

Development Consent

Section 4.38 of the *Environmental Planning & Assessment Act 1979*

The Independent Planning Commission of NSW grants consent to the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, 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.



Richard Pearson (Chair)
Member of the Commission



Suellen Fitzgerald
Member of the Commission



Sarah Dinning
Member of the Commission

Sydney

11 June 2025

SCHEDULE 1

| | |
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| Application Number: | SSD 10461 |
| Applicant: | ACEN Australia |
| Consent Authority: | Independent Planning Commission of NSW |
| Land: | The land defined in Appendix 2 |
| Development: | Valley of the Winds Wind Farm |

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DEFINITIONS

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| Aboriginal stakeholders | Aboriginal stakeholders registered for cultural heritage consultation for the development |
| AG DCCEEW | The Australian Government Department of Climate Change, Energy, the Environment and Water |
| Accommodation Camp | Temporary onsite workforce accommodation facility as described in the EIS |
| Ancillary infrastructure | All project infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices and compounds, underground and overhead electricity transmission lines, accommodation camps, communication cables (including control cables and earthing), wind monitoring masts and internal roads. |
| Applicant | ACEN Australia, or any person who seeks to carry out the development approved under this consent |
| Battery storage | Large scale energy storage system |
| BCA | Building Code of Australia |
| BC Act | <i>Biodiversity Conservation Act 2016</i> |
| BDAR | The Biodiversity Development Assessment Report for the Valley of the Winds Wind Farm v3 dated 7 March 2025; and additional information provided by the Applicant to the Department dated 20 September 2024 |
| CASA | Civil Aviation Safety Authority |
| CCC | Community Consultative Committee |
| CEEC | Critically endangered ecological community, as defined under the BC Act or EPBC Act |
| Cessation of operations | Operation of the development has ceased for a continuous period of 12 months |
| Commissioning | The testing of the components, equipment and systems of the development following completion of construction, prior to operations commencing |
| Conditions of this consent | Conditions contained in schedules 1 to 2 inclusive |
| Construction | The construction of the development, including but not limited to, the carrying out of any quarrying activities and other earthworks on site, and the construction of any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network and pre-construction minor works) |
| Council | Warrumbungle Shire Council |
| CPHR | Conservation Programs, Heritage & Regulation Group within NSW Department of Climate Change, Energy, the Environment and Water (previously Biodiversity, Conservation and Science Directorate [BCS]) |
| CPI | Consumer Price Index |
| Curtilage | The land immediately surrounding any form of residential accommodation, including any courtyard, garden, yard and adjacent buildings or structures that are incidental to the accommodation |
| Decommissioning | The deconstruction and removal of wind turbines and above ground ancillary infrastructure |
| Demolition | The deconstruction and removal of buildings, sheds and other structures on the site |
| Department | Department of Planning, Housing and Infrastructure |
| Development | The development described in the EIS, as modified by the conditions of this consent |
| Development corridor | The corridor shown in Appendix 1 |
| Disturbance area | The disturbance area shown in Appendix 1 |
| DNG | Derived native grassland vegetation condition |
| DoD | Australian Government Department of Defence |
| DPIRD | Department of Primary Industries and Regional Development |
| EIS | The environmental impact statement for Valley of the Winds Wind Farm dated 28 April 2021, including the: <ul style="list-style-type: none"> • Submissions Report dated 27 October 2023, • Amendment Reports dated 27 October 2023 and 1 November 2024; and 24 January 2025 • additional information provided by the Applicant to the Department dated 5 April 2024, 18 June 2024 and 24 January 2025 • Preliminary Site Investigation, dated 9 May 2025 |
| EnergyCo | Energy Corporation of NSW |
| 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>Environmental Protection and Biodiversity Conservation Act 1999</i> |

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| EPL | Environment Protection Licence issued under the POEO Act |
| Feasible | Feasible relates to engineering considerations and what is practical to build or implement |
| FRNSW | Fire and Rescue NSW |
| GPS | Global Positioning System |
| Heavy vehicle | As defined by the <i>Heavy Vehicle National Law (NSW)</i> , excluding high-risk heavy vehicles requiring escort |
| Heavy vehicle requiring escort | Any vehicle that requires a pilot vehicle and/or escort vehicle, as defined by the National Heavy Vehicle Regulator's <i>NSW Class 1 Load Carrying Vehicle Operator's Guide</i> or an NSW exemption notice on the National Heavy Vehicle Regulator website. |
| High-risk heavy vehicle requiring escort | A vehicle under escort identified "high risk" as defined in Table 1 of TfNSW's <i>Fact Sheet for Transport Management Plan</i> (as amended) |
| Heritage Act | <i>Heritage Act 1977</i> |
| Heritage item | An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following: the <i>State Heritage Register under the Heritage Act 1977</i> , a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> , a Local Environmental Plan under the EP&A Act, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the EPBC Act, or anything identified as a heritage item under the conditions of this consent |
| Heritage NSW Incident | Heritage NSW Group within NSW DCCEEW An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance. |
| Land | Has the same meaning as the definition of the term in section 1.4 the EP&A Act, except for where the term is used in the noise and air quality conditions in Schedule 2 of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the NSW Lands Registry Office at the date of this consent |
| LGA | Local Government Area |
| Light vehicle | As defined by TfNSW's <i>Vehicle standards information sheet VSI 05 Light vehicle dimension limits Rev 6</i> (11 March 2015). |
| Material harm | Is harm that: <ul style="list-style-type: none"> involves actual to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment <p><i>Note: This definition excludes "harm" that is either authorised under this consent or any other statutory approval.</i></p> <p><i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i></p> |
| MW | Megawatt |
| Minimise | Implement all reasonable and feasible mitigation measures to reduce the impacts of the development |
| Minister | Minister for Planning and Public Spaces, or delegate |
| Mitigation | Activities associated with reducing the impacts of the development |
| Monitoring | Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act |
| Non-associated residence | Means: <ul style="list-style-type: none"> a residence on privately-owned land in respect of which the owner has not reached an agreement with the Applicant in relation to the development (as provided by this consent); or a residence on privately-owned land in respect of which the owner has reached an agreement with the Applicant in relation to the development (as provided by this consent), but the agreement does not cover the relevant impact or the performance measure for such impact under that agreement has been exceeded. |
| Non-compliance | An occurrence, set of circumstances or development that is a breach of this consent but is |

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| | not an incident |
| NSW DCCEEW | NSW Department of Climate Change, Energy, the Environment and Water |
| OLS | Obstacle Limitation Surface |
| Operation | The operation of the development, but does not include commissioning, trials of equipment or use of temporary facilities |
| PAD | Potential Archaeological Deposit |
| PCT | Plant Community Type held within the BioNet Vegetation Classification Database |
| Planning Secretary | Planning Secretary under the EP&A Act, or nominee |
| 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"> • surveys; • overhead line safety marking; • building and 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 consent) • installation of environmental impact mitigation measures, fencing, enabling works; • wind monitoring masts; and • construction of 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, irrigation channels, drainage channels, etc. |
| Quarrying activities | The extraction, processing, stockpiling and transportation of extractive materials on the site and the associated removal of vegetation, topsoil and overburden in accordance the EIS and the figures in Appendix 3. |
| Quarry sites | The quarries shown in Appendix 1 and Appendix 3 |
| 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 related 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 |
| Registered Aboriginal Parties | As described in the <i>National Parks and Wildlife Regulation 2009</i> |
| Residence | Existing or approved dwelling at the date of grant of this consent |
| RFS | NSW Rural Fire Service |
| Shadow flicker | The flickering effect caused by the intermittent shading of the sun by the rotating blades of the wind turbines |
| Site | As indicated by the red line on the figure in Appendix 1 and listed in Appendix 20 |
| Temporary facilities | Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, rock crushing facilities, concrete or asphalt batching plants, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces. |
| TfNSW | Transport for New South Wales |
| Upgrade | The replacement of wind turbines and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent |
| VPA | Voluntary Planning Agreement |
| Water Group | Water Group within NSW DCCEEW |
| Wind turbine | Turbines used for the generation of electricity by wind, including the tower, blades and associated components |

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, operation, rehabilitation or decommissioning of the development.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS; and
 - (d) generally in accordance with the Development Layout in Appendix 1
- A3. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:
- (a) any strategies, plans or correspondence that are submitted in accordance with this consent;
 - (b) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (c) the implementation of any actions or measures contained in any such document referred to in condition A3(a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS ON CONSENT

Total number of Wind Turbines

- A5. A maximum of 131 wind turbines may be constructed and operated on the site.

