

APPENDIX 3 DEVELOPMENT CONSENT CONDITIONS

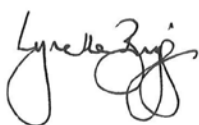
Development Consent

Section 89E of the *Environmental Planning & Assessment Act 1979*

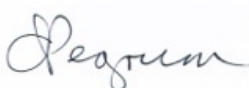
As delegate of the Minister for Planning, the Planning Assessment Commission approves the development application referred to in schedule 1, subject to the conditions in schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Lynelle Briggs AO
Chair of the Commission



Annabelle Pegrum AM
Member of the Commission



Robyn Kruk AM
Member of the Commission

Sydney

30 March 2016

SCHEDULE 1

Application Number:	SSD-6698
Applicant:	Epuron Projects Pty Ltd
Consent Authority:	Minister for Planning
Land:	See Appendix 1
Development:	Yass Valley Wind Farm

TABLE OF CONTENTS

DEFINITIONS	3
ADMINISTRATIVE CONDITIONS	5
Obligation to Minimise Harm to the Environment	5
Terms of Consent	5
Limits on Consent	5
Notification of Department	6
Structural Adequacy	6
Demolition	6
Protection of Public Infrastructure	6
Operation of Plant and Equipment	6
Updating & Staging Strategies, Plans or Programs	7
Community Enhancement	7
ENVIRONMENTAL CONDITIONS – GENERAL	8
Visual	8
Noise & Vibration	9
Air	10
Water	10
Biodiversity	11
Heritage	13
Transport	13
Aviation	14
Telecommunications	15
Bushfire	15
Safety	16
Waste	16
Rehabilitation & Decommissioning	16
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	17
Environmental Management	17
Reporting	18
Auditing	18
Access to Information	18
APPENDIX 1: SCHEDULE OF LAND	19
APPENDIX 2: GENERAL LAYOUT OF DEVELOPMENT	21
APPENDIX 3: DEVELOPMENT CORRIDOR	23
APPENDIX 4: GENERAL TERMS OF APPLICANT’S VPA OFFER	24
APPENDIX 5: NOISE COMPLIANCE ASSESSMENT	25
APPENDIX 6: ABORIGINAL HERITAGE SITES	26
APPENDIX 7: OVER-DIMENSIONAL VEHICLE ACCESS ROUTE RESTRICTIONS	28

DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Ancillary infrastructure	All wind farm infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices and site compounds, electricity transmission lines and internal roads
Applicant	Epuron Projects Pty Ltd, or any person who seeks to carry out the development approved under this consent
CASA	Civil Aviation Safety Authority
CCC	Community Consultative Committee
Conditions of this consent	Conditions contained in schedules 1 to 4 inclusive
Construction	The construction of the development, including but not limited to the construction of wind turbines, ancillary infrastructure and road upgrades (excludes geotechnical drilling and surveying)
Councils	Yass Valley Council and Harden Shire Council
CPI	Consumer Price Index
Curtilage	The land immediately surrounding a residence, including any closely associated buildings or structures where domestic and/or recreational activities take place
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays
Decommissioning	The removal of wind turbines and any associated above ground infrastructure
Department	Department of Planning and Environment
Development	The development as described in the EA
Development corridor	The corridor shown in the figure in Appendix 3
DPI	Department of Primary Industries
EA	The environmental assessment for the <i>Yass Valley Wind Farm</i> , prepared by Epuron Projects Pty Ltd and dated November 2009, as modified by: • <i>Yass Valley Wind Farm Preferred Project & Submissions Report</i>, prepared by Epuron Projects Pty Ltd and dated September 2014; • <i>Initial Response</i>, prepared by Epuron Projects Pty Ltd and dated 13 February 2015; • <i>Detailed Submission in Response to the Secretary's Environmental Assessment Report</i>, prepared by Epuron Projects Pty Ltd and dated 27 February 2015; • <i>Further Response</i>, prepared by Epuron Projects Pty Ltd and dated 26 March 2015; • <i>Additional Information</i>, prepared by Epuron Projects Pty Ltd and dated 24 June 2015; and • <i>Revised Final Statement of Commitments</i>, dated 7 December 2015.
EEC	Endangered ecological community, as defined under the TSC Act and/or EPBC Act
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection & Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence issued under the POEO Act
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heritage Act	<i>Heritage Act 1977</i>
Heritage item	An item as defined under the Heritage Act and/or an Aboriginal Object or Aboriginal Place as defined under the NP&W Act
Incident	A set of circumstances that: • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this consent
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning, or delegate
Mitigation	Activities associated with reducing the impacts of the development
MW	Megawatt

Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and NSW Public Holidays
Non-associated residence	Any residence on privately-owned land where the landowner has not reached a financial or in kind agreement with the Applicant in relation to the development. In some cases, this agreement will be restricted. First, it may only cover certain aspects of the development (such as the noise or visual impacts). In such cases, the residence is only associated for those aspects covered by the agreement, and remains a non-associated residence for all those aspects that are not covered by the agreement. Second, while the agreement may cover a certain aspect of the development (such as noise impacts), it may limit the extent of any such impact (by setting absolute noise levels at a residence, for instance). In these cases, the residence is only associated to the extent that the impact is covered by the agreement, and is considered to be non-associated for any impacts that exceed the limits specified in the agreement
NP&W Act	<i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
OLS	Obstacle Limitation Surface
Operation	The operation of the development, but does not include commissioning trials of equipment or use of temporary facilities
Over-dimensional	Over-mass and/or over-size/length vehicles
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Pre-construction minor works	Includes the following activities: • building/road dilapidation surveys; • investigative drilling, excavation or salvage; • minor clearing or translocation of native vegetation; • establishing temporary site office (in locations meeting the criteria identified in the conditions of this approval) • installation of environmental impact mitigation measures, fencing, enabling works; and • minor access roads and minor adjustments to services/utilities, etc.
Project site	The project site as shown in Appendix 2
Privately-owned land	Land that is not owned by a public agency or publicly-owned commercial entity (or its subsidiary)
PSR	Primary Surveillance Radar
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
RAAF	Royal Australian Air Force – Aeronautical Information Services
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	Any dwelling in existence at the date of this consent, or a dwelling that is either the subject of a development consent or a development application that was lodged but not yet determined at the date of this consent once construction of the dwelling is complete
RFS	Rural Fire Service
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Sector management	Sector management refers to the implementation of techniques that reduce the noise generated by individual wind turbines, or clusters. Such techniques may include operating the turbines in 'low noise' mode, shutting down turbines, or using firmware controls
Shadow flicker	The flickering effect caused by the intermittent shading of the sun by the rotating blades of the wind turbines
Site	The land defined in Appendix 1
SSR	Secondary Surveillance Radar
Temporary facilities	Temporary facilities used for the construction and/or decommissioning of the development, including but not limited to temporary site offices and compounds, concrete batching plants, materials storage compounds, maintenance workshops, testing laboratories or material stockpiles
TSC Act	<i>Threatened Species Conservation Act 1995</i>

VPA
Wind turbine

Voluntary Planning Agreement
Turbines used for the generation of electricity by wind, including the tower, blades and associated components

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In addition to meeting the specific environmental performance criteria established under this consent, the Applicant shall 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.

