

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:

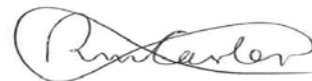
- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Mr Gordon Kirkby
Member of the Commission



Mr John Hann
Member of the Commission



Mr Ross Carter
Member of the Commission

Sydney

22 May 2017

SCHEDULE 1

Application Number:	SSD 6693
Applicant:	Rye Park Renewable Energy Pty Ltd
Consent Authority:	Minister for Planning
Land:	See Appendix 1
Development:	Rye Park Wind Farm

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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, underground and overhead electricity transmission lines and internal roads
Applicant	Rye Park Renewable Energy Pty Ltd, or any person carrying out the development approved under this consent
BCA	Building Code of Australia
CASA	Civil Aviation Safety Authority
CCC	Community Consultative Committee
Conditions of this consent	Conditions contained in schedules 1 to 5 inclusive
Construction	The construction of the development, including but not limited to the construction of wind turbines, ancillary infrastructure and road upgrades, and excluding pre-construction minor works
Councils	Hilltops Council, Upper Lachlan Shire Council and Yass Valley Council
CPI	Consumer Price Index (all Groups Price for Sydney)
Curtilage	The land immediately surrounding a residence, including any closely located and 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 EIS
Development corridor	The corridor shown in the figures in Appendix 2
DPI	Department of Primary Industries
EEC	Endangered ecological community, as defined under the TSC Act
EIS	The environmental impact statement for the <i>Rye Park Wind Farm</i> , prepared by Epuron Pty Ltd and dated January 2014, as modified by the <i>Rye Park Wind Farm Response to Submissions</i> , prepared by Rye Park Renewable Energy Pty Ltd and dated 12 May 2016.
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
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
Heavy vehicle	As defined under the <i>Heavy Vehicle National Law (NSW)</i> , but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axles
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: <ul style="list-style-type: none"> • 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
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	Minister for Planning, or delegate
Mitigation	Activities associated with reducing the impacts of the development
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 owner has not reached a commercial 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
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: <ul style="list-style-type: none"> • building/road dilapidation surveys; • investigative drilling, excavation or salvage; • minor clearing or translocation of native vegetation; • establishing temporary site offices (in locations meeting the criteria identified in the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor access roads and minor adjustments to services/utilities, etc.
Privately-owned land	Land that is not owned by a public agency or publicly-owned commercial entity (or its subsidiary)
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
Radiocommunications	Radio emission, or the reception of radio emission, for the purposes of communicating information as defined under the <i>Radiocommunications Act 1992</i>
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, having regard to its condition prior to commencement of construction, 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 a final occupation certificate has been issued for the dwelling
RFS	Rural Fire Service
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
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
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	Voluntary Planning Agreement
Wind turbine	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 must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the development.

TERMS OF CONSENT

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

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

3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
 - (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

LIMITS ON CONSENT

Wind Turbines

5. The Applicant may construct, operate and replace or upgrade as necessary up to 92 wind turbines.
6. This consent does not authorise the development of wind turbine numbers 16, 29, 44, 45, 47, 90, 93, 94, 95, 96, 97, 98, 99, 101, 133, 134 and 144.

Notes:

- *To identify the wind turbines, see the figures and corresponding GPS Coordinates (for those wind turbines approved) in Appendix 2.*
- *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.*

Wind Turbine Height

7. No wind turbines may be greater than 157 metres in height (measured from above ground level to the blade tip).

Micro-siting Restrictions

8. The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided:
 - (a) they remain within the development corridor shown on the figures in Appendix 2;
 - (b) no wind turbine is moved more than 250 metres from the relevant GPS coordinates shown in Appendix 2;
 - (c) wind turbine numbers 11, 12, 38, 48, 56, 80, 83, 84, 85, 102, 125, 143, 149 and 150 are micro-sited to minimise (and if possible avoid) impacts on high conservation value vegetation, including hollow-bearing trees;
 - (d) the revised location of a wind turbine is at least 50 metres from existing hollow-bearing trees; or where the proposed turbine location is already within 50 metres of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to the existing hollow-bearing trees; and
 - (e) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.

Staging of the Development

9. The Applicant may construct, operate and decommission the development in stages.

Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

Final Layout Plans

10. Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including:
- details on the micro-siting of any wind turbines and/or ancillary infrastructure; and
 - the GPS coordinates of the wind turbines.

NOTIFICATION OF DEPARTMENT

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

If the construction, operation and/or decommissioning of the development is to be staged, then the Applicant must:

- 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
- inform the local community and the Community Consultative Committee about the proposed staging plans.

STRUCTURAL ADEQUACY

12. The Applicant must 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); and
 - 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

13. The Applicant must 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

14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - 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

15. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- maintained in a proper and efficient condition; and
 - operated in a proper and efficient manner.

UPDATING & STAGING OF STRATEGIES, PLANS OR PROGRAMS

16. 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

17. Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must enter into VPAs with the Councils in accordance with:
- (a) Division 6 of Part 4 of the EP&A Act; and
 - (b) the terms of the applicable offer as summarised in Appendix 3.

SCHEDULE 3 ENVIRONMENTAL CONDITIONS - GENERAL

ACQUISITION UPON REQUEST

- For a period of 5 years from the commencement of construction of any of the applicable wind turbines, the owner of the land listed in Table 1 may request the Applicant to acquire their land.

Upon receiving a written request from this owner, the Applicant must acquire the land in accordance with the procedures in conditions 2 and 3 of schedule 4.

However, this condition does not apply if the Applicant has an agreement with the owner of the relevant land in regard to the visual impacts associated with the development, and the Applicant has advised the Department in writing of the terms of this agreement.