Wind Turbine Height

- A6. The maximum permitted height of any wind turbine (measured from above ground level to the blade tip height) is 250 metres.

Battery storage restriction

- A7. Unless the Planning Secretary agrees otherwise, the battery storage associated with the development must not exceed an energy storage capacity of 640 MWh.

Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in future.

Micro-siting Restrictions

- A8. Wind turbines and ancillary infrastructure may be micro-sited without further approval providing:
- (a) the surface disturbance remains within the development corridor (with the exception of wind monitoring masts) shown on the figures in Appendix 1;
 - (b) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix 1;
 - (c) the revised location of a wind turbine is at least 250 metres from a battery storage compound and 90m from any public road;
 - (d) the revised location of the blade tip of a wind turbine is at least 50 metres from the canopy of existing native vegetation; or where the proposed location of the blade tip of a wind turbine is already within 50 metres of the canopy of existing native vegetation, the revised location is not any closer to the existing native vegetation;
 - (e) the final location of a wind turbine is at least 200 metres from cliff lines;

- (f) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent; and
- (g) the wind monitoring masts are located within the development corridor where possible and their development would not result in any non-compliance with the conditions of this consent.

Quarrying activities

- A9. Quarrying activities must only be undertaken in the locations and dimensions shown in Appendix 3, and for the purposes of development, generally in accordance with the EIS.
- A10. Prior to the commencement of construction, the Applicant must:
 - (a) engage a registered surveyor to mark out the boundaries of the approved areas of extraction within the quarry sites (as set out in Appendix 3); and
 - (b) provide the Planning Secretary with a survey plan of such boundaries and their GPS coordinates.
- A11. The boundaries of the approved areas of extraction within the quarry sites must be clearly marked in a manner that allows them to be easily identified at all times during the carrying out of quarrying activities.

UPGRADING OF WIND TURBINES AND ANCILLARY INFRASTRUCTURE

- A12. The Applicant may upgrade the wind turbines and ancillary infrastructure on site provided these upgrades remain within the approved disturbance area.

Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

STRUCTURAL ADEQUACY

- A13. The Applicant must ensure that:
 - (a) 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
 - (b) 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 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.
- EP&A Development Certification and Fire Safety Regulation 2021 sets out the requirements for the certification of the development.

DEMOLITION

- A14. The Applicant must ensure that all demolition work on site is carried out in accordance with *Australian Standards AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A15. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
 - (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.

Note: 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

- A16. All plant and equipment used on site, or in connection with the development, must be:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

- A17. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and

management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

COMPLIANCE

- A18. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

EVIDENCE OF CONSULTATION

- A19. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

COMMUNITY CONSULTATIVE COMMITTEE

- A20. The Applicant must operate a Community Consultative Committee (CCC) for the development in accordance with the Department's *Community Consultative Committee Guideline: State Significant Projects (2023)*, or its latest version.

COMMUNITY ENHANCEMENT

- A21. Prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a Voluntary Planning Agreement (VPA) with Council in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) the terms of Warrumbungle Shire Council letter dated 28 February 2024 summarised in Appendix 4.

Note: Public notice of the VPA must be undertaken in accordance with EP&A Act and EP&A Reg.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

VISUAL

Visual Impact Mitigation

- B1. For a period of 7 years from the commencement of construction, the owner of any non-associated residence within 4.95 km of any wind turbine identified in the Final Layout Plan 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.

The mitigation measures must:

- (a) be reasonable and feasible;
- (b) be 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;
- (c) consider bushfire risk (including the provisions of *Planning for Bushfire Protection 2019*); and
- (d) be implemented within 12 months of receiving the written request, unless the Planning 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 Planning 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, it is recommended owners consider whether there is benefit in delaying such a request until the relevant wind turbines are visible from their residence or its curtilage.*

Visual Appearance

- B2. The Applicant must:
- (a) take all reasonable steps to minimise the off-site visual impacts of the development;
 - (b) ensure the wind turbines are:
 - (i) painted off white/grey, unless otherwise agreed by the Planning Secretary; and
 - (ii) 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 (except where required for safety or emergency purposes).

Lighting

- B3. The Applicant must:
- (a) consult with CASA, Siding Spring Observatory and DoD regarding night time obstacle lighting requirements, including the potential for the development to utilise aircraft detection lighting systems (ADLS) and, if required, ensure obstacle lights are energised during hours of darkness and in bush fire events in accordance with CASA's recommendations;
 - (b) minimise the off-site lighting impacts of the development;
 - (c) ensure that any aviation hazard lighting complies with CASA's recommendations;
 - (d) minimise the visual impacts of any aviation lighting by implementing measures including as appropriate in the circumstances:
 - (i) partial shielding of lights;
 - (ii) operating the lights only at night or during times of reduced visibility; and
 - (iii) turning the lights on and off simultaneously; and
 - (e) ensure that all external lighting associated with the development (apart from any aviation hazard lighting):
 - (i) is installed as low intensity lighting (except where required for safety or emergency purposes);
 - (ii) does not shine above the horizontal;
 - (iii) uses best management practice for bat deterrence; and
 - (iv) complies with Australian/New Zealand Standard AS/NZS 4282:2019: Control of Obtrusive Effects of Outdoor Lighting, or its latest version.

Shadow Flicker

- B4. The Applicant must ensure that shadow flicker associated with wind turbines does not exceed 30 hours per annum at any non-associated residence.

NOISE AND VIBRATION

Construction Hours

- B5. Road upgrades, construction, demolition, upgrading or decommissioning activities (excluding blasting) may only be undertaken between:
- (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays;
- unless the Planning Secretary agrees otherwise.

Exceptions to Construction Hours

- B6. The following activities may be carried out outside the hours specified in condition B5 above:
- (a) activities that are inaudible at non-associated residences;
 - (b) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or
 - (c) emergency work to avoid the loss of life, property or to prevent material harm to the environment.

Variation of Construction Hours

- B7. The hours of construction activities specified in condition B5 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:
- (a) considered on a case-by-case or activity-specific basis;
 - (b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
 - (c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been and will be undertaken;
 - (d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and
 - (e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECCW, 2009), or latest version.

Construction and Decommissioning

- B8. The Applicant must take all reasonable steps to minimise the noise generated by the development during construction, decommissioning and road upgrade works, including any associated traffic noise.
- B9. The Applicant must ensure that the noise generated by any construction, decommissioning or road upgrade works is managed in accordance with the requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009) (or its latest version).
- B10. The Applicant must comply with the following vibration limits:
- (a) vibration criteria established using *the Assessing vibration: a technical guideline* (DEC, 2006) (for human exposure);
 - (b) BS 7385 Part 2-1993 "*Evaluation and measurement for vibration in buildings Part 2*" as they are "applicable to Australian conditions"; and
 - (c) vibration limits set out in the German Standard DIN 4150-3: Structural Vibration – effects of vibration on structures (for structural damage).

Property Investigations

- B11. If the landowner of any non-associated receiver within 2 kilometres of any approved extraction area on the site, claims in writing that buildings or structures on their land have been damaged as a result of blasting on the site, then within 2 months of receiving this written claim the Applicant must:
- (a) commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate the claim; and
 - (b) give the landowner a copy of the property investigation report.

If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant must repair the damage to the satisfaction of the Planning Secretary. If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Planning Secretary for resolution.

Blasting

- B12. Blasting may only be carried out on site between 9 am and 5 pm Monday to Friday and between 9 am to 1 pm on Saturday. No blasting is allowed on Sundays or NSW public holidays.
- B13. The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 1.

Table 1 | 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 |

Blasting Frequency

- B14. The Applicant may carry out a maximum of 1 blast per day and 2 blasts in every fourteen days during quarrying operations.
- B15. Condition B14 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any non-associated receiver, or to blast misfires or to blasts required to ensure the safety of the quarries, its workers or the general public.