TERMS OF CONSENT

2. The Applicant shall carry out the development:
 - (a) generally in accordance with the EA; and
 - (b) in accordance with the conditions of this consent.

Note: The general layout of the development is shown in the figures in Appendix 2.

3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
4. The Applicant shall 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.

LIMITS ON CONSENT

Approved Precincts

5. Consent is granted only for the development in the Coppabella precinct and the access track traversing the 330 kV Connection precinct.

Note: To avoid any doubt, this consent does not allow the development of any wind turbines or ancillary infrastructure in the Marilba precinct, Conroy's Gap Extension precinct and 330 kV Connection precinct, (except for the access track connecting wind turbine number 82 to wind turbine number 13). The approved wind turbines in the Coppabella precinct are those numbered 1 to 19, 25, 29 to 82, and 126 to 130.

Wind Turbines

6. The Applicant may construct, operate and replace or upgrade as necessary up to 79 wind turbines.

Note: 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.

7. The Applicant shall not use the Vestas V90 3MW wind turbine model, unless the Applicant demonstrates to the satisfaction of the Secretary that it would be able to comply with the operational noise criteria in this consent without relying upon sector management.

Note: Use of the Vestas V90 3MW model is predicted to result in exceedances of the operational noise criteria in this consent.

Wind Turbine Height

8. No wind turbines may be greater than 150 metres in height (measured from above ground level to the blade tip).

Micro-siting Restrictions

9. The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided:
 - (a) they remain within the development corridor shown in the figure in Appendix 3;
 - (b) no wind turbine is moved more than 100 metres from the location shown in the figures in Appendix 2; and

- (c) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.

Final Layout Plans

- 10. Prior to the commencement of construction, the Applicant shall 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
 - (b) the GIS coordinates of the wind turbines.

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

NOTIFICATION OF DEPARTMENT

- 11. Prior to the commencement of the construction, operation and/or decommissioning of the development, the Applicant shall notify the Department in writing of the date of commencement.

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 Consultation Committee about the proposed staging plans.

STRUCTURAL ADEQUACY

- 12. The Applicant shall ensure that 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).
- 13. The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

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

DEMOLITION

- 14. The Applicant shall ensure that all demolition work on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

- 15. Unless the Applicant and the applicable authority agree otherwise, the Applicant shall:
 - (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.

OPERATION OF PLANT AND EQUIPMENT

- 16. The Applicant shall 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.

UPDATING & STAGING OF STRATEGIES, PLANS OR PROGRAMS

- 17. 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.

Notes:

- *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.*

COMMUNITY ENHANCEMENT

18. Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant shall 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 in Appendix 4.

SCHEDULE 3 ENVIRONMENTAL CONDITIONS - GENERAL

VISUAL

Visual Impact Mitigation

1. Prior to the commencement of construction, the Applicant shall notify in writing the owner of:
 - (a) any non-associated residence listed in Table 1; or
 - (b) any other non-associated residence within 5 kilometres of any wind turbine,
 that they have the right to request implementation of visual impact mitigation measures at their residence (including its curtilage).

Table 1: Visual impact mitigation upon request

Residence	Characterisation of Impact
C06, C53, C67, C74	Moderate
C04, C13, C39, C41, C75	Low/Moderate
C01, C07, C08, C09, C37, C38, C60, C73, C76, C76a, G32, H40, H42	Low

Note: If the construction of the development is being staged, the Applicant is only required to notify those owners referred to in condition 1(b) that would be within 5 kilometres of any wind turbine that forms part of the relevant stage.

2. If following the commencement of construction, the Applicant receives a written request from the owner of any residence referred to in condition 1 above for the implementation of visual impact mitigation measures (such as landscaping, vegetation screening, provision of awnings/blinds), then the Applicant shall implement measures at the residence (including its curtilage) in consultation with the landowner.

These mitigation measures must be reasonable and feasible, directed towards reducing the visual impacts of the wind turbines on the residence (including its curtilage), and commensurate with the level of visual impact.

The mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.

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.

Notes:

- To identify the residences referred to in Table 1, see the figures in Appendix 2.
- To avoid any doubt, the visual impact mitigation measures must be aimed at reducing the visibility of the wind turbines from the residence and its curtilage. Mitigation measures are not required to be implemented to reduce the visibility of wind turbines from other locations on the property.
- In some cases, mitigation measures may not be warranted as the wind turbines would not be visible from the residence and its curtilage.
- The identification of appropriate visual impact mitigation measures will be easier following the construction of the wind turbines. While landowners 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 wind turbines are visible from their residence.

Visual Appearance

3. The Applicant shall:
 - (a) implement all reasonable and feasible measures to minimise the off-site visual impacts of the development;
 - (b) ensure the wind turbines are:
 - painted off white/grey; and
 - finished with a surface treatment that minimises the potential for glare and reflection;
 - (c) ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape; and
 - (d) not mount any advertising signs or logos on wind turbines or ancillary infrastructure.

Lighting

4. The Applicant shall:
- implement all reasonable and feasible measures to minimise the off-site lighting impacts of the development;
 - ensure that any aviation hazard lighting complies with CASA's requirements;
 - ensure that all external lighting associated with the development (apart from any aviation hazard lighting):
 - is installed as low intensity lighting (except where required for safety or emergency purposes);
 - does not shine above the horizontal;
 - uses best management practice for bat deterrence; and
 - complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

Shadow Flicker

5. The Applicant shall ensure that shadow flicker associated with wind turbines does not exceed 30 hours per annum at any non-associated residence.

NOISE & VIBRATION

Construction & Decommissioning

6. The Applicant shall implement all reasonable and feasible measures to minimise the construction or decommissioning noise of the development, including any associated traffic noise.
7. The Applicant shall 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.
8. Unless the Secretary agrees otherwise, the Applicant shall only undertake construction or decommissioning activities between:
- 7 am to 6 pm Monday to Friday;
 - 8 am to 1 pm Saturdays; and
 - at no time on Sundays and NSW public holidays.