Table 1: Residence subject to acquisition upon request

Residence	Lot/DP	Applicable Wind Turbines
R38	49/754136	62, 67, 71 – 76, 78, 141
	104/754136	
-	75/754136	146, 147, 148, 149

Note: To identify the residence and wind turbines referred to in Table 1, see the applicable tables and figures in Appendix 2.

VISUAL

Visual Agreement

- The Applicant must not construct the applicable wind turbines listed in Table 2 unless the Applicant has an agreement with the owner(s) of the relevant land in regard to the visual impacts associated with the project, and the Applicant has advised the Department in writing of the terms of this agreement.

Table 2: Residence subject to visual agreement

Residence	Lot/DP	Applicable Wind Turbines
R56	97/754122	145
	180/754122	
	181/754122	

Note: To identify the residence and wind turbines referred to in Table 2, see the applicable tables and figures in Appendix 2.

Visual Impact Mitigation

- For a period of 5 years from the commencement of construction, the owner of any non-associated residence within 4 km of any wind turbine may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage).

Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.

These mitigation measures must be reasonable and feasible, aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence.

All 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 avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.
- The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While owners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the relevant wind turbines are visible from their residence.

Visual Appearance

4. The Applicant must:
- minimise the off-site visual impacts of the development;
 - ensure the wind turbines are:
 - painted off white/grey, unless otherwise agreed by the Secretary; and
 - finished with a surface treatment that minimises the potential for glare and reflection;
 - ensure the visual appearance of all ancillary infrastructure (including paint colours), blends in as far as possible with the surrounding landscape; and
 - not mount any advertising signs or logos on wind turbines or ancillary infrastructure.

Lighting

5. The Applicant must:
- minimise the off-site lighting impacts of the development;
 - ensure that any aviation hazard lighting complies with CASA's requirements;
 - ensure that any aviation hazard lighting design includes all reasonable and feasible measures to minimise visual impact (such as being partially shielded, only operating at night and at times of reduced visibility, and turned on and off simultaneously), provided these measures are determined in consultation with CASA, do not compromise the lightings operational effectiveness, and are consistent with condition 5(b);
 - ensure that all external lighting associated with the development (apart from any aviation hazard and construction 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 AS 4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

Shadow Flicker

6. The Applicant must ensure that shadow flicker from operational wind turbines does not exceed 30 hours per year at any non-associated residence.

NOISE

Construction & Decommissioning Noise

7. The Applicant must:
- minimise the construction or decommissioning noise of the development, including any associated traffic noise; and
 - 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 must 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 or decommissioning 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 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.

Blasting

9. The Applicant may only carry out blasting on site between 9 am and 5 pm Monday to Friday and between 8 am to 1 pm on Saturday. No blasting is allowed on Sundays or public holidays.

10. The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 3.

Table 3: 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 rolling period of 12 months

Operational Noise Criteria – Wind Turbines

11. The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 4 at any non-associated residence.

Table 4: Noise criteria dB(A)

Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)							
	5	6	7	8	9	10	11	12
R1	35	35	36	37	39	41	43	46
R6, R7, R8, R9, R10,	35	35	35	35	35	37	38	40
R11	35	35	35	35	37	39	41	44
R17, R19, R20, R22	36	36	36	37	38	39	40	42
R26, R29, R38	35	35	35	35	35	35	35	35
R40, R65	35	35	35	35	35	35	37	40
R45, R170	35	35	35	35	35	37	40	42
R47, R48	35	35	35	35	35	36	38	40
R50, R53, R324	35	35	35	35	35	37	39	41
R56	35	35	35	35	36	38	40	41
R63	36	37	38	39	41	42	44	45
All other non-associated residences	The higher of 35 dB(A) or the existing background noise level (LA90 (10-minute)) plus 5 dB(A)							

Note: To identify the residences referred to in Table 4, see the applicable figure 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 4. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.

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.

Operational Noise Criteria – Ancillary Infrastructure

12. The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) LAeq(15 minute) at any non-associated residence.

Noise generated by the development is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (or its equivalent) as modified by the provisions in Appendix 4.

Operational Noise Monitoring

13. Within 6 months of the commencement of operations, the Applicant must:
- 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 must undertake further noise monitoring of the development if required by the Secretary.

AIR

15. The Applicant must:
- (a) minimise the off-site dust, fume and blast emissions of the development; and
 - (b) minimise the surface disturbance of the site.

SOIL & WATER

Water Supply

16. The Applicant must ensure that it has sufficient water for all stages of the development; and if necessary, adjust the scale of the development to match its available water supply.

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 must comply with Section 120 of the POEO Act.

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

Operating Conditions

18. The Applicant must:
- (a) ensure the wind turbines and ancillary infrastructure, particularly any access roads on steep slopes, are designed, constructed and maintained to minimise any soil erosion;
 - (b) minimise any soil erosion associated with the construction and decommissioning of the development by implementing the relevant mitigation measures in *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004), or its latest version;
 - (c) ensure all waterway crossings are constructed in accordance with the:
 - *Water Guidelines for Controlled Activities on Waterfront Land (2012)*, or its latest version; and
 - *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004)*, or its latest version;
 - (d) store and handle all dangerous or hazardous materials on site in accordance with *AS1940-2004: The storage and handling of flammable and combustible liquids*, or its latest version;
 - (e) ensure the concrete batching plants and substation are suitably bunded; and
 - (f) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.

BIODIVERSITY

Restrictions on Clearing and Habitat

19. The Applicant must:
- (a) ensure that no more than 50.2 hectares of the Box Gum Woodland EEC, including Box Gum Woodland derived grassland, is cleared for the development, unless the Secretary agrees otherwise;
 - (b) avoid impacts to the Crimson Spider Orchid (*Caladenia concolor*) and Southern Pygmy Perch (*Nannoperca australis*);
 - (c) minimise:
 - the impacts of the development on hollow-bearing trees and termite mounds;
 - the impacts of the development on threatened bird and bat populations; and
 - the clearing of native vegetation and key habitat within the approved disturbance footprint.