Notes:

- For the purposes of this conditions, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of a quarry.
- For avoidance of doubt, should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast.

Operating Conditions – Blasting

- B16. During blasting operations, the Applicant must:
- take all reasonable steps to:
 - ensure the safety of people and livestock from blasting impacts of the development;
 - protect public or private infrastructure and property in the vicinity of the site from blasting damage associated with the development; and
 - minimise blast-related dust and fume emissions;
 - operate a suitable system to enable members of the public to get up-to-date information on the proposed blasting schedule on the site, including regular updates provided on the Applicant's website and a system which allows the public to register for email updates;
 - implement a protocol for investigating and responding to blast-related complaints;
 - identify any blast-related exceedance, incident or non-compliance and notify the Department and relevant stakeholders of these events; and
 - carry out regular blast monitoring to determine whether the development is complying with the relevant conditions of this consent.

Operational Noise Criteria – Wind Turbines

- B17. The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the higher of 35 dB(A) or the existing background noise level (LA90 (10-minute)) plus 5 dB(A) for each integer wind speed, measured at hub height, from cut-in to rated wind turbine generator power, at any non-associated residence.

Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version). The noise generated by the operation of the wind turbines must also be adjusted for tonality and low frequency noise in accordance with the Department's *Wind Energy: Noise Assessment Bulletin* (2016) (or its latest version).

However, these criteria do not apply if the Applicant has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

Operational Noise Criteria – Ancillary Infrastructure

- B18. The noise generated by the operation of ancillary infrastructure must not exceed 35 dB(A) $L_{Aeq}(15 \text{ minute})$ at any non-associated residence.

Noise generated by the operation of ancillary infrastructure is to be measured in accordance with the relevant requirements of the *NSW Noise Policy for Industry* (2017) (or its equivalent).

Operational Noise Monitoring

- B19. Within 6 months of the commencement of operations (or the commencement of operation of a stage, if the development is to be staged), the Applicant must:
- (a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and
 - (b) submit a copy of the monitoring results to the Department and the EPA.
- B20. The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.

AIR

- B21. The Applicant must minimise dust, fumes and blast emissions generated by the development, including but not limited to measures ensuring:
- (a) activities are carried out on site in a manner that minimises dust generation, including emission of windblown and/or traffic generated dust within the site;
 - (b) surface area disturbance of the site is minimised;
 - (c) development-related vehicles;
 - (i) have any loads covered; and
 - (ii) minimise dirt being tracked onto the public road network; and
 - (d) water is sprayed on unsealed road within the site when practicable.

SOIL AND WATER

Water Supply

- B22. Prior to the commencement of any construction the Applicant is to prepare a Water Sourcing Plan in consultation with the Water Group which details:
- (a) the project's water requirements, including the water required for each stage of construction and all potable water needs;
 - (b) sources of water to be utilised;
 - (c) any licencing requirements pursuant to the *Water Act 1912* and/or *Water Management Act 2000* and timing of obtaining such licences;
 - (d) measures to mitigate excessive water consumption/use during construction;
 - (e) monitoring and reporting of bore water use; and
 - (f) measures and failsafe mechanising to be implemented should water sourcing availability change during construction;

The Applicant must implement the Water Sourcing Plan.

Water Pollution

- B23. 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.

Aquifer Interference

- B24. Prior to commencement of any construction, the Applicant must confirm whether the development would constitute aquifer interference based on the findings of groundwater characterisation to be undertaken at the site. If interaction with groundwater is expected to occur, the Applicant must prepare and submit a hydrogeological assessment under the NSW Aquifer Interference Policy 2012 to the Water Group and obtain any necessary aquifer interference approval(s) pursuant to the *Water Management Act 2000*.

Soil and Water Management Plan

- B25. Prior to commencing any construction, unless an environmental protection licence is already in place for the development, the Applicant must prepare and implement a Soil and Water Management Plan for the development in consultation with the Water Group. The plan must:

- (a) be prepared by a suitably qualified and experienced person;
- (b) include a soil erosion monitoring program to monitor impacts on the site, with results to be made available on the Applicant's website in accordance with condition C15;
- (c) include a description of the measures that would be implemented to achieve the objectives of condition B26;
- (d) include a program to monitor and report on the effectiveness of these measures; and
- (e) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

Operating Conditions

B26. The Applicant must:

- (a) minimise erosion and control sediment generation;
- (b) ensure the wind turbine pads, ancillary infrastructure, access roads and any other land disturbances have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with *Best Practice Erosion and Sediment Control* (IECA, 2008) and *Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads* (DECC, 2008), or their latest versions;
- (c) ensure all waterway crossings are constructed in accordance with the *Water Guidelines for Controlled Activities on Waterfront Land* (NRAR, 2018), unless Water Group agrees otherwise, and the *Policy and Guidelines for Fish Habitat Conservation and Management* (Update 2013) unless DPIRD Fisheries agrees otherwise;
- (d) ensure the concrete batching plants and substation are suitably bunded; and
- (e) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.

BIODIVERSITY

Vegetation Clearance

B27. The Applicant must not clear any native vegetation or fauna habitat located outside the development corridor.

Restrictions on Clearing and Habitat

B28. Unless the Planning Secretary agrees otherwise, the Applicant must:

- (a) ensure that the vegetation and habitat clearing limits specified in Tables 1 and 2 of Appendix 6 are not exceeded; and
- (b) minimise:
 - (i) the clearing of native vegetation and key habitat;
 - (ii) the impacts of the development on hollow-bearing trees; and
 - (iii) the impacts of the development on threatened bird and bat populations.

Biodiversity Offsets

B29. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must:

- (a) retire biodiversity credits of a number and class specified in Tables 1 and Table 2 of Appendix 6, unless the Planning Secretary approves, after consulting the DCCEEW Secretary, a different number and class determined in accordance with condition B30; and
- (b) retire the biodiversity credits specified in Tables 1 and 2 of Appendix 6 prior to carrying out any development that would impact on biodiversity values.

The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:

- (a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
- (b) making payments into an offset fund that has been developed by the NSW Government; or
- (c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.

B30. The Applicant can only seek a change to the number and class of biodiversity credits in B29 if in accordance with:

- (a) a reduction of impacts on biodiversity values within the previously assessed impact area in the BDAR; and/or
- (b) the results of further surveys undertaken for species with assumed presence in the BDAR; and

- (c) the revised calculation of biodiversity credits is in accordance with the biodiversity assessment method, and prepared by a person accredited to apply that method; and
- (d) the revised calculation is approved prior to the commencement of any works that will impact the biodiversity values requiring offsetting within the relevant staged impact area.

B31. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.

Biodiversity Management Plan

- B32. Prior to carrying out any development that could impact biodiversity values, unless the Planning Secretary agrees otherwise, the Applicant must prepare a Biodiversity Management Plan for the development, and to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced biodiversity expert/s in consultation with CPHR and AG DCCEEW;
 - (b) be prepared in accordance with the BDAR;
 - (c) include a description of the measures and timeframes that would be implemented for:
 - (i) ensuring the development does not adversely affect the native vegetation and habitat outside the disturbance footprint and ensure the restrictions on clearing in conditions B27 and B28 are met;
 - (ii) minimising the clearing of native vegetation and habitat within the disturbance footprint;
 - (iii) minimising impacts on entities at risk of a serious and irreversible impact (SAII), including securing land comprising 282 ha of Box Gum Woodland CEEC, in perpetuity, within a Conservation Agreement and/or Biodiversity Stewardship Agreement (over and above the relevant credit obligations) for the purpose of restoring, enhancing and protecting this vegetation;
 - (iv) minimising the impacts of the development on threatened flora and fauna species within the disturbance footprint and its surrounds, including the:
 - large-eared pied bat
 - large bent-winged bat
 - masked owl
 - barking owl
 - powerful owl
 - squirrel glider
 - pale-headed snake
 - (v) rehabilitating and revegetating temporary disturbance areas;
 - (vi) protecting native vegetation and key fauna habitat outside the approved disturbance area;
 - (vii) maximising the salvage of resources within the approved disturbance area – including vegetative and soil resources – for beneficial reuse (such as fauna habitat enhancement) during the rehabilitation and revegetation of the site;
 - (viii) collecting and propagating seed (where relevant);
 - (ix) controlling weeds and feral pests;
 - (x) controlling erosion; and
 - (xi) bushfire management;
 - (d) include a detailed program to monitor and report on the effectiveness of these measures; and
 - (e) include details of who would be responsible for monitoring, reviewing and implementing the plan.