The following construction activities may be undertaken outside these hours without the approval of the Secretary:

- activities that are inaudible at non-associated residences;
 - the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
 - emergency work to avoid the loss of life, property and/or material harm to the environment.
9. The Applicant shall only carry out blasting on site between 9 am and 5 pm Monday to Saturday inclusive. No blasting is allowed on Sundays or public holidays.
10. The Applicant shall ensure that any blasting carried out during the construction of the development does not exceed the criteria in Table 2.

Table 2: Blasting criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Any non- associated residence	120	10	0%
	115	5	5% of the total number of blasts or events over a period of 12 months

Operational Noise Criteria – Wind Turbines

11. The Applicant shall ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 3 at any non-associated residence.

Table 3: Noise criteria dB(A)

Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)											
	3	4	5	6	7	8	9	10	11	12	13	14
C04	35	35	35	35	35	35	35	35	36	37	38	38
C74	35	35	35	35	35	35	36	38	39	41	43	44
All other non-associated residences	The higher of 35 dB(A) or the existing background noise level (L _{A90} (10-minute)) plus 5 dB(A)											

Note: To identify the residences referred to in Table 3, see the applicable figures in Appendix 2.

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 5. 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.

Operational Noise Criteria – Ancillary Infrastructure

12. The Applicant shall ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) L_{Aeq}(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 Industrial Noise Policy* (or its equivalent) as modified by the provisions in Appendix 5.

Noise Monitoring

13. Within 3 months of the commencement of operations, the Applicant shall:
- undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and
 - submit a copy of the monitoring results to the Department and the EPA.
14. The Applicant shall undertake further noise monitoring of the development if required by the Secretary.

AIR

15. The Applicant shall:
- implement best management practice to minimise the off-site dust, fume and blast emissions of the development; and
 - minimise the surface disturbance of the site.

WATER

Water Supply

16. The Applicant shall 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.

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.

Water Pollution

17. Unless an EPL authorises otherwise, the Applicant shall ensure that the construction, operation and decommissioning of the development does not cause any water pollution.

Note: Section 120 of the *POEO Act* makes it an offence to pollute any waters.

Operating Conditions

18. The Applicant shall:
- ensure that all construction, operation and decommissioning activities are undertaken in accordance with:
 - OEH's *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) manual;
 - DPI's guidelines for waterway crossings and fish passage, including:
 - *Policy and Guidelines for Fish Friendly Waterway Crossings* (2004);
 - *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004); and
 - *Water Guidelines for Controlled Activities on Waterfront Land* (2012); and
 - ensure that the storage and handling of all dangerous goods and hazardous materials is undertaken in accordance with *AS1940-2004: The storage and handling of flammable and combustible liquids*, or its latest version.

BIODIVERSITY

Restrictions on Clearing and Habitat

19. The Applicant shall:
- ensure that no more than 68.3 hectares (ha) of Box Gum Woodland EEC, including Box Gum Woodland derived grassland, is cleared for the development, unless the Secretary agrees otherwise;
 - implement all reasonable and feasible measures to:
 - minimise the impact on hollow-bearing trees and mature trees along Whitefields Road;
 - minimise impacts on the Yass Daisy (*Ammobium craspedioides*);
 - minimise impacts on threatened bird and bat populations;
 - minimise the approved clearing of native woodland vegetation and fauna habitat; and
 - if micro-siting wind turbines:
 - ensure that the revised location of the 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 is no closer to existing hollow-bearing trees, unless the Secretary agrees otherwise.

Note: In considering a request for micro-siting of turbines within 50 m of existing hollow-bearing trees, the Secretary will consider safety concerns, the constructability of the turbine, and/or whether the micro-siting would materially increase biodiversity impacts.

Retirement of Credits

20. Within 2 years of the commencement of construction, unless otherwise agreed by the Secretary, the Applicant shall retire biodiversity credits of a number and class specified in Tables 4 and 5 below to the satisfaction of OEH.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*, and can be achieved by:

- acquiring or retiring credits under the biobanking scheme in the TSC Act;
- making payments into an offset fund that has been established by the NSW Government; or
- providing suitable supplementary measures.

Table 4: Ecosystem credit requirements

Vegetation Community	Code (BVT)	Biometric Vegetation Type	Biometric Condition	Impact Area (ha)	Credits Required
Box Gum Woodland	MR528	Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	Low (other)	18.1	507
Box Gum Woodland	MR528	Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	Moderate-good (high diversity)	0.6	23
Box Gum Woodland	MR528	Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	Moderate-good (low diversity)	10.1	202

Box Gum Woodland Derived Grassland	MR528	Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	Moderate-good (low diversity)	54	0
Long-leaved Box Dry Grass Forest	MR598	Red Stringybark – Red Box – Long-leaved Box – Inland Scribbly Gum tussock grass – shrub low open forest on hills in the southern part of the NSW South Western Slopes Bioregion	Moderate-good (high and low diversity)	0.9	34
River Red Gum and Riparian	MR616	Yellow Box – River Red Gum tall grassy riverine woodland of NSW South Western Slopes Bioregion and Riverina Bioregion	Moderate-good (low diversity)	0.1	3.3

Table 5: Species credit requirements

Species	Credits Required
Golden Sun Moth	1,028
Regent Honeyeater	801

Biodiversity Management Plan

21. Prior to the commencement of construction, the Applicant shall prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:
 - (a) be prepared in consultation with OEHL; and
 - (b) include a:
 - description of the measures that would be implemented for:
 - minimising the amount of clearing within the approved development footprint as far as practicable;
 - managing potential indirect impacts on threatened plant species, including the Yass Daisy (*Ammobium craspedioides*);
 - 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) on site and/or in the biodiversity offset area;
 - collecting and propagating seed (where relevant);
 - minimising impacts on tree hollows as far as practicable;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - controlling weeds and feral pests;
 - controlling erosion;
 - controlling access; and
 - bushfire management;
 - Bird and Bat Adaptive Management Plan, that includes:
 - baseline data on bird and bat populations in the locality that could potentially be affected by the development, particularly 'at risk' species and threatened species;
 - a detailed description of the measures that would be implemented on site for minimising bird and bat strike during operation of the development, including:
 - o minimising the availability of raptor perches;
 - o prompt carcass removal;
 - o controlling pests;
 - o using best practice methods for bat deterrence, including managing potential lighting impacts;
 - o adaptive management of turbines to reduce mortality; and
 - (c) include a detailed program to monitor and report on the performance of these measures over time.
22. Following approval, the Applicant must implement the measures described in the Biodiversity Management Plan.