Biodiversity Offset

20. Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must:
- (a) update the baseline mapping of the vegetation and key habitat within the final disturbance area; and
 - (b) calculate the biodiversity offset credit liabilities for the development in accordance with the *Framework for Biodiversity Assessment* under the *NSW Biodiversity Offset Policy for Major projects*, in consultation with OEH, and to the satisfaction of the Department.

21. Within 2 years of the commencement of construction, unless the Secretary agrees otherwise, the Applicant must retire the required biodiversity credits, to the satisfaction of OEH.

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

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

Biodiversity Management Plan

22. Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:

- (a) be prepared in consultation with OEH; and
- (b) include:
 - a description of the measures that would be implemented for:
 - minimising the amount of native vegetation clearing within the approved development footprint;
 - minimising the loss of key fauna habitat, including tree hollows and termite mounds;
 - minimising the impacts on fauna on site, including undertaking pre-clearance surveys;
 - minimising the potential indirect impacts on threatened:
 - flora species, including the Crimson Spider Orchid (*Caladenia concolor*); and
 - fauna species, including the Southern Pygmy Perch (*Nannoperca australis*), Golden Sun Moth (*Synemon plana*) and Superb Parrot (*Polytelis swainsonii*);
 - rehabilitating and revegetating temporary disturbance areas;
 - protecting native vegetation and key fauna habitat outside the approved disturbance area;
 - maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;
 - collecting and propagating seed (where relevant);
 - controlling weeds and feral pests;
 - controlling erosion; and
 - bushfire management;
 - a detailed program to monitor and report on the effectiveness of these measures.

Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.

Bird and Bat Adaptive Management Plan

23. Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with OEH, and to the satisfaction of the Secretary. This plan must include:

- (a) at least 12 months' worth of baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could be affected by the development;
- (b) a detailed description of the measures that would be implemented on site for minimising bird and bat strike during operation of the development, including:
 - minimising the availability of raptor perches;
 - prompt carcass removal;
 - controlling pests; and
 - using best practice methods for bat deterrence, including managing potential lighting impacts;
- (c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations;
- (d) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird and/or bat species or populations; including the implementation of measures to:
 - reduce the mortality of those species or populations; or
 - enhance and propagate those species or populations in the locality; and
- (e) a detailed program to monitor and report on the effectiveness of these measures, and any bird and bat strikes on site.

Following the Secretary's approval, the Applicant must implement the Bird and Bat Adaptive Management Plan.

HERITAGE

Protection of Aboriginal Heritage Items

24. The Applicant must:
- ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 in Appendix 5, or located outside the approved disturbance area;
 - minimise any impacts on the Aboriginal heritage items identified in Table 2 in Appendix 5; and
 - minimise any impacts on the Aboriginal heritage items identified in Table 3 in Appendix 5, and carry out detailed test excavations and salvage of potential archaeological deposits at these sites if impacts cannot be avoided.

Note: The locations of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 5.

Heritage Management Plan

25. Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;
 - be prepared in consultation with OEH and Aboriginal stakeholders;
 - include updated baseline mapping of the heritage items within and adjoining the development disturbance area;
 - include a description of the measures that would be implemented for:
 - protecting Aboriginal heritage items outside the project disturbance area;
 - minimising and managing the impacts of the development on heritage items within the disturbance area, including:
 - test excavations and salvage (if required) at the Aboriginal heritage items identified in Table 3 in Appendix 5; and
 - a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works;
 - a contingency plan and reporting procedure if:
 - Aboriginal heritage items outside the approved disturbance area are damaged;
 - previously unidentified Aboriginal heritage items are found; or
 - Aboriginal skeletal material is discovered;
 - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
 - ongoing consultation with Aboriginal stakeholders during the implementation of the plan;
 - a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.

TRANSPORT

Designated Heavy and Over-Dimensional Vehicle Routes

26. The Applicant must ensure that all over-dimensional and heavy vehicle access to and from the site is via the designated routes identified in the figures in Appendix 7, unless the applicable roads authority agrees otherwise.

Notes:

- The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.*
- To avoid any doubt, this consent does not allow the use of Banks Street, Blakney Creek South Road, Cemetery Drive, Cook Streets, Dirthole Creek Road, High Rock Road and Lagoon Creek Road as over-dimensional or heavy vehicle access routes.*
- To avoid any doubt, this consent does not allow the use of site access points 1 and 9 identified in the EIS.*

Road Upgrades

27. The Applicant must implement the road upgrades identified in Appendix 6 in accordance with the relevant timing requirements, to the satisfaction of the relevant roads authority.

If there is a dispute about the road upgrades to be implemented, or the implementation of these upgrades, then either party may refer the matter to the Secretary for resolution.

Road Maintenance

28. The Applicant must:
- (a) prepare a dilapidation survey of the designated over-dimensional and heavy vehicle route:
 - prior to the commencement of any construction or decommissioning works other than pre-construction minor works;
 - within 1 month of the completion of any construction or decommissioning works other than pre-construction minor works;
 - (b) rehabilitate and/or make good any development-related damage:
 - identified during the carrying out of the relevant construction and/or decommissioning works if it could endanger road safety, as soon as possible after the damage is identified but within 7 days at the latest; and
 - identified during any dilapidation survey carried out following the completion of the relevant construction and/or decommissioning works within 2 months of the completion of the survey, unless the relevant roads authority agrees otherwise,
- to the satisfaction of the relevant roads authority.

If the construction and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of construction and/or decommissioning.

If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.