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

Bird and Bat Adaptive Management Plan

- B33. 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 CPHR and AG DCCEEW, and to the satisfaction of the Planning Secretary. This plan must be prepared in accordance with the BDAR and 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, including additional at-height monitoring;
 - (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:
 - (i) minimising the availability of raptor perches on wind turbines;
 - (ii) prompt carcass removal;
 - (iii) controlling pests;
 - (iv) using best practice methods for bat deterrence, including managing potential lighting impacts; and
 - (v) a wind turbine curtailment strategy (if baseline monitoring indicates a significant risk of impact, and to be informed by baseline data);
 - (c) 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:
 - (i) a trigger action response plan to minimise potential impacts of the project;
 - (ii) the implementation of measures to:

- reduce the mortality of those species or populations; or
 - enhance and propagate those species or populations in the locality, where feasible; and
- (d) a detailed program to monitor and report on:
- (i) the effectiveness of these measures; and
 - (ii) any bird and bat strikes on site;
- (e) provisions for a copy of the monitoring program's methodology and results, including all raw data collected as part of the monitoring program to be published on the Applicant's website and submitted to CPHR and the Planning Secretary.

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

HERITAGE

Protection of Heritage Items

B34. The Applicant must:

- (a) ensure the development does not cause any direct or indirect impacts to Aboriginal heritage items identified in Table 1 of Appendix 7, historic heritage items identified in Table 3 of Appendix 7, and any items located outside the disturbance area;
- (b) implement all reasonable and feasible measures to avoid and minimise harm to Aboriginal heritage items identified in Table 2 of Appendix 7; and
- (c) salvage and relocate items that would be impacted to a suitable alternative location, in accordance with the Heritage Management Plan described in condition B35.

Note: The location of the heritage items referred to in this condition are shown in the figure in Appendix 7.

Heritage Management Plan

B35. Prior to carrying out any development that could directly or indirectly impact the heritage items identified in condition B33, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with Aboriginal stakeholders and reviewed by Heritage NSW;
- (c) provide an updated list of Aboriginal heritage items identified in condition B34 that would be protected and remain in-situ throughout construction and items that would be salvaged and relocated to suitable alternative locations;
- (d) include a justification where impacts to Aboriginal heritage items identified in condition B34(b) cannot be avoided;
- (e) include a description of the measures that would be implemented for:
 - (i) protecting heritage items in accordance with condition B34;
 - (ii) minimising and managing the impacts of the development on Aboriginal heritage items identified in condition B34(b) that cannot be avoided, including:
 - salvaging and relocating items to suitable alternative locations; and
 - a strategy for the long-term management of any Aboriginal items or material collected during the test excavation or salvage works;
 - (iii) a contingency plan and reporting procedure if:
 - heritage items outside the approved disturbance area are damaged;
 - previously unidentified heritage items are found; or
 - skeletal material is discovered;
 - (iv) 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
- (f) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

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

TRANSPORT

High-risk Heavy Vehicles Requiring Escort, Heavy Vehicles Requiring Escort and Heavy Vehicles Routes

B36. The Applicant must ensure that all high-risk heavy vehicles requiring escort, heavy vehicles requiring escort and heavy vehicles associated with the development access to and from the site via Selwyn Street, George Street,

Industrial Drive, Pacific Highway (Maitland Road), New England Highway, John Renshaw Drive, Hunter Expressway, New England Highway and:

- a) for vehicles with loads up to 5.6 m in height and 5.8 m in width: Golden Highway, Denman Road, Golden Highway and Black Stump Way; or
- b) for vehicles with loads between 5.6 m to 6.3 m in height and up to 5.8 m in width: Golden Highway, Denman Road, Bengalla Road, Wybong Road, Golden Highway and Black Stump Way;
- c) for high-risk heavy vehicles larger than 6.3 m in height or exceeding 5.8 m in width or blade length longer than 85 m, the route approved under the Transport Strategy in condition B40;

as identified in Figure 1 of Appendix 5 unless otherwise agreed by the Planning Secretary and in consultation with the relevant roads authority.

Note: 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.

Site Access

B37. Unless the Planning Secretary agrees otherwise, the Applicant must ensure that vehicles associated with the development access the site:

- (a) for light vehicles, via:
 - (i) Golden Highway and Black Stump Way (Mount Hope Cluster);
 - (ii) Golden Highway (west of Moorefield Road [east]) (Girragulang Road Cluster);
 - (iii) Golden Highway (between Merotherie Road and Blue Springs Road) (Leadville Cluster); and
 - (iv) Golden Highway, Black Stump Way and Moorefield Road (west) (Accommodation Camp and Girragulang Road Cluster);
- (b) for heavy vehicles, heavy vehicles requiring escort and high-risk heavy vehicles requiring escort, via:
 - (i) Golden Highway and Black Stump Way (Mount Hope Cluster);
 - (ii) Golden Highway (west of Moorefield Road [east]) (Girragulang Road Cluster); and
 - (iii) Golden Highway (between Merotherie Road and Blue Springs Road) (Leadville Cluster);

as identified in Figure 2 of Appendix 5 unless otherwise agreed by the Planning Secretary and in consultation with the relevant roads authority.

B38. All vehicles associated with the construction, operation, upgrading and decommissioning of the development must not use the sections of Neilrex Road, Sir Ivan Dougherty Drive, Wardens Road or Moorefield Road (east) shown on Figure 2 of Appendix 5 at any time except for emergency purposes, unless the Planning Secretary agrees otherwise.

Road Upgrades

B39. Unless the Planning Secretary agrees otherwise, the road upgrades identified in Table 1 and Figures 3a-3e of Appendix 5 must be implemented by the Applicant in accordance with the relevant timing requirements, to the satisfaction of the relevant roads authority.

Unless the relevant roads authority agrees otherwise, these upgrades must comply with the *Austroads Guide to Road Design* (as amended by TfNSW supplements) and be carried out 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 Planning Secretary for resolution.

Approvals and Upgrades for Heavy Vehicles Requiring Escort

B40. Prior to commencing transport of high-risk heavy vehicles requiring escort larger than 6.3 m in height or exceeding 5.8 m in width, or for blade length longer than 85m, the Applicant must prepare a Transport Strategy, in consultation with TfNSW and relevant Councils, to the satisfaction of the Planning Secretary. The Transport Strategy must demonstrate that any high-risk heavy vehicles requiring escort larger than 6.3 m in height or exceeding 5.8 m in width, or for blade length longer than 85m associated with the development, can be accommodated on the road network and have identified the relevant approvals pathways and timing of the approvals and upgrades.

Following the Planning Secretary's approval, the Applicant must implement the Transport Strategy.

B41. Prior to the use of high-risk heavy vehicles requiring escort on the public road network, all relevant approvals must be obtained and implemented (including for any road upgrades that may be required from port of origin to the Golden Highway and Black Stump Way Road intersection).

Road Maintenance

B42. The Applicant must, in consultation with the relevant Council:

- (a) undertake an independent dilapidation survey to assess the existing condition of Black Stump Way, Mount Hope Road, and Moorefield Road (west), along the access route and within the Project Site boundary as defined in the EIS, prior to construction, upgrading or decommissioning works; and
- (b) undertake an independent dilapidation survey one month following completion of construction, upgrading or decommissioning works, to assess the condition of the roads listed in condition B42(a) and describe the necessary repairs to return the route to a condition that is equivalent to, or better than, the existing condition identified in B42(a); and
- (c) repair and/or make good any development-related damage identified during:
 - (i) the carrying out of the relevant construction, upgrading 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
 - (ii) any dilapidation survey carried in accordance with condition B42(b) within 2 months of the completion of the survey, unless the relevant road authority agrees otherwise;

If there is a dispute between the Applicant and the relevant Council about the repair of the above listed roads, then either party may refer the matter to the Planning Secretary for resolution.