HERITAGE

Protection of Aboriginal Heritage Sites

23. The Applicant shall ensure that the development:
- (a) avoids (as far as practicable) and otherwise minimises any direct or indirect impact on Aboriginal heritage items identified in the table and figure in Appendix 6; and
 - (b) does not cause any direct or indirect impacts on Aboriginal heritage items located outside the approved disturbance area.

Protection of Historic Heritage Items

24. The Applicant shall ensure that the development does not cause any direct or indirect impact on any historic heritage items located outside the approved disturbance area.

Heritage Management Plan

25. Prior to the commencement of construction, the Applicant shall prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared in consultation with OEH and Aboriginal stakeholders; and
 - (b) include a description of the measures that would be implemented for:
 - minimising ground disturbance within the project area during construction and decommissioning works;
 - managing impacts to Aboriginal heritage items within the project disturbance area;
 - managing the discovery of human remains or previously unidentified heritage items on site; and
 - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that suitable records are kept of these inductions.
26. Following approval, the Applicant must implement the measures described in the Heritage Management Plan.

TRANSPORT

Whitefields Road Upgrade

27. Prior to the construction of the proposed upgrade to Whitefields Road, the Applicant shall prepare detailed plans for the upgrade in consultation with the relevant Council, and to the satisfaction of the Secretary. In preparing these plans, the Applicant must seek to avoid and/or minimise the clearing of mature vegetation adjacent to the road. Further, the detailed plans must include a landscaping plan for replacing the removal of any existing vegetation and/or augmenting the existing vegetation adjacent to the upgraded road.

Road Upgrades

28. Prior to the commencement of construction (other than pre-construction minor works), the Applicant shall:
- (a) upgrade the existing intersection at the Hume Highway and Whitefields Road; and
 - (b) upgrade the section of Whitefields Road to be used as a primary access route (and shown in the figure in Appendix 7) from single lane to two lane;
- to the satisfaction of the relevant roads authority.

Road Maintenance

29. The Applicant shall:
- (a) prepare a pre-dilapidation survey of the transport route prior to the commencement of any construction or decommissioning works other than pre-construction minor works;
 - (b) prepare a post-dilapidation survey of the transport route within 1 month of the completion of construction or decommissioning works other than pre-construction minor works, or other timing as may be agreed by the applicable roads authority; and
 - (c) rehabilitate and/or make good any project-related damage identified in the post-dilapidation survey within 2 months of the completion of survey, or other timing as may be agreed by the applicable roads authority,
- to the satisfaction of the relevant roads authority.

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 the works, then either party may refer the matter to the Secretary for resolution.

Unformed Crown Roads

30. The Applicant shall ensure any unformed Crown road reserves affected by the development are maintained for future use.

Restriction on Transport Routes

31. The Applicant shall ensure that all over-dimension vehicle access is via the primary access routes identified in the EA (and shown in the figure in Appendix 7) unless the applicable roads authority approves otherwise.

Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimension vehicles on the road network.

Traffic Management

32. Prior to the commencement of construction, the Applicant shall prepare a Traffic Management Plan for the development to the satisfaction of the Secretary. This plan must be prepared in consultation with RMS and the Councils, and include:
- (a) details of all transport routes and traffic types to be used for development-related traffic;
 - (b) a protocol for undertaking dilapidation surveys to assess the:
 - existing condition of the transport route/s prior to construction or decommissioning works; and
 - condition of the transport route/s following construction or decommissioning works;
 - (c) a protocol for the repair of any roads identified in the dilapidation surveys to have been damaged during construction or decommissioning works;
 - (d) details of the measures that would be implemented to minimise traffic safety issues and disruption to local road users during construction or decommissioning works, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - minimising potential for conflict with school buses and rail services;
 - responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and
 - a traffic management system for managing over-dimensional vehicles; and
 - (e) a drivers code of conduct that addresses:
 - travelling speeds;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe driving practices.

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.

33. Following approval, the Applicant must implement the measures described in the Traffic Management Plan.

AVIATION

Mitigation of Aviation-Related Impacts

34. Prior to the construction of any wind turbines, the Applicant shall:
- (a) prepare a detailed report to the satisfaction of Airservices Australia on all the potential aviation-related impacts of the development, including any potential impacts on the operation of the Mt Majura PSR/SSR Air Traffic Control radar, Mt Bobbara SSR Air Traffic Control radar, and any other Airservices Australia infrastructure or facilities. This report must:
 - be prepared by a suitably independent, qualified and experienced person acceptable to Airservices Australia;
 - be prepared in accordance with EUROCONTROL *Guidelines on how to assess the potential impact of Wind Turbines on Surveillance Sensors*, September 2014, or its latest version;
 - include a review of the findings of previous assessments in respect of the development; and
 - include recommendations for reasonable and feasible measures to mitigate or manage the potential impacts, that are acceptable to Airservices Australia;
 - (b) prepare, an Aviation Impact Management Plan to the satisfaction of Airservices Australia. This plan must:

- describe the measures that would be implemented to mitigate and/or manage the aviation-related impacts of the development, having regard to the recommendations in the detailed report required in (a) above; and
 - include a program for the implementation of these measures, having regard to any regulatory approvals that may need to be obtained, Airservices Australia's statutory and operational priorities and the proposed construction program for the development; and
- (c) enter into a legally binding agreement with Airservices Australia articulating further details to give effect to the implementation of the Aviation Impact Management Plan, including the provision of adequate security for implementation of the measures in the plan and any associated costs (see condition 36 below).

35. Following approval, the Applicant shall implement the Aviation Impact Management Plan.

36. If following approval of the Aviation Impact Management Plan changes are proposed to the location and/or dimensions of any wind turbines, then the Applicant shall assess the aviation-related impacts of the proposed changes and update the Aviation Impact Management Plan to the satisfaction of Airservices Australia prior to constructing the wind turbines in the revised location.

Liability for Costs

37. The Applicant shall be liable for all costs associated with the implementation of the Aviation Impact Management Plan, including the reimbursement of all of Airservices Australia's costs, including (but not limited to):
- (a) Airservices Australia's internal time and materials costs;
 - (b) the costs of Airservices Australia's project management and subcontracting arrangements (including any procurement costs);
 - (c) project and equipment costs;
 - (d) public and stakeholder engagement and consultation costs;
 - (e) alternative site licensing or leasing costs;
 - (f) the costs associated with obtaining regulatory approvals or complying with any regulatory requirements (including any environmental impact studies and community consultation costs); and
 - (g) any other associated costs identified by Airservices Australia.