Unformed Crown Roads

29. The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with the NSW Department of Industry - Lands.

Traffic Management Plan

30. Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and the Councils, and to the satisfaction of the Secretary. This plan must:
- (a) detail the measures that would be implemented to:
 - minimise the traffic safety impacts of the development and disruptions to local road users during the construction and decommissioning of the development, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about development-related traffic impacts;
 - minimising potential conflict between development-related traffic and:
 - rail services;
 - stock movements; and
 - school buses, in consultation with local schools;
 - ensuring development-related traffic does not track dirt onto the public road network;
 - ensuring loaded vehicles entering or leaving the site have their loads covered or contained;
 - providing sufficient parking on site for all development-related traffic;
 - responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and
 - a traffic management system for managing over-dimensional vehicles;
 - comply with the traffic conditions in this consent;
 - (b) include a drivers code of conduct that addresses:
 - travelling speeds;
 - procedures to ensure that drivers to and from the development adhere to the designated over-dimensional and heavy vehicle routes; and
 - procedures to ensure that drivers to and from the development implement safe driving practices, particularly if using local roads through Boorowa, Jerrawa, Rye Park and Yass;
 - (c) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct.

Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.

AVIATION

Notification of Aviation Authorities

31. Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities):
 - (a) co-ordinates in latitude and longitude of each wind turbine and mast;
 - (b) the final height of each wind turbine and mast in Australian Height Datum;
 - (c) ground level at the base of each wind turbine and mast in Australian Height Datum; and
 - (d) details of any proposed aviation hazard lighting.
32. Within 30 days of the practical completion of the construction of any wind turbine or mast, the Applicant must:
 - (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or
 - (b) update the information previously provided.

RADIOCOMMUNICATIONS

33. If the development results in the disruption to any radiocommunications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services as soon as possible following the disruption, but no later than 1 month following the disruption of the service unless the relevant service provider or user or Secretary agrees otherwise.

If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.

BUSHFIRE

34. The Applicant must:
 - (a) ensure that the development:
 - provides for asset protection in accordance with the RFS's *Planning for Bushfire Protection 2006* (or equivalent); and
 - is suitably equipped to respond to any fires on site;
 - (b) develop procedures to manage potential fires on site, in consultation with the RFS; and
 - (c) assist the RFS and emergency services as much as possible if there is a fire in the vicinity of the site.

SAFETY

35. The Applicant must:
 - (a) prepare a Safety Management System for the development in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'* prior to commissioning any wind turbines on site; and
 - (b) implement, and if necessary update, the system over the remaining life of the development.

WASTE

36. The Applicant must:
 - (a) minimise the waste generated by the development;
 - (b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - (c) store and handle all waste generated on site in accordance with its classification;
 - (d) not receive or dispose of any waste on site; and
 - (e) ensure all waste is disposed of at appropriately licensed waste facilities.

REHABILITATION & DECOMMISSIONING

Rehabilitation Objectives - Decommissioning

37. Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 7.

Table 7: Rehabilitation Objectives

Feature	Objective
Development site (as a whole)	<ul style="list-style-type: none">• 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	<ul style="list-style-type: none">• Restore native vegetation generally as identified in the EIS
Above ground wind turbine infrastructure (excluding wind turbine pads)	<ul style="list-style-type: none">• To be decommissioned and removed, unless the Secretary agrees otherwise
Wind turbine pads	<ul style="list-style-type: none">• To be covered with soil and/or rock and revegetated
Above ground ancillary infrastructure	<ul style="list-style-type: none">• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary
Internal access roads	<ul style="list-style-type: none">• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary
Land use	<ul style="list-style-type: none">• Restore or maintain land capability as described in the EIS
Community	<ul style="list-style-type: none">• Ensure public safety

Progressive Rehabilitation

38. The Applicant must:
- (a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning;
 - (b) minimise the total area exposed at any time; and
 - (c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.

Dismantling of Wind Turbines

39. 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 ADDITIONAL PROCEDURES

NOTIFICATION OF LAND OWNERS

1. Prior to the commencement of construction, the Applicant must notify the owners of:
 - (a) the land listed in Table 1 of the conditions of this consent of their rights under condition 1 of schedule 3; and
 - (b) any non-associated residence within 4 km of any approved wind turbine of their rights under condition 3 of schedule 3.

LAND ACQUISITION

2. Within 3 months of receiving a written request from an owner with acquisition rights, the Applicant must make a binding written offer to the owner based on:
 - (a) the current market value of the owner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable environmental planning instruments at the date of the written request; and
 - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the owner's written request, and is due to be completed subsequent to that date, but excluding any improvements or reasonable costs that have resulted from the implementation of the visual impact mitigation measures in condition 2 of schedule 3;
 - (b) the reasonable costs associated with:
 - relocating within the Hilltops, Upper Lachlan or Yass Valley local government areas, or to any other local government area determined by the Secretary; and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired;
 - (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if after 1 month of the owner receiving the binding written offer above, the Applicant and owner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

Upon receiving such a request, the Secretary must request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in 2(a) to (c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to:

- the matters referred to in 2(a) to (c) above,
- the independent valuer's report,
- the detailed report of the party that disputes the independent valuer's determination,
- whether an adjustment to the market value of the land since the independent valuation was completed is warranted; and
- any other relevant submissions.

Within 14 days of this determination, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the Secretary's determination.

If the owner refuses to accept the Applicant's binding written offer under this condition within 3 months of the offer being made, unless the Secretary determines otherwise, then the Applicant's obligations to acquire the land shall cease.

3. The Applicant must pay all reasonable costs associated with the land acquisition process described in condition 2 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

SCHEDULE 5 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (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, including a table summarising all the monitoring and reporting obligations under the conditions of this consent.