Operating Conditions

B43. The Applicant must ensure:

- (a) any new internal roads are constructed as all-weather roads;
- (b) any existing internal roads are maintained as all-weather roads;
- (c) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
- (d) the capacity of the existing roadside drainage network is not reduced;
- (e) any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with the DPHI Crown Lands;
- (f) any road upgrades that may affect watercourse crossings comply with the *Policy and Guidelines for Fish Habitat Conservation and Management* (2013), unless otherwise agreed with DPIRD Fisheries;
- (g) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
- (h) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.

Traffic Management Plan

B44. Prior to commencing road upgrades identified in condition B39, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, EnergyCo and Warrumbungle Shire Council, and to the satisfaction of the Planning Secretary. This plan must include:

- (a) details of the haulage route to be used for all development-related traffic;
- (b) details of the road upgrade works required by condition B39;
- (c) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - (i) details of the dilapidation surveys required by condition B42;
 - (ii) meeting the operating conditions required by condition B43;
 - (iii) all transport routes and traffic types to be used for development-related traffic;
 - (iv) temporary traffic controls, Austroads Guide to Traffic Management and relevant roads authority requirements;
 - (v) notifying the local community about development-related traffic impacts;
 - (vi) procedures for receiving and addressing complaints from the community about development related traffic;
 - (vii) minimising potential cumulative traffic impacts with other projects along the access route, including consultation and scheduling transportation of the development's turbines and all other construction materials with TfNSW and EnergyCo regarding their projects;
 - (viii) minimising potential conflict with rail services, stock movements, school buses and other road users as far as practicable, including preventing queuing on the public road network;
 - (ix) minimising dirt tracked onto the public road network from development-related traffic;
 - (x) details of the employee shuttle bus service (if proposed), including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to ensure employee use of this service as described in the EIS;
 - (xi) encouraging car-pooling or ride sharing by employees;
 - (xii) scheduling of haulage vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;
 - (xiii) ensuring loaded vehicles entering or leaving the site have their loads covered or contained;
 - (xiv) responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;

- (xv) responding to any emergency repair or maintenance requirements; and
- (xvi) a traffic management system for managing high risk heavy vehicles requiring escort.
- (d) a driver's code of conduct that addresses:
 - (i) driver fatigue;
 - (ii) procedures to ensure that drivers adhere to the identified transport routes and speed limits; and
 - (iii) procedures to ensure that drivers to implement safe driving practices; and
- (e) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct.

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

AVIATION

Mitigation of Aviation-Related Impacts

- B45. The Applicant must carry out the development in accordance with the *National Airports Safeguarding Framework Guideline D: Managing the Risk to Aviation Safety of Wind Turbine Installations (Wind Farms)/Wind Monitoring Towers*, or its latest version, unless the Secretary agrees otherwise.

Aviation Management Plan

- B46. Prior to commencement of construction, an Aviation Management Plan must be developed by an appropriately qualified expert in aviation safety in consultation with the Aerial Application Association of Australia, NSW Rural Fire Service and the operators of the Tongy Aerodrome and Turee Aerodrome as identified in the EIS, also taking into account any prior advice provided by CASA and Air Services Australia on the development. The Plan must include:
- (a) details of how the construction and operation of wind turbines and wind monitoring masts may impact on aerodrome operations;
 - (b) identification of turbines and wind monitoring masts with the potential to cause a hazard or impact on aerodrome operations, including final coordinates and height details;
 - (c) ongoing consultation with potentially impacted operators;
 - (d) procedures to ensure the continued ability to undertake aerial agriculture and aerial firefighting operations within the locality;
 - (e) procedures to ensure safe operations of aerodrome runways; and
 - (f) mitigation measures for the management of impacts and hazards to aircraft and aerodrome operations including any recommended restrictions on or variation to standard operating procedures for take-off, landing and flight circuits.

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

Notification of Aviation Authorities

- B47. Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, DoD 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;
 - (d) confirmation of compliance with any OLS; and
 - (e) details of any proposed aviation hazard lighting.
- B48. At least 7 months prior to the construction of turbine MH25, the Applicant must consult with Airservices Australia to secure a commercial agreement for amendments required to air route W-627. The Applicant must provide evidence to the Planning Secretary that the commercial agreement is in place. If an agreement cannot be secured, turbine MH25 must not be constructed and an amended project layout showing the removal of turbine MH25 be submitted to the Planning Secretary for approval.
- B49. Within 30 days of the practical completion 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

- B50. If the development results in the disruption to any radio communications 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 Planning 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 Planning Secretary for resolution.

HAZARDS

Location of the Battery Storage System

- B51. Unless otherwise agreed by the Planning Secretary, prior to commencing construction of the battery storage facility, and associated footings/foundations except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must:
- (a) demonstrate that the battery storage location and layout is consistent with the recommendations of the Preliminary Hazard Analysis (Sherpa Consulting, 04 July 2023); or
 - (b) justify if the location and layout of the battery storage is different from the recommendations of the Preliminary Hazard Analysis (Sherpa Consulting, 04 July 2023), that safety to the surrounding assets or land uses is still ensured.

Fire Safety Study

- B52. At least one month prior to commencing construction of the battery storage facility, and associated footings/foundations except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning.

Construction of the battery storage facility and associated footings/foundations (except for construction of those preliminary works that are outside the scope of the hazard studies) must not commence until the Fire Safety Study meets the requirements of FRNSW and approval has been given by the Planning Secretary. The study must:

- (a) be consistent with the Department's Hazardous Industry Planning and Advisory Paper No. 2 'Fire Safety Study' guideline; and FRNSW Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations;
- (b) describe the final design of the battery storage facility;
- (c) include reasonable worst-case bush fire scenario to and from the battery storage and the associated fire management;
- (d) identify measures to eliminate the expansion of any fire incident, including:
 - (i) adequate fire safety systems and appropriate water supply;
 - (ii) separation and/or compartmentalisation of battery units; and
 - (iii) strategies and incident control measures specific to the battery storage design.

Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.

Note: 'meets the requirements of FRNSW' above means confirmation in writing from FRNSW that the Study meets the requirements of FRNSW as required by the Department's Hazardous Industry Planning and Advisory Paper No. 2 'Fire Safety Study' guideline.

Gas Transmission Pipeline – Central Ranges high pressure gas pipeline

- B53. The Applicant must not construct any buildings, structures, roadway, pavement, pipeline, cable, fence, on-site wastewater treatment (or irrigation area), or any other improvement on or under the land within the gas transmission pipeline easement without prior written agreement of the pipeline operator. No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.

Note: All plans that include the gas transmission pipeline easement must have the easement clearly identified with hatching and labelled as 'high pressure gas pipeline easement. – no works to occur without the prior authorisation of the pipeline operator

- B54. Prior to commencing construction near or over a gas transmission pipeline, the Applicant must prepare and submit an electrical hazard study in compliance with *Australian Standard 4853-2012 – Electrical Hazards on metallic pipelines*. The Applicant must address and implement all relevant requirements, recommendations, or actions from the outcomes of the study or as specified by the pipeline operator.

Following completion of construction, the Applicant must conduct validation testing and submit evidence to the Department confirming that the study has met the pipeline operator's requirements.

Storage and Handling of Dangerous Goods

- B55. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:

- (a) the requirements of all relevant Australian Standards; and
- (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

- B56. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

Electric and Magnetic Fields

- B57. The Applicant must ensure that the design, construction and operation of the development is managed to comply with the applicable electric and magnetic fields (EMF) limits in the *International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines* for limiting exposure to time-varying electric and magnetic fields (1Hz – 100kHz) (ICNIRP, 2010).

Operating Conditions – Wind Farm and Battery storage

- B58. The Applicant must:
- (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
 - (b) ensure that the development:
 - (i) complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and *Standards for Asset Protection Zones*; and
 - (ii) is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank(s) fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to each substation;
 - (iii) is managed as an asset protection zone (including defensible space);
 - (c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - (d) notify the relevant local emergency management committee following construction of the development, and prior to commencing operations.