Notification of Aviation Authorities

38. Prior to the commencement of construction of the development, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities):
- (a) coordinates in latitude and longitude of each wind turbine and wind monitoring mast;
 - (b) final height of each wind turbine and wind monitoring mast in Australian Height Datum;
 - (c) ground level at the base of each wind turbine and wind monitoring mast in Australian Height Datum;
 - (d) confirmation of compliance with any OLS; and
 - (e) details of aviation hazard lighting.
39. Within 30 days of the practical completion of any turbine or mast, the Applicant shall:
- (a) provide confirmation to the authorities and local aviation users that the information that was previously provided remains accurate; or
 - (b) update the information previously provided.

TELECOMMUNICATIONS

40. If the development results in the disruption to radio or telecommunications services in the area, then the Applicant shall make good any disruption to these services as soon as practicable following the disruption.

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.

BUSHFIRE

41. The Applicant shall:
- (a) ensure that the development:
 - provides for asset protection in accordance with the RFS's *Planning for Bushfire Protection 2006* (or equivalent);
 - is suitably equipped to respond to any fires on site; and
 - (b) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site.

SAFETY

42. The Applicant shall:
- 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
 - implement, and if necessary update, the system over the remaining life of the development.

WASTE

43. The Applicant shall:
- implement all reasonable and feasible measures to minimise the waste generated by the development;
 - classify all waste in accordance with the EPA's Waste Classification Guidelines and at appropriately licensed waste facilities; and
 - manage the waste in accordance with any requirements under the POEO Act and its associated regulations.

REHABILITATION & DECOMMISSIONING

Progressive Rehabilitation

44. The Applicant shall rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning. All reasonable and feasible measures must be taken to minimise the total area exposed at any time. Interim rehabilitation strategies shall be employed when areas prone to dust generation, soil erosion and weed incursion cannot yet be permanently rehabilitated.

Rehabilitation Objectives – Decommissioning

45. The Applicant shall rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 6.

Table 6: Rehabilitation Objectives

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 EA
Above ground wind turbine infrastructure (excluding wind turbine pads)	To be decommissioned and removed, unless the Secretary agrees otherwise
Above ground ancillary infrastructure	To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary
Internal access roads	To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary
Land use	Restore or maintain land capability as described in the EA
Community	Ensure public safety

Decommissioning of Wind Turbines

46. All wind turbines must be decommissioned within 18 months of cessation of operations, unless the Secretary agrees otherwise.
47. 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.

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to the commencement of construction, the Applicant shall prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise;
 - respond to any non-compliance;
 - respond to emergencies; and
 - (e) include:
 - copies of any strategies, plans and programs approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring to be carried out in relation to the development.
2. Following approval, the Applicant shall implement the Environmental Management Strategy.

Adaptive Management

3. The Applicant shall assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:

- (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- (c) implement remediation measures as directed by the Secretary.

Revision of Strategies, Plans and Programs

4. Within 3 months of the submission of:
 - (a) the submission of an incident report under condition 6 below;
 - (b) the submission of an audit under condition 8 below; or
 - (c) any modification to the conditions of this consent (unless the conditions require otherwise),the Applicant shall 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.

Note: 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.

Community Consultative Committee

5. The Applicant shall establish and operate a Community Consultative Committee (CCC) for the development to the satisfaction of the Secretary. This CCC must be established and operated in accordance with any applicable CCC guideline.

Notes:

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.*
- *The CCC should be comprised of an independent chair and appropriate representation from the Applicant, Councils and the local community.*

REPORTING

Incident Reporting

6. The Applicant shall immediately notify the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

7. The Applicant shall 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.

AUDITING

8. Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
 - (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (b) include consultation with the relevant agencies;
 - (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;
 - (d) review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and
 - (e) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.

Note: This audit team must be led by a suitably qualified auditor and/or experts in any other fields specified by the Secretary.

9. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

10. The Applicant shall:
 - (a) make the following information publicly available on its website as relevant to the stage of the development:
 - the EA;
 - the final layout plans for the development;
 - current statutory approvals for the development;
 - approved strategies, plans or programs required under the conditions of this consent;
 - the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
 - 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;
 - a complaints register, which is to be updated on a monthly basis;
 - minutes of CCC meetings;
 - the annual Statement of Compliance with the EPL
 - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
 - (b) keep this information up to date, to the satisfaction of the Secretary.
-

**APPENDIX 1
SCHEDULE OF LAND**

Landowner	Lot/DP
1	101/881434
2	293/721898
3	284/753602
4	1/659797
	1/717646
	Y/382611
5	2/717646
6	285/753602
7	260/753602
	268/753602
10	1/593527
	135/753602
	137/753602
	138/753602
	194/753626
	197/753602
	2/593527
	200/753602
	201/753626
	211/753602
	212/753602
	213/753602
	230/753602
	234/753602
	235/753602
	31/753602
	41/753602
	42/753602
	43/753602
	61/753595
	86/753602
	87/753602
	88/753602
	89/753602
	90/753602
	91/753602
	92/753602
11	344/753595
12	307/753595
	314/753595

Landowner	Lot/DP
13	1/116565
13	1/201889
	1/455031
	101/753626
	106/753626
	107/753626
	110/753626
	115/753595
	116/753595
	117/753595
	119/753626
	121/753595
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	2/201889
	2/455031