Following the Secretary's approval, the Applicant must implement the Environmental Management Strategy.

Revision of Strategies, Plans and Programs

2. Within 3 months of the submission of:
 - (a) an incident report under condition 5 below;
 - (b) an audit report under condition 7 below; or
 - (c) any modification to the conditions of this consent (unless the conditions require otherwise),the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval.

Notes: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.

Community Consultative Committee

3. The Applicant must:
 - (a) establish a Community Consultative Committee for the development prior to the commencement of construction; and
 - (b) operate this Committee following establishment, to the satisfaction of the Secretary and in accordance with the *Community Consultative Committee Guidelines for State Significant Project (2016)*, or its latest version.

REPORTING

Incident Reporting

4. The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

5. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

AUDITING

6. Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
- be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - include consultation with the relevant agencies;
 - assess the environmental performance of the development and assess whether it is complying with the requirements in this consent and any relevant EPL/s;
 - review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and
 - recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under these approvals.

Notes:

- This audit team must be led by a suitably qualified auditor and/or experts in any other fields specified by the Secretary.*
- The Department's Independent Audit Guideline for State Significant Development provides an audit and reporting framework for the independent audit that will guide compliance with this condition.*

7. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required.
8. The Applicant must implement these recommendations to the satisfaction of the Secretary.

ACCESS TO INFORMATION

9. The Applicant must:
- make the following information publicly available on its website as relevant to the stage of the development:
 - the EIS;
 - 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;
 - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
 - keep this information up to date, to the satisfaction of the Secretary.
-

**APPENDIX 1
SCHEDULE OF LAND**

Lot	DP
145	754136
201	754102
98	754102
16	754102
92	754102
2	232571
167	754102
56	754102
12	754102
23	754102
22	754102
90	754102
165	754102
117	754102
91	754102
178	754102
29	754102
4	1066057
92	754136
88	754136
162	754136
149	754136
89	754136
59	754102
47	754102
57	754102
58	754102
40	754102
1	721380
133	754136
117	754136
95	754136
41	754102
102	754102
48	754102
18	754136
123	754136
166	754102
15	754136
56	754136
55	754136
96	754136
137	754136
103	754136
63	754136
47	754136
48	754136
46	754136
153	754136
152	754136
269	754142
235	754145
210	118333

Lot	DP
249	754145
2	1180139
179	754102
142	754136
160	754136
72	754136
110	754136
185	754102
156	754102
203	754102
131	754136
2	601586
157	754102
147	754136
35	754102
127	754136
B	417584
A	417584
1	1180139
61	754136
81	754136
91	754136
62	754136
108	754136
17	754136
34	754136
2	222985
281	754142
94	754136
82	754136
93	754136
107	754099
229	754122
117	754099
F	418849
1	575206
178	754099
224	754122
222	754122
223	754122
155	754136
144	754136
3	1066057
2	1066057
257	754106
340	754106
143	754106
144	754106
338	754106
361	754106
295	754106
357	754106
337	754106

Lot	DP
257	754106
58	754099
59	754099
103	754099
104	754099
92	754099
105	754099
48	754099
209	754122
339	754106
341	754106
32	754122
70	754102
71	754102
134	754102
214	754145
79	754136
163	754136
126	754136
228	754122
80	754099
132	754099
75	754099
130	754099
108	754099
101	754099
131	754099
E	418849
63	754099
1	746015
129	754099
115	754099
102	754099
135	754136
240	754145
2	705655
78	754102
1	211320
175	754102
30	754102
202	754102
31	754102
60	754102
50	754102
54	754102
64	754102
176	754102
55	754102
120	754102
11	754102
177	754102
79	754102
161	754136

Lot	DP
158	754136
128	754136
80	754136
129	754136
181	754102
182	754102
132	754102
80	754102
133	754102
242	754145
143	754136
D	440134
150	754136
1	222985
140	754136
157	754136
71	754136
114	754136
113	754136
B	439287
239	754145
4	1186361
N	439287
250	754145