Operating Conditions – Accommodation Camp

- B59. For the accommodation camp, the Applicant must:
- (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
 - (b) ensure that the development:
 - (i) complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and *Standards for Asset Protection Zones*;
 - (ii) internal roads and utilities are provided in accordance with the requirements of the bushfire risk report produced by Cool Burn Pty Ltd, dated 3 February 2022;
 - (iii) includes a defensible space around the perimeter of a minimum 10 metres that permits unobstructed vehicle access; and
 - (iv) is managed as an asset protection zone (including the defensible space);
 - (c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - (d) notify the relevant local emergency management committee following completion of construction of the development, and prior to commencing operations.

Emergency Plan

- B60. Prior to commencing construction of the wind farm (including the accommodation camp) and commissioning of the battery storage, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, including an evacuation plan for the accommodation camp, in consultation with NSW RFS and the owner of the Central Ranges High Pressure Gas Transmission Pipeline, and provide a copy of the plan to the local Fire Control Centre and FRNSW. The plan must:
- (a) be prepared in accordance with the findings of the Fire Safety Study required under Condition B52;
 - (b) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, *'Emergency Planning'* and RFS's *Planning for Bush Fire Protection 2019* (or equivalent);
 - (c) be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
 - (d) include details on how the battery storage and sub-systems can be safely isolated in an emergency;
 - (e) identify the fire risks and hazards and detailed measures for the development to prevent fires igniting;

- (f) include availability of fire suppression equipment, access and water;
- (g) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;
- (h) include procedures for the storage and maintenance of any flammable materials;
- (i) detail specific response measures in the case of flood to ensure site safety;
- (j) describe the specific emergency exit routes to be used in the case of flood and include evidence of access agreements with relevant landowners (e.g. right of carriageway);
- (k) include bush fire emergency management planning, including:
 - (i) details of the location, management and maintenance of the Asset Protection Zone, on-site water supply tanks, firefighting equipment and any on-site appliances which may be required;
 - (ii) a list of works that should not be carried out during a total fire ban;
 - (iii) details of the access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;
 - (iv) details of how RFS would be notified, and procedures that would be implemented, in the event that:
 - there is a fire on-site or in the vicinity of the site;
 - there are any activities on site that would have the potential to ignite surrounding vegetation; or
 - there are any proposed activities to be carried out during a bushfire danger period; and
 - (v) include an Emergency Services Information Package in accordance with *Emergency Services information and tactical fire plan* (FRNSW, 2019) to the satisfaction of FRNSW and RFS;
 - (vi) procedures in the event of a bush fire event during construction of the development;
 - (vii) operational procedures in the event of bush fires, including shutting down turbines and the positioning of turbine blades to minimise interference if they were to interfere with aerial firefighting operations and turning on aviation hazard lighting;
- (l) details of how employees and personnel will be trained to implement all the Emergency Plan; and
- (m) the frequency for review of the Emergency Plan and Emergency Information Package and who is responsible for the review process.

B61. The Applicant must:

- (a) implement the Emergency Plan and Emergency Services Information Package for the duration of the development; and
- (b) following commencement of commissioning of the battery storage, keep two copies of the Emergency Plan and Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.

WASTE

B62. 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) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal.

ACCOMMODATION CAMP

B63. Unless the Planning Secretary agrees otherwise, the Applicant must construct and operate the accommodation camp as described in the EIS and in Appendix 1 of this consent, prior to commencing all other construction activities.

B64. Prior to commencing construction of the accommodation camp, the Applicant must prepare an Accommodation Camp Management Plan in consultation with EnergyCo and Warrumbungle Shire Council, Western NSW Local Health District. Unless the Planning Secretary agrees otherwise, the plan must:

- (a) ensure utilities at the accommodation camp, including water, wastewater, waste and electricity, are designed and located in accordance with Warrumbungle Shire Council specifications and relevant standards;
- (b) ensure the accommodation camp complies with conditions B26 and B59;
- (c) ensure any treated wastewater from the accommodation camp which is used for dust suppression during construction:
 - (i) complies with the Australian and New Zealand Environment and Conservation Council (ANZECC) & Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) (2000) *Guidelines for irrigation water quality*;
 - (ii) meets the requirements of the *Public Health Act 2010*;

- (d) include measures for dust suppression within the accommodation camp;
- (e) provide the site layout including building locations, vehicle access and movement, site servicing and utilities infrastructure;
- (f) include strategies to facilitate and support the accommodation camp's population integrating with the local community, such as (but not limited to) sport and recreation clubs, community events/activities and the like;
- (g) include measures to provide the camp with health and medical services and to notify the relevant health authorities of the final measures; and
- (h) include measures which facilitate supporting local suppliers in servicing the camp wherever possible.

The Applicant must implement the Accommodation Camp Management Plan.

ACCOMMODATION AND EMPLOYMENT STRATEGY

B65. Prior to commencing construction, the Applicant must prepare and implement an Accommodation and Employment Strategy for the development in consultation with EnergyCo and Warrumbungle Shire Council, and to the satisfaction of the Planning Secretary. This strategy must:

- (a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development;
- (b) consider the cumulative impacts associated with other State significant development projects in the area;
- (c) investigate options for prioritising the training and employment of local workers and First Nations people for the construction and operation of the development, where feasible; and
- (d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.

The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencement of construction, and implement the plan throughout construction and operation of the accommodation camp.

DECOMMISSIONING AND REHABILITATION

Rehabilitation Objectives – Accommodation Camp Decommissioning

B66. Unless the Planning Secretary agrees otherwise, within 12 months of commencing operation of the project, the applicant must decommission and rehabilitate the accommodation camp to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 2 below.

Table 2 | Rehabilitation Objectives – Accommodation Camp

| Feature | Objective |
|--------------------|--|
| Accommodation Camp | <ul style="list-style-type: none"> • Safe, stable and non-polluting • All infrastructure including above and below ground to be decommissioned and removed to a depth of 500mm, unless the Planning Secretary agrees otherwise • Restore land capacity to pre-existing productive capacity • Ensure public safety at all times |

Decommissioning and Rehabilitation Plan

B67. Within 3 years of the commencement of operation, the Applicant must prepare a Decommissioning and Rehabilitation Plan for the development, including progressive rehabilitation in accordance with condition B70. The plan must be updated by the Applicant at a minimum 15 years into operation and within 2 years prior to decommissioning. The plan must:

- (a) be prepared in consultation with the Planning Secretary and Council;
- (b) include detailed completion criteria for evaluating compliance with the rehabilitation objectives in Table 3; and
- (c) be prepared consistent with relevant local and State strategic land use planning documents applicable to the site
- (d) describe the measures that would be implemented to:
 - (i) decommission the development and rehabilitate the site in accordance with the objectives in Table 3;
 - (ii) minimise and manage the waste generated by the decommissioning of the development;
 - (iii) identify any site contamination issues arising as a result of the development (if any) and how this contamination will be remediated, including details of any approvals which may be required;

- (iv) include a program to monitor and report on the implementation of these measures against the detailed completion criteria;
- (v) ensure that best practice is employed in respect of utilising available recycling technologies.

B68. Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 3 below.

Table 3 | 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 Planning 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 Planning 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 Planning Secretary |
| Underground cabling | <ul style="list-style-type: none"> To be decommissioned and removed, unless the Planning Secretary agrees otherwise |
| Land use | <ul style="list-style-type: none"> Restore or maintain land capability to pre-existing use |
| Community | <ul style="list-style-type: none"> Ensure public safety at all times |

Rehabilitation Objectives – Cessation of quarrying activities

B69. Within 6 months of the commencement of operation, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the on-site quarries to the satisfaction of the Planning Secretary. This rehabilitation must be consistent with the EIS and the conceptual rehabilitation plan in Appendix 3 and must comply with the objectives in Table 4.

Table 4 | Rehabilitation Objectives for quarry sites

| Feature | Objective |
|----------------|--|
| Quarry sites | <ul style="list-style-type: none"> Safe, stable and non-polluting Fit for the intended post-quarrying activities/operations land use(s) All infrastructure decommissioned and removed, unless otherwise agreed by the Planning Secretary. Final landform integrated with surrounding natural landforms as far as is reasonable and feasible, and minimising visual impacts when viewed from surrounding land |
| Revegetation | <ul style="list-style-type: none"> Restore native vegetation generally as identified in the EIS |
| Pit floor | <ul style="list-style-type: none"> Free draining pit floor |
| Final void | <ul style="list-style-type: none"> Minimise the size, depth and slope of the batters of the final void Minimise the drainage catchment of the final void. |

Progressive Rehabilitation

- B70. The Applicant must:
- (a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following disturbance;
 - (b) minimise the total area exposed at any time; and
 - (c) where it is not possible to carry out measures for permanent rehabilitation, employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion until such time that it is.