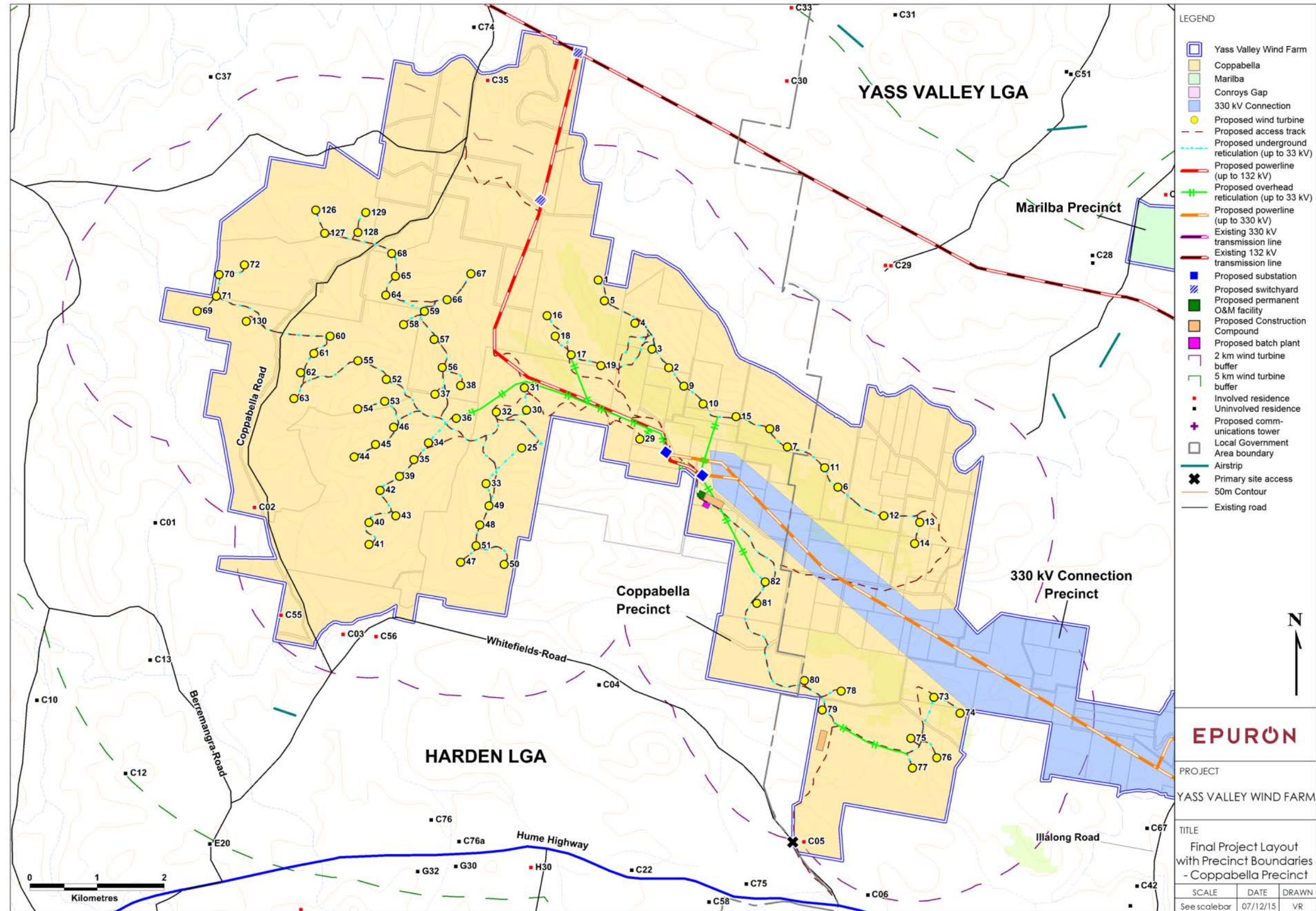
Landowner	Lot/DP
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	208/753595
	211/753595
	212/753595
	222/753626
	3/455031
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	332/753595
	49/753595
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	203/753626

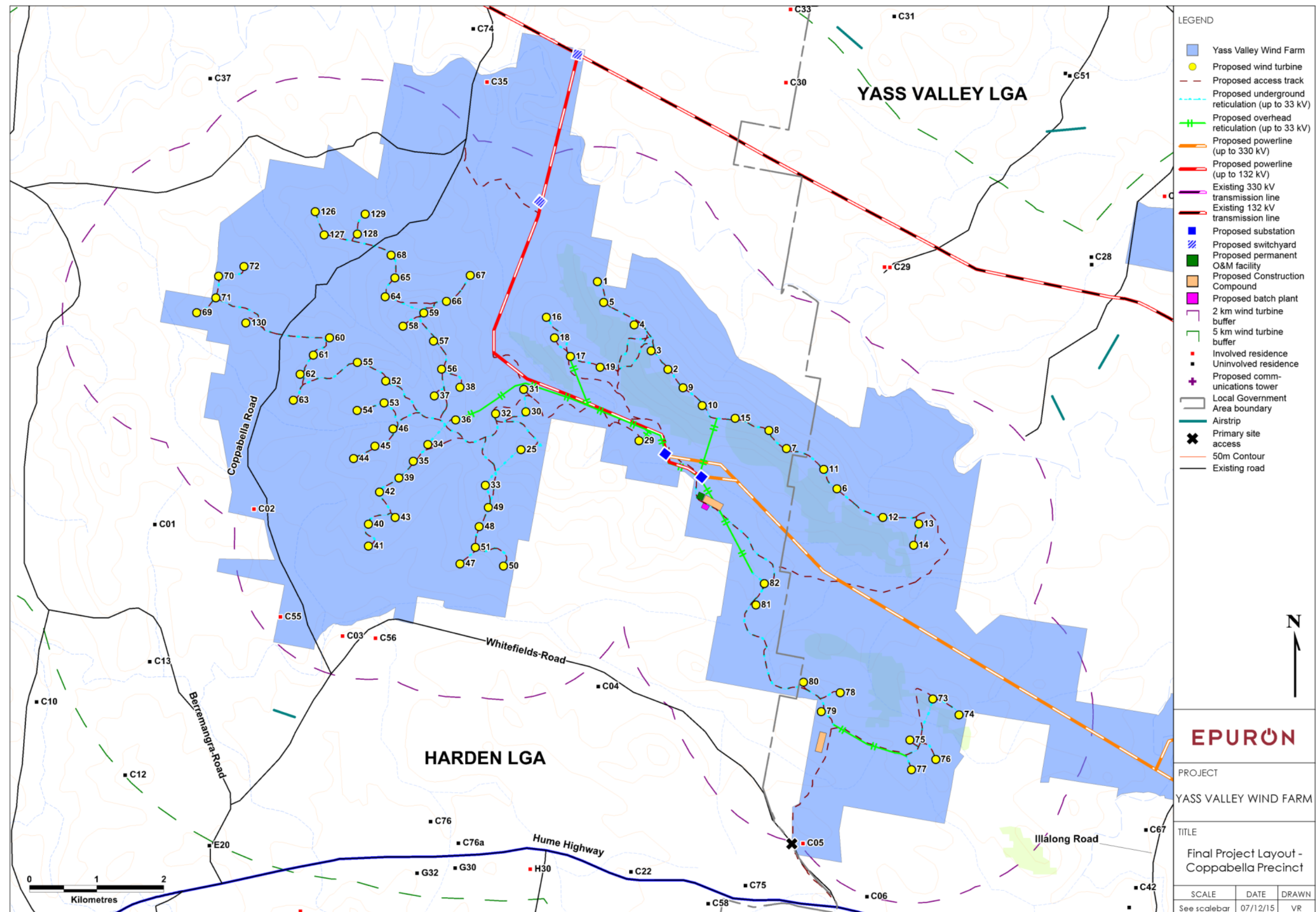
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18	105/753633
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	112/753595
	113/753595
	114/753595
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	208/753626
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	210/753626
	214/878465
	238/753595
	31/1048395
	32/1048395
	33/1048395
	34/1048395