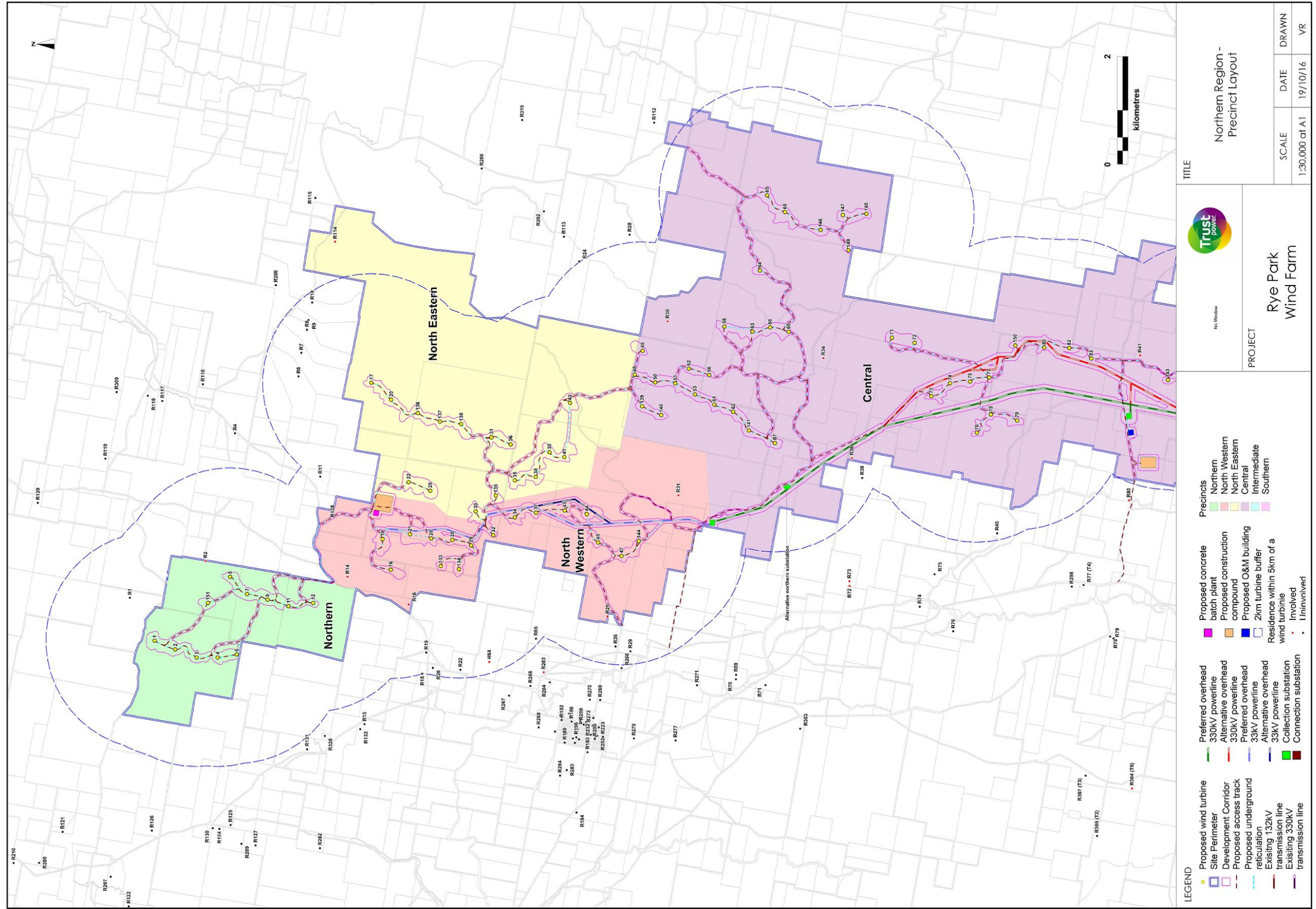
Note: Land parcels that are within the site boundary but are not included in the project site:

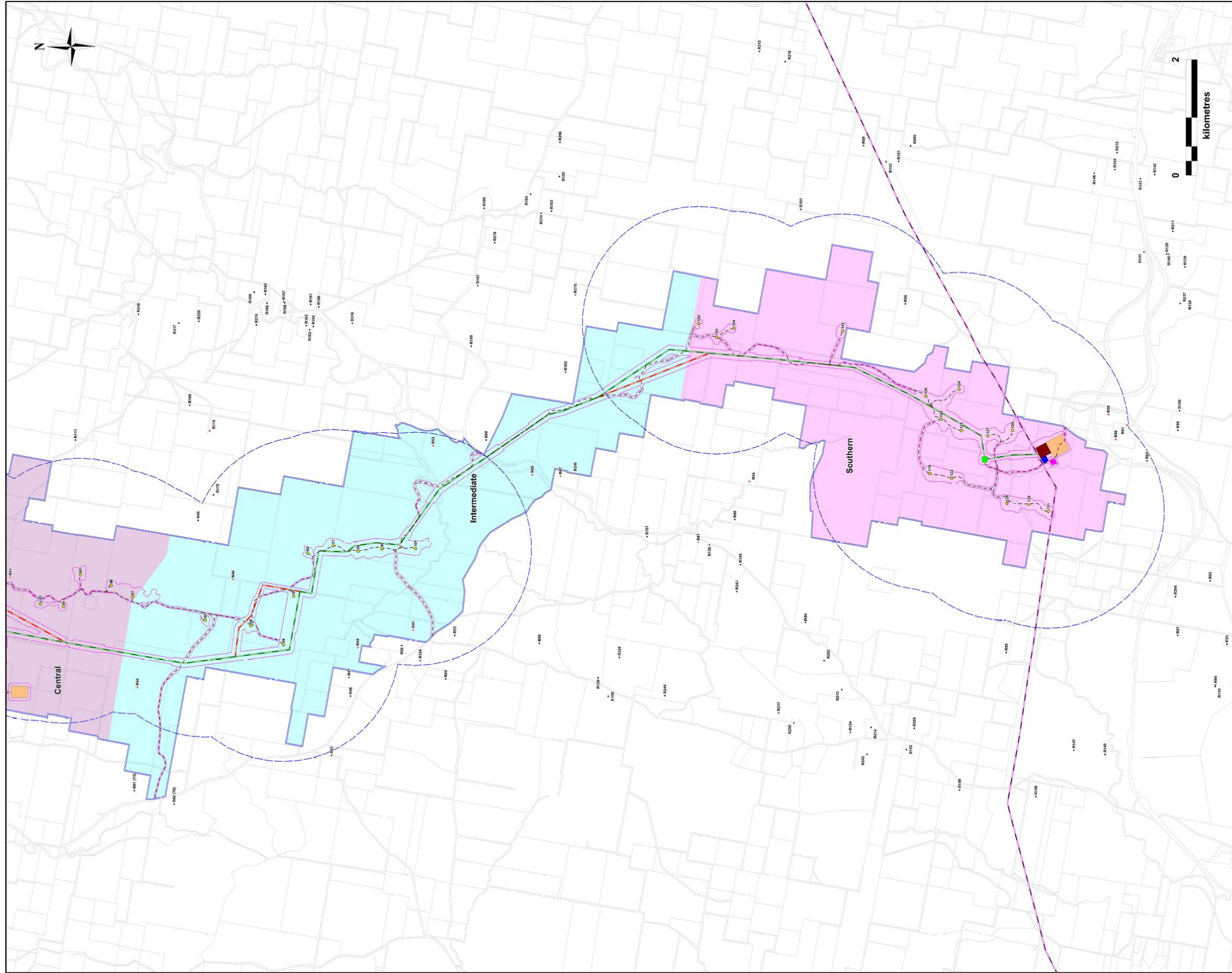
Lot	DP
7001	1026328
7301	1147658
7001	1033069
7002	1033069
7001	1026213
1	601586