Dismantling of Wind Turbines

B71. 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 Planning Secretary agrees otherwise.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- C1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning 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) include an ongoing community communication plan that sets out the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development, including how often and when information will be made available;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (e) include:
 - (i) reference to any strategies, plans and programs approved under the conditions of this consent; and
 - (ii) 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 Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy.

Revision of Strategies, Plans and Programs

- C2. The Applicant must:
- (a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 3 months of the:
 - (i) submission of an incident report under condition C10;
 - (ii) submission of an audit report under condition C14; or
 - (iii) any modification to the conditions of this consent.

Staging, Combining and Updating Strategies, Plans or Programs

- C3. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- C4. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- C5. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.
- C6. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

NOTIFICATIONS

Notification of Department

- C7. Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify Council and the Department in writing via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.

If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

Final Layout Plans

- C8. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website, including:
- (a) details on siting of wind turbines, including micro-siting of any wind turbines and/or ancillary infrastructure (including wind monitoring masts);
 - (b) the GPS coordinates of the wind turbines; and
 - (c) showing comparison to the approved layout; and
 - (d) the final design and layout of the battery energy storage system, including the following information:
 - (i) site plan(s);
 - (ii) elevations;
 - (iii) a schedule of proposed materials, colours and finishes (noting that colours should, if practicable, comprise of muted tones complementary with the surrounding rural landscape and material which are non-reflective);
 - (iv) a stormwater drainage report and plans prepared by a suitably qualified and practicing hydraulic engineer consistent with the conditions of this consent; and
 - (v) design details that demonstrate consideration of articulation, modulation and visual screening

The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.

Work as Executed Plans

- C9. Prior to commencing operations or following the upgrades of any wind turbines or ancillary infrastructure, the Applicant must submit work as executed plans of the development and showing comparison to the Final Layout Plans to the Planning Secretary, via the Major Projects website.

Incident Notification

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C11. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 8 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

- C12. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Notifications to Landowners

- C13. Prior to the commencement of construction, the Applicant must notify any non-associated residence within 4.95 km of any approved wind turbine of their rights under Condition B1.

INDEPENDENT ENVIRONMENTAL AUDIT

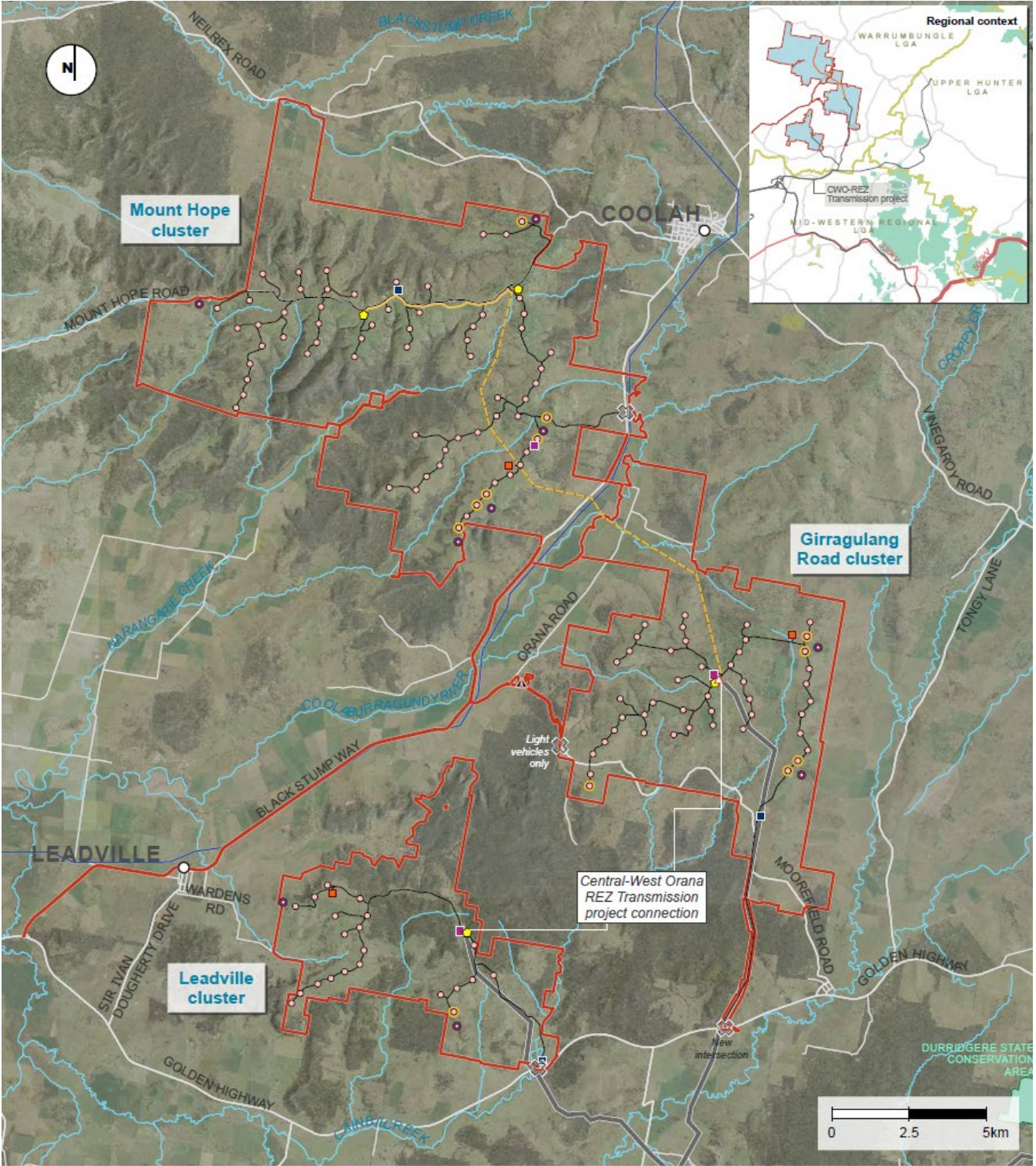
C14. Independent Audits of the development must be conducted and carried out at the frequency and in accordance with the *Independent Audit Post Approval Requirements* (2020) or as updated from time to time and published on the Department's website.

ACCESS TO INFORMATION

C15. The Applicant must:

- (a) make the following information publicly available on its website as relevant to the stage of the development, except for any information forming part of (ii) or (iv) that may be commercially or operationally sensitive:
 - (i) the EIS;
 - (ii) the Final Layout Plans for the development;
 - (iii) current statutory approvals for the development;
 - (iv) approved strategies, plans or programs required under the conditions of this consent;
 - (v) the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
 - (vi) 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, including annual BBAMP reports;
 - (vii) how complaints about the development can be made;
 - (viii) a complaints register;
 - (ix) minutes of CCC meetings;
 - (x) the annual Statement of Compliance with the EPL;
 - (xi) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - (xii) any other matter required by the Planning Secretary; and
 - (b) keep this information up to date.
-

APPENDIX 1 DEVELOPMENT LAYOUT



RAMBOLL AUSTRALIA - GIS MAP file : 318001172_GIS_F013_RFResponse | F004_Project_LayOut_V22
Aerial photography from NSW Government Spatial Services

- KEY**
- Project site
 - Turbine location
 - Overhead transmission line (up to 330kV)
 - Underground transmission line (up to 330kV)
 - Access track and cabling
 - Site access
 - Construction workforce accommodation
 - BESS location**
 - Substation and associated buildings
 - Construction and permanent operation and maintenance compound
 - Temporary facilities area*
 - Quarry location**
 - Permanent meteorological mast location
 - Temporary meteorological mast location (co-located with turbine)
 - National Parks and Reserves
 - CWO-REZ Transmission project (SSI 48323210) (EnergyCo)
 - Gas pipeline (Geoscience AU)

*May include site offices rock crushing facilities, concrete or asphalt batching plants, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces.