Landowner	Lot/DP
	99/753595
19	177/753626
	178/753626
	2/849324
	B/415303
20	210/878465
	212/878465
	291/753596
	292/753596
21	177/753596
	186/753596
	200/753596
	201/753596
	205/753596
	206/753596
	23/251362
	230/753596
	24/251362
	273/753596
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	169/753595
25	100/876302

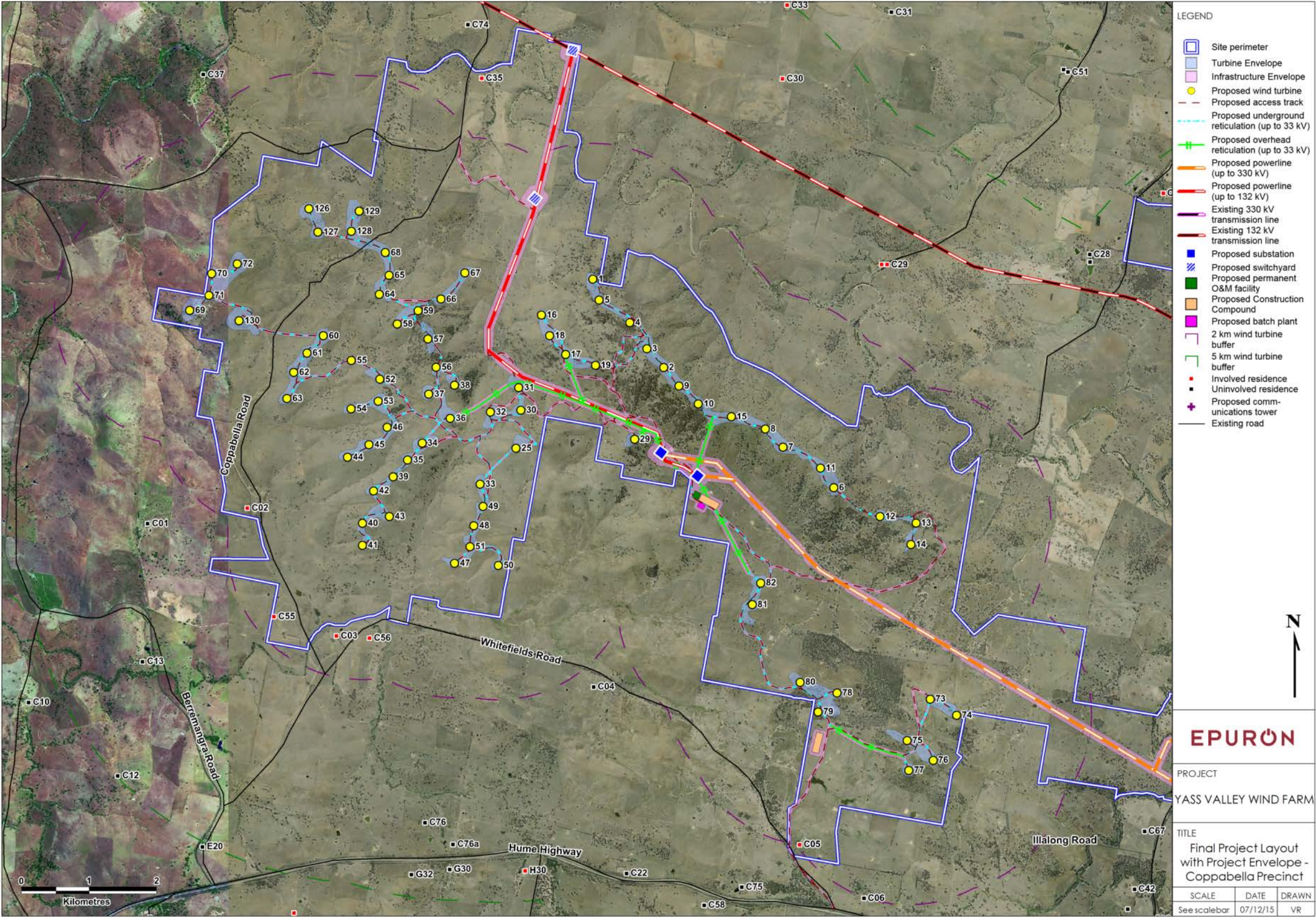
Landowner	Lot/DP
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	161/753595
	162/753595
	163/753595
	217/753595
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	3/1128483
	309/753595
	310/753595
	342/753595
	4/228185
	5/871925
	60/1041962
	61/1041962
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	1/1188319

**APPENDIX 2
GENERAL LAYOUT OF DEVELOPMENT**





APPENDIX 3
DEVELOPMENT CORRIDOR



APPENDIX 4
GENERAL TERMS OF APPLICANT'S VPA OFFER

The VPAs shall include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community projects in the area surrounding the project site.

<i>Council</i>	<i>Payment Details</i>
Harden Shire Council	\$2,500 per wind turbine per annum as installed at the development within the Harden Shire Council local government area over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent, and CPI adjusted from 1 July commencing on the first anniversary of the operational date.
Yass Valley Council	\$2,500 per wind turbine per annum as installed at the development within the Yass Valley Council local government area over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent, and CPI adjusted from 1 July commencing on the first anniversary of the operational date.

APPENDIX 5 NOISE COMPLIANCE ASSESSMENT

PART A: SOUTH AUSTRALIAN WIND FARMS: ENVIRONMENTAL NOISE GUIDELINES 2009 (MODIFIED)

South Australian *Wind Farms: Environmental Noise Guidelines 2009* (Modified) refers to the South Australian EPA document modified for use in NSW.

The modifications are as follows:

Tonality

The presence of excessive tonality (a special noise characteristic) is consistent with that described in *ISO 1996.2: 2007 Acoustics — Description, measurement and assessment of environmental noise – Determination of environmental noise levels* and is defined as when the level of one-third octave band measured in the equivalent noise level $L_{eq(10\text{minute})}$ exceeds the level of the adjacent bands on both sides by:

- 5dB or more if the centre frequency of the band containing the tone is in the range 500Hz to 10,000Hz;
- 8dB or more if the centre frequency of the band containing the tone is in the range 160 to 400Hz; and/or
- 15dB or more if the centre frequency of the band containing the tone is in the range 25Hz to 125Hz.