The project site will also be taken to include:

- *any crown land, including road reserves, contained within the project site; and*
- *any land which is required for the road upgrades specified in Appendix 6.*

APPENDIX 2
DEVELOPMENT LAYOUT





LEGEND

- Proposed wind turbine
- Site perimeter
- Development Corridor
- Proposed access track
- Proposed underground reticulation
- Existing 132kV
- Existing 330kV
- Transmission line
- Preferred overhead 330kV powerline
- Alternative overhead 330kV powerline
- Preferred overhead 33kV powerline
- Alternative overhead 33kV powerline
- Collection substation
- Connection substation
- Proposed concrete batch plant
- Proposed construction compound
- Proposed O&M building
- 26m turbine buffer
- Residence within 5km of a wind turbine
- Involvement
- Uninvolved

Precincts

- Northern
- North Western
- North Eastern
- Central
- Intermediate
- Southern

PROJECT

Rye Park Wind Farm

TITLE

Southern Region - Precinct Layout

SCALE

1:20,000 at A0

DATE

28/10/16

DRAWN

VR

Wind Turbine ID	Coordinates	
	Easting	Northing
1	676629	6186672
2	676471	6186291
3	676320	6185897
4	676320	6185509
5	677805	6185279
6	676377	6185158
7	677490	6184967
9	677384	6184591
11	677266	6184203
12	677322	6183750
17	681368	6182678
18	678502	6182471
20	681054	6182312
21	678588	6181965
22	679549	6181989
25	679389	6181591
26	678511	6181575
28	678484	6181184
30	679009	6180754
31	680367	6180463
32	678570	6180428
34	678899	6180032
35	679581	6180032
36	680242	6180109
37	678987	6179642
38	679645	6179648
39	680098	6179394
41	680008	6179119
42	680994	6179015
43	679027	6179114
48	681515	6177825
49	681955	6177678
50	681372	6177446
51	681355	6177078
52	681625	6176824
53	681153	6176713
56	681509	6176441
58	682400	6176161
61	680965	6176347
62	680830	6175999

Wind Turbine ID	Coordinates	
	Easting	Northing
63	682309	6175,645
64	683431	6175,508
65	684812	6175374
66	682384	6175319
67	680267	6175231
68	684506	6175044
69	682302	6174979
71	682195	6173075
72	682099	6172655
73	681120	6172346
74	681358	6172003
75	681388	6171634
76	680446	6171508
77	681464	6171283
78	680782	6171250
79	680673	6170767
80	682014	6170267
82	682004	6169806
83	681810	6169398
84	681373	6167591
85	681917	6167300
86	681730	6166773
87	681536	6166404
102	686233	6156685
103	685997	6156377
104	686150	6156084
119	683654	6152722
120	684987	6152789
122	683572	6152343
124	685103	6152217
125	684396	6152175
127	684307	6151723
128	683138	6151393
129	684402	6151298
130	683127	6151016
131	683001	6150684
135	679301	6180383
136	680809	6181821
137	680652	6181414
138	680607	6181022

Wind Turbine ID	Coordinates	
	Easting	Northing
139	680934	6177688
140	680771	6177337
141	680488	6175710
142	684592	6152523
143	681415	6167988
145	686104	6154215
146	684178	6174388
147	684451	6173978
148	684474	6173545
149	683804	6173875
150	682052	6170803
151	677325	6185689

Notes: Coordinate system is UTM
WGS84 H44

**APPENDIX 3
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>
Hilltops Council	\$2,500 (adjusted annually to increases in the CPI) per wind turbine built per annum within the Hilltops 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, with a proportion (not less than 20%) allocated to local education assistance.
Upper Lachlan Shire Council	\$2,500 (adjusted annually to increases in the CPI) per wind turbine built per annum within the Upper Lachlan 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, with a proportion (not less than 20%) allocated to local education assistance.
Yass Valley Council	\$2,500 (adjusted annually to increases in the CPI) per wind turbine built per annum 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, with a proportion (not less than 20%) allocated to local education assistance.

APPENDIX 4 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 12 of schedule 3 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 5
ABORIGINAL HERITAGE ITEMS**

