

APPENDIX B
UPDATED STATUTORY COMPLIANCE
TABLE

BOWMANS CREEK WIND FARM
Amendment Report



Table B1 Statutory Compliance Table

Aspect	Summary	Legislation
Power to grant approval	The Project is declared to be SSD	Schedule 1 of SRD SEPP
	The consent authority for SSD is the IPCN or Minister for Planning and Public Spaces	Section 4.5 of the EP&A Act Clause 8A of SRD SEPP
Permissibility	Electricity generating works are permissible on land in a prescribed rural zone	Clause 34 of the Infrastructure SEPP
	Infrastructure SEPP prevails over LEPs where there is an inconsistency	Clause 8 of the Infrastructure SEPP
Pre-conditions to granting of approval	An application for SSD must be accompanied by an EIS	Section 4.12 of the EP&A Act
	A development application for SSD must be placed on public exhibition for a minimum of 28 days	Schedule 1 of the EP&A Act
	Landowner's consent is required to lodge the application in respect of the Project	Clause 49 of the EP&A Regulation
	A BDAR must be prepared	Part 7 of the BC Act
Mandatory considerations	A preliminary hazard analysis is not required because the Project is not a potentially hazardous industry	Clause 13 of SEPP 33
	The consent authority must consider whether the land is core koala habitat or contains feed tree species	Clause 9 of Koala SEPP
	The consent authority must consider whether the land is contaminated	Clause 7 of SEPP 55
Other requirements	Duty to control the spread of noxious weeds and feral animals	Section 22 of the Biosecurity Act
	Duty to notify CASA of structures that are taller than 110 m	Regulation 139.365 of the CAS Regulation
Post Approvals	Development Consent	Division 4.7 of Part 4 of the EP&A Act
	Subdivision Works Certificate(s)	Division 2A of Part 8 of the EP&A Act
	An EPL is required for the Project due to meeting scheduled activity threshold. An EPL must be granted in accordance with Section 4.42 of the EP&A Act	Section 48 of the POEO Act Section 4.42 of the EP&A Act
	Consent of the Roads Authority is required for proposed upgrades to local roads. Consent must be granted in accordance with Section 4.42 of the EP&A Act	Section 138 of the Roads Act Section 4.42 of the EP&A Act
	Special purpose lease or special purpose licence is required to carry out development on Crown land	Section 5.30 of the CLM Act
	A 'bushfire safety authority' is required for subdivision of bushfire prone land	Section 100B of the RF Act
	Approval under the EPBC Act is required as the Project is declared to be a controlled action. The action is to be assessed via accredited assessment under the EP&A Act	Section 68 of the EPBC Act
	Required if final year greenhouse gas exceeds thresholds of the NGER Act. To be determined.	Section 13 Notification
	Management Plans and other conditions of consent. To be determined	If required by other licences and approvals