If tonality is found to be a repeated characteristic of the wind turbine noise, 5 dB(A) should be added to measured noise levels from the wind farm. If tonality is only identified for certain wind directions and speeds, the penalty is only applicable under these conditions. The tonal characteristic penalty applies only if the tone from the wind turbine is audible at the relevant receiver. Absence of tone in noise emissions measured at an intermediate location is sufficient proof that the tone at the receiver is not associated with the wind farm's operation. The assessment for tonality should only be made for frequencies of concern from 25 Hz to 10 KHz and for sound pressure levels above the threshold of hearing (as defined in *ISO 389.7: 2005 Acoustics - Reference zero for the calibration of audiometric equipment - Part 7: Reference threshold of hearing under free-field and diffuse-field listening conditions*).

Low Frequency Noise

The presence of excessive low frequency noise (a special noise characteristic) [i.e. noise from the wind farm that is repeatedly greater than 65 dB(C) during the day time or 60 dB(C) during the night time at any relevant receiver] will incur a 5 dB(A) penalty, to be added to the measured noise level for the wind farm, unless a detailed internal low frequency noise assessment demonstrates compliance with the proposed criteria for the assessment of low frequency noise disturbance (UK Department for Environment, Food and Rural Affairs (DEFRA, 2005)) for a steady state noise source.

Notes:

- For the purposes of these conditions, a special noise characteristic is defined as a repeated characteristic if it occurs for more than 10% of an assessment period. This equates to being identified for more than 144 minutes during any 24 hour period. This definition refers to verified wind farm noise only.
- The maximum penalty to be added to the measured noise level from the wind farm for any special noise characteristic individually or cumulatively is 5 dB(A).

PART B: NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions – Wind Turbines

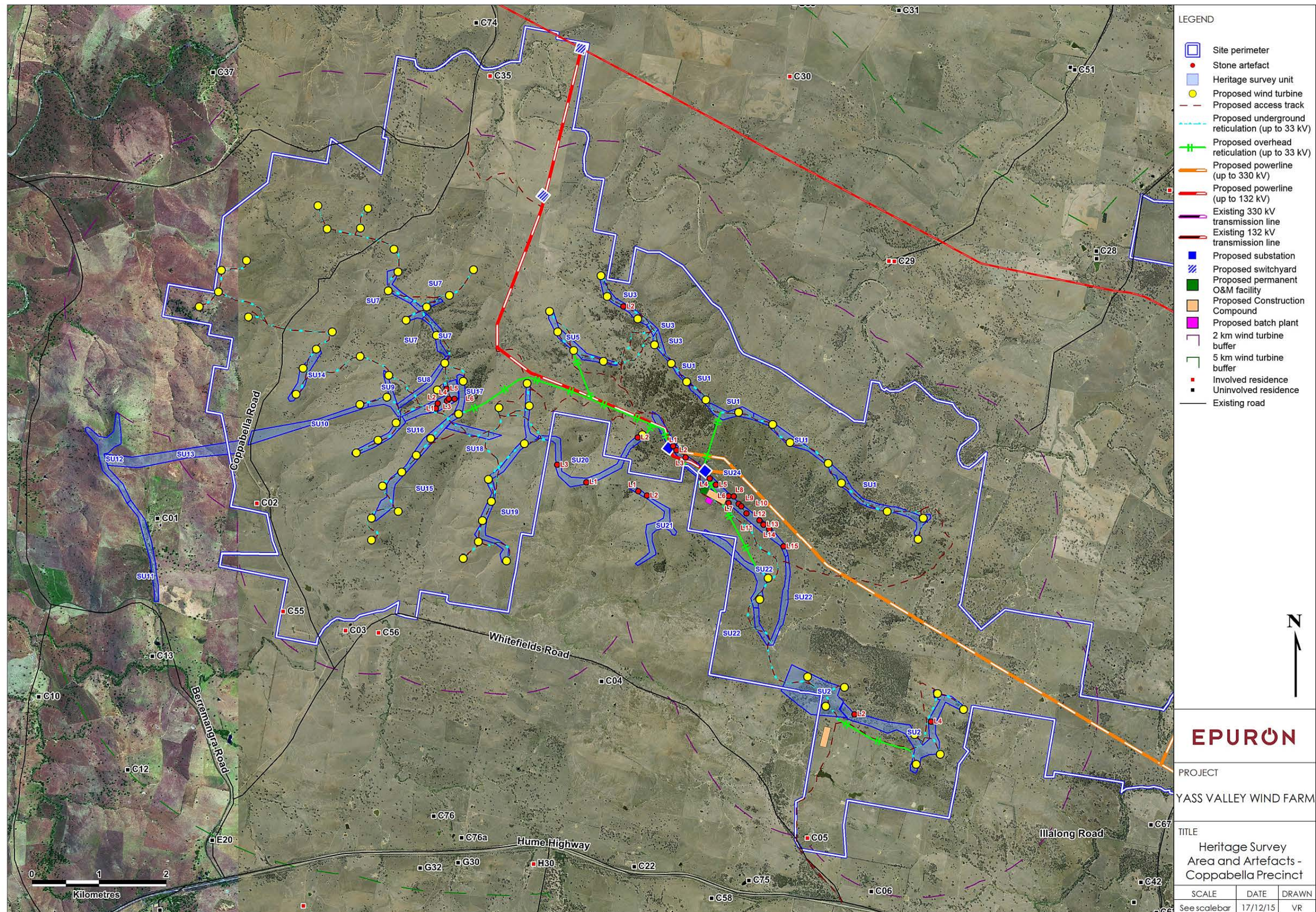
1. The noise criteria in Table 4 of the conditions are to apply under all meteorological conditions.

Applicable Meteorological Conditions – Other Facilities

2. The noise criteria in Condition 15 are to apply under all meteorological conditions except the following:
 - a) wind speeds greater than 3 m/s at 10 m above ground level; or
 - b) temperature inversion conditions between 1.5 °C and 3°C/100m and wind speeds greater than 2 m/s at 10 m above ground level; or
 - c) temperature inversion conditions greater than 3°C/100m.

**APPENDIX 6
ABORIGINAL HERITAGE SITES**

<i>Survey Unit</i>	<i>Site</i>
SU2	SU2/L2, SU2/L4
SU3	SU3/L2
SU17	SU17/L1, SU17/L2, SU17/L3, SU17/L4, SU17/L5, SU17/L6
SU20	SU20/L1, SU20/L2, SU20/L3
SU21	SU21/L1, SU21/L2
SU24	SU24/L1, SU24/L2, SU24/L3, SU24/L4, SU24/L5, SU24/L6, SU24/L7, SU24/L8, SU24/L9, SU24/L10, SU24/L11, SU24/L12, SU24/L13, SU24/L14, SU24/L15



APPENDIX 7 OVER-DIMENSION AND OVER-MASS VEHICLE ACCESS ROUTE RESTRICTIONS