Table 1: Aboriginal heritage items – avoid impacts

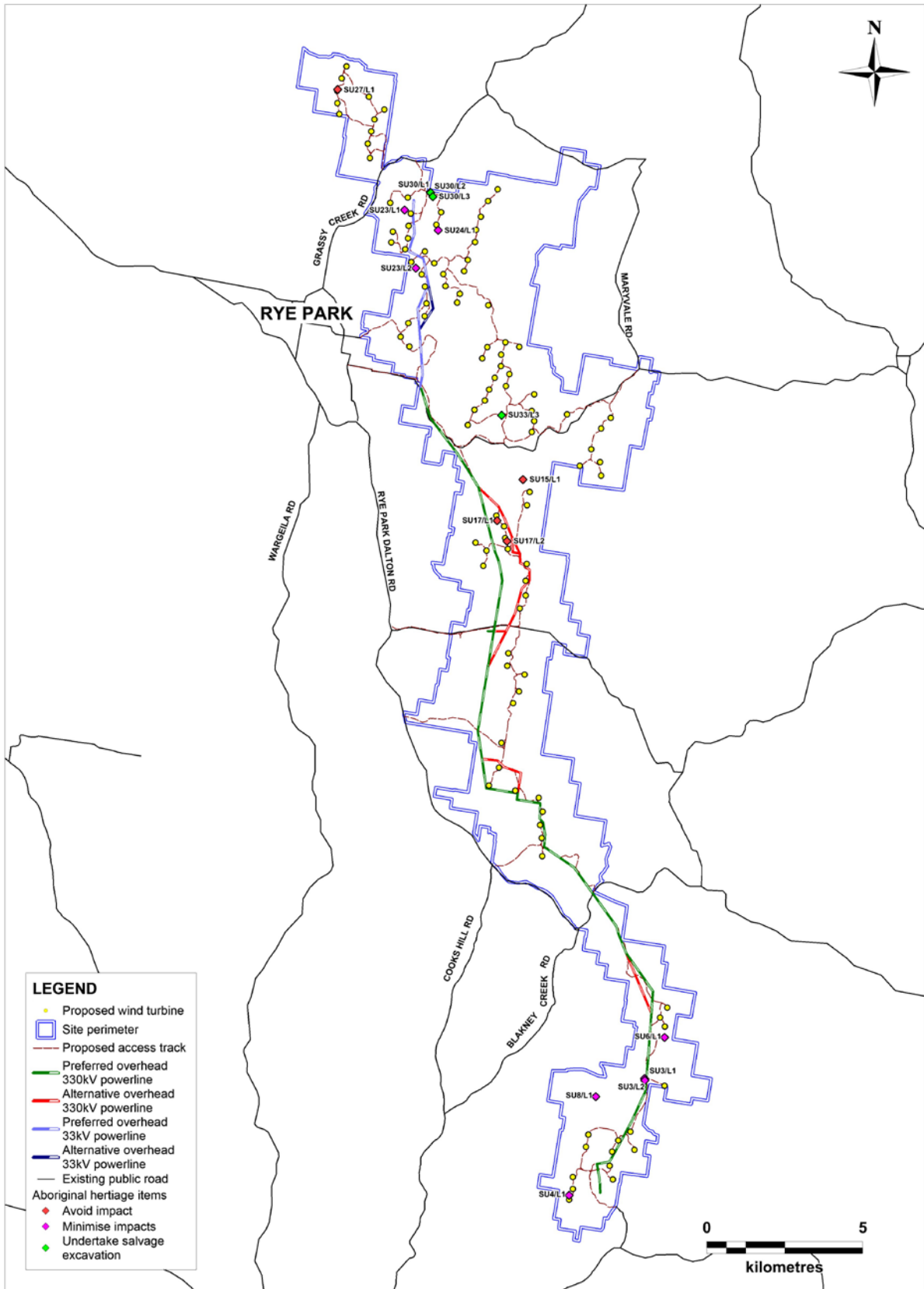
Survey Unit	Item
SU15	SU15/L1
SU17	SU17/L1, SU17/L2
SU27	SU27/L1

Table 2: Aboriginal heritage items – minimise impacts

Survey Unit	Item
SU3	SU3/L1, SU3/L2
SU4	SU4/L1
SU6	SU6/L1
SU8	SU8/L1
SU23	SU23/L1, SU23/L2
SU24	SU24/L1

Table 2: Aboriginal heritage items – undertake salvage excavations

Survey Unit	Item
SU30	SU30/L1, SU30/L2, SU30/L3
SU33	SU33/L3



**APPENDIX 6
SCHEDULE OF ROAD UPGRADES**

Road / Intersection	Start – End	Length (km)	Upgrade	Timing
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
Trucking Yard Road	Lachlan Valley Way to Dillon Street	0.66	Widen and strengthen pavement as necessary to proposed sealed standard. Widen causeway as necessary.	Prior to commencing the use of Trucking Yard Road for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Dillon Street	Trucking Yard Road to Long Street	0.99	Widen and strengthen pavement as necessary to proposed sealed standard.	Prior to commencing the use of Dillon Street for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Long Street	Dillon Street to Boorowa Rye Park Road	1.1	Widen and strengthen pavement as necessary to proposed sealed standard.	Prior to commencing the use of Long Street for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Boorowa Rye Park Road	Long Street to Yass Street	19.4	Widen and strengthen pavement as necessary to proposed sealed standard. Upgrade bridge over Dirthole Creek as necessary.	Prior to commencing the use of Boorowa Rye Park Road for any over-dimensional or heavy vehicle 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

Road / Intersection	Start – End	Length (km)	Upgrade	Timing
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
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
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
Cooks Hill Road	Faulder Avenue to Rye Park Dalton Road	18.3	Upgrade 2.6 km unsealed section within Upper Lachlan Shire Council to the proposed sealed standard. Upgrade remainder of road which is already sealed as necessary.	Prior to commencing the use of Cooks Hill Road for any traffic associated with the construction of the development
Dillon Street / Long Street Intersection	-	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of the Dillon Street / Long Street intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development
Long Street / Boorowa Rye Park Road Intersection	-	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of the Long Street / Boorowa Rye Park Road intersection 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 over-dimensional vehicles.	Prior to commencing the use of the Boorowa Rye Park Road / Grassy Creek Road intersection 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

Road / Intersection	Start – End	Length (km)	Upgrade	Timing
Yass Street / Boorowa Rye Park Road Intersection	-	-	Upgrade as necessary within road reserve to allow access for over-dimensional vehicles.	Prior to commencing the use of Yass Street / Boorowa Rye Park Road intersection for any over-dimensional or heavy vehicle traffic associated with the construction of the development

Note: To identify the site access points, see the figures in Appendix 7.

APPENDIX 7 OVER-DIMENSIONAL AND HEAVY VEHICLE ACCESS ROUTES