**Approximate only

Figure 2a | Project overview

Figure 1 | Development Layout - Overview

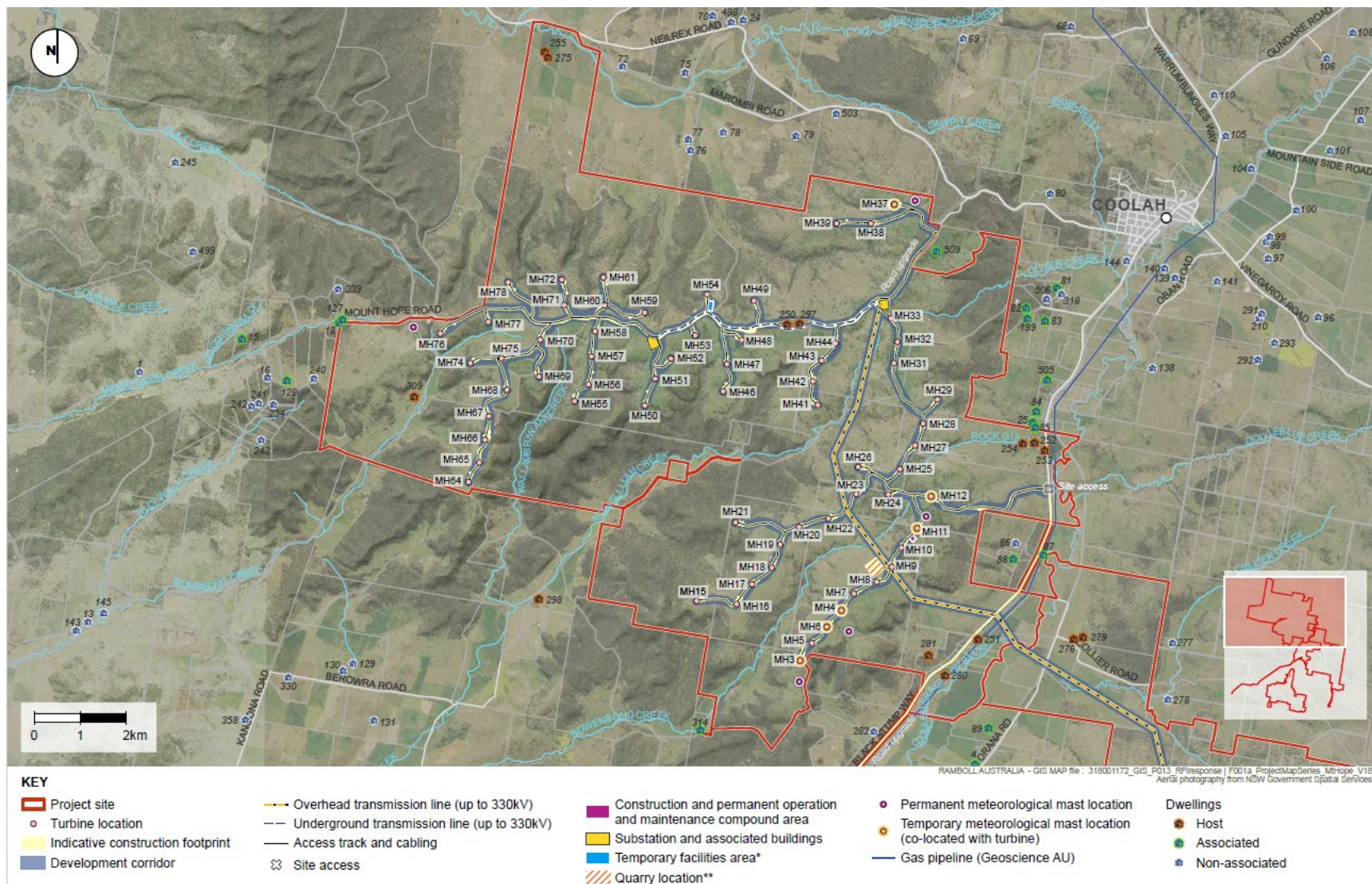


Figure 2 | Development Layout - Mount Hope cluster

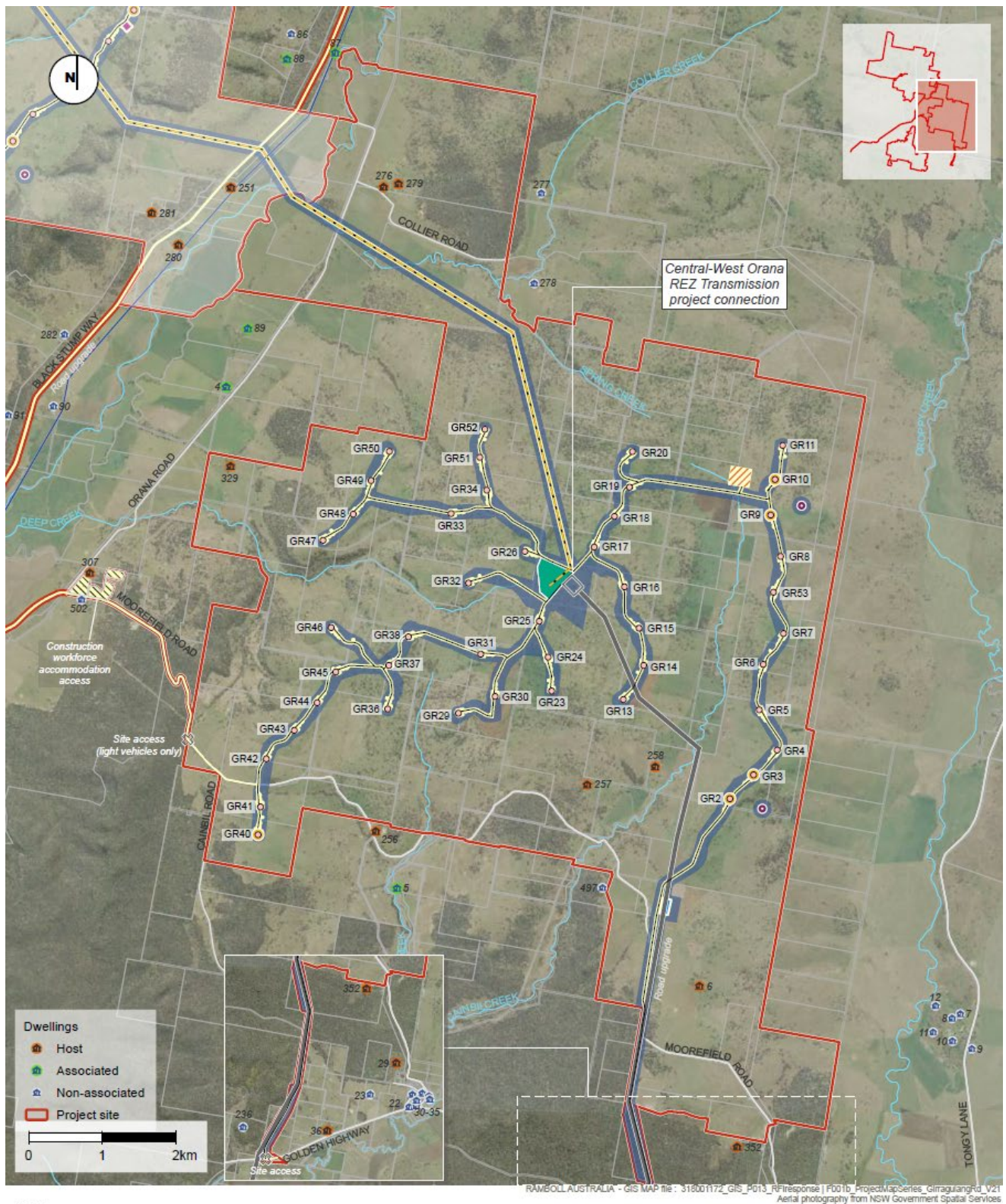


Figure 2c | Project layout at the Girrungalang Road cluster

Figure 3 | Development Layout - Girrungalang Road cluster

