	51-5-0331	IF 15	51-1-0164	SU33/L1	51-4-0341
IF 2	51-5-0330	IF 16	51-4-0417	SU33/L2	51-4-0342
IF 3	51-4-0427	IF 17	51-5-0340	SU33/L4	51-4-0344
IF 4	51-4-0425	IF 18	51-5-0339	SU33/L5	51-4-0345
IF 5	51-4-0426	IF 19	51-4-0434	SU33/L6	51-4-0346

IF 6	51-4-0424	SU3/L2	51-5-0207	SU34/L1	51-4-0347
IF 7	51-4-0423	SU4/L1	51-4-0284	SU42/L1	51-5-0349
IF 8	51-4-0422	SU18/L1	51-4-0285	AFT 7	51-5-0338

Table 3: *Aboriginal heritage items – undertake salvage excavations*

<i>Item</i>	AHIMS No.	<i>Item</i>	AHIMS No.
AFT 2 + PAD	51-4-0430	PAD 1	N/A
AFT 3 + PAD	51-5-0327	SU17/L1	N/A
AFT 4 + PAD	51-5-0326	SU30/L2	51-1-0153







29. In Appendix 6:

- i. delete the table rows with the following road upgrades:

Coolalie Road	Jerrawa Road to Bushs Road	6.9	Upgrade as necessary to proposed sealed standard.	Prior to commencing the use of Coolalie Road for any traffic associated with the construction of the development
Jerrawa Road	Hume Highway to Coolalie Road	4.3	Upgrade and re-align as necessary to proposed sealed standard.	Prior to commencing the use of Jerrawa Road for any traffic associated with the construction of the development
Bushs Road	Coolalie Road to site access point 6	1.44	Upgrade and re-align as necessary to proposed unsealed standard.	Prior to commencing the use of Bushs Road for any traffic associated with the construction of the development
Grassy Creek Road	Yass Street to Maryvale Road	9.7	Widen and strengthen pavement as necessary to proposed sealed standard. Upgrade large culvert over Pudman Creek.	Prior to commencing the use of Grassy Creek Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Maryvale Road	Rye Park Rugby Road to site access point 3	13.5	Widen and upgrade as necessary to proposed unsealed standard.	Prior to commencing the use of Maryvale Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Flakney Creek Road	Rye Park Dalton Road to site access point 4	1.4	Upgrade as necessary, including shoulder improvements at intersection. Upgrade creek crossing.	Prior to commencing the use of Flakney Creek Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Rye Park Dalton Road	Dirthole Creek Road to site access point 13	23.9	Upgrade as necessary to proposed sealed standard. Upgrade bridges over Pudman Creek, Flakney Creek and Blakney Creek as necessary.	Prior to commencing the use of the relevant section of Rye Park Dalton Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Yass Street/ Gunning Road	Boorowa Rye Park Road to Rye Park Dalton Road	1.9	Upgrade as necessary to proposed sealed standard	Prior to commencing the use of Yass Street / Gunning Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Grassy Creek Road / Maryvale Road Intersection	-	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of the Grassy Creek Road / Maryvale Road intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development

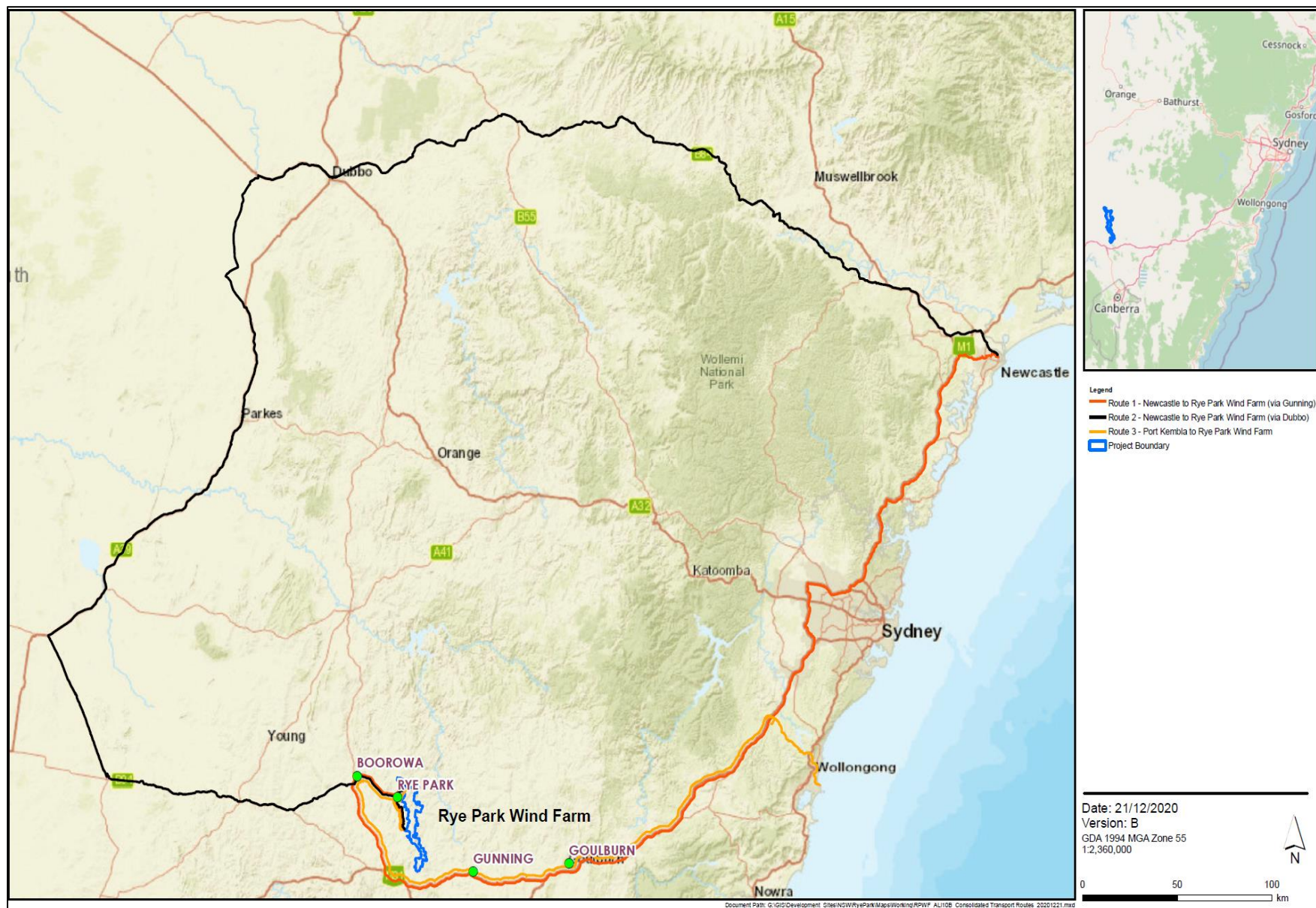
- ii. in the table rows for the 'Boorowa Rye Park Road / Grassy Creek Road Intersection' and 'Yass Street / Boorowa Rye Park Road Intersection', delete the words 'or heavy vehicle' in the last column;
- iii. in the table rows for the 'Yass Street / Boorowa Rye Park Road Intersection' after 'access' insert 'only' and before 'over-dimensional' insert 'project related'; and
- iv. insert table rows with the following road upgrades:

Lachlan Valley Way/ Trucking Yard Road Intersection			Upgrades required to allow access for over-dimensional vehicles.	Prior to commencing the use of this junction for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Rye Park Road – Harry's Creek Bridge	Harry's Creek Bridge		Upgrades required to allow access for over-dimensional vehicles.	Prior to commencing the use of Harry's Bridge for any over-dimensional or heavy vehicle traffic associated with the construction of the development

Grassy Creek Road	Yass Street to Site Access 10	6.5	Widen, re-align and strengthen pavement as necessary to proposed sealed standard. Replace concrete causeway and large culvert over Pudman Creek.	Prior to commencing the use of Grassy Creek Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Junction: Rye Park Road / Grassy Creek Road			Upgrade to allow access for over-dimensional vehicles.	Prior to commencing the use of intersection of Rye Park Road and Grassy Creek Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Dalton Road	Bridges over Pudman Creek, Flakney Creek and Blakney Creek		Upgrade as necessary to proposed sealed standard. Upgrade bridges over Pudman Creek, Flakney Creek and Blakney Creek as necessary.	Prior to commencing the use of the relevant section of Rye Park Dalton Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Yass Street/ Gunning Road / Dalton Road	Boorowa Rye Park Road to access point 12	14.7	Widen, reseal and re-align to proposed sealed standard. Upgrade as necessary to multiple culverts and causeways.	Prior to commencing the use of Yass Street / Gunning Road / Dalton Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
High Rock Road	Within the development corridor	0.3	Upgrades required to allow access for heavy and over-dimensional vehicles.	Prior to commencing the use of High Creek Road within the development corridor for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Colandal Lane	Within the development corridor	0.7	Upgrades required to allow access for heavy and over-dimensional vehicles.	Prior to commencing the use of Grassy Creek Road within the development corridor for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Flakney Creek Road	Within the development corridor	0.8	Upgrades required to allow access for heavy and over-dimensional vehicles.	Prior to commencing the use of Flakney Creek Road within the development corridor for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Days Road	Within the development corridor	1.3	Upgrades required to allow access for heavy and over-dimensional vehicles.	Prior to commencing the use of Days Road within the development corridor for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Boorowa Rye Park Road / Grassy Creek Road Intersection	-	-	Upgrade as necessary within road reserve to allow access for heavy vehicles.	Prior to commencing the use of the Boorowa Rye Park Road / Grassy Creek Road intersection for any heavy vehicle traffic associated with the construction of the development
Yass Street / Boorowa Rye Park Road Intersection	-	-	Upgrade as necessary within road reserve to allow access for heavy vehicles.	Prior to commencing the use of the Yass Street / Boorowa Rye Park Road intersection for any heavy vehicle traffic associated with the construction of the development
Route Option 2 (Newcastle to Project Site via Dubbo)				
Mayfield #4 berth and Selwyn Street Intersection	Mayfield	-	Construct a hardstand area at the intersection to allow access for over-dimensional vehicles.	Prior to commencing the use of Mayfield #4 berth and Selwyn Street intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development

Industrial Drive and Maitland Road Intersection	Mayfield West	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of Industrial Drive / Maitland Road intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development
M1 and Pennant Hills Road Intersection	Wahroonga	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of M1 and Pennant Hills Road intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Manildra Street Railway Crossing	Narromine	-	Upgrade as necessary to allow access for over-dimensional vehicles.	Prior to commencing the use of this crossing for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Tomingley Road	Tomingley	-	Upgrades as necessary to allow access for over-dimensional vehicles.	Prior to commencing the use of this road for any over-dimensional or heavy vehicle traffic associated with the construction of the development

30. Delete the figures in Appendix 7 and insert the following:



31. After Appendix 7, insert Appendix 8 as follows:

**APPENDIX 8
INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.

**End of modification
(SSD 6693 MOD 1)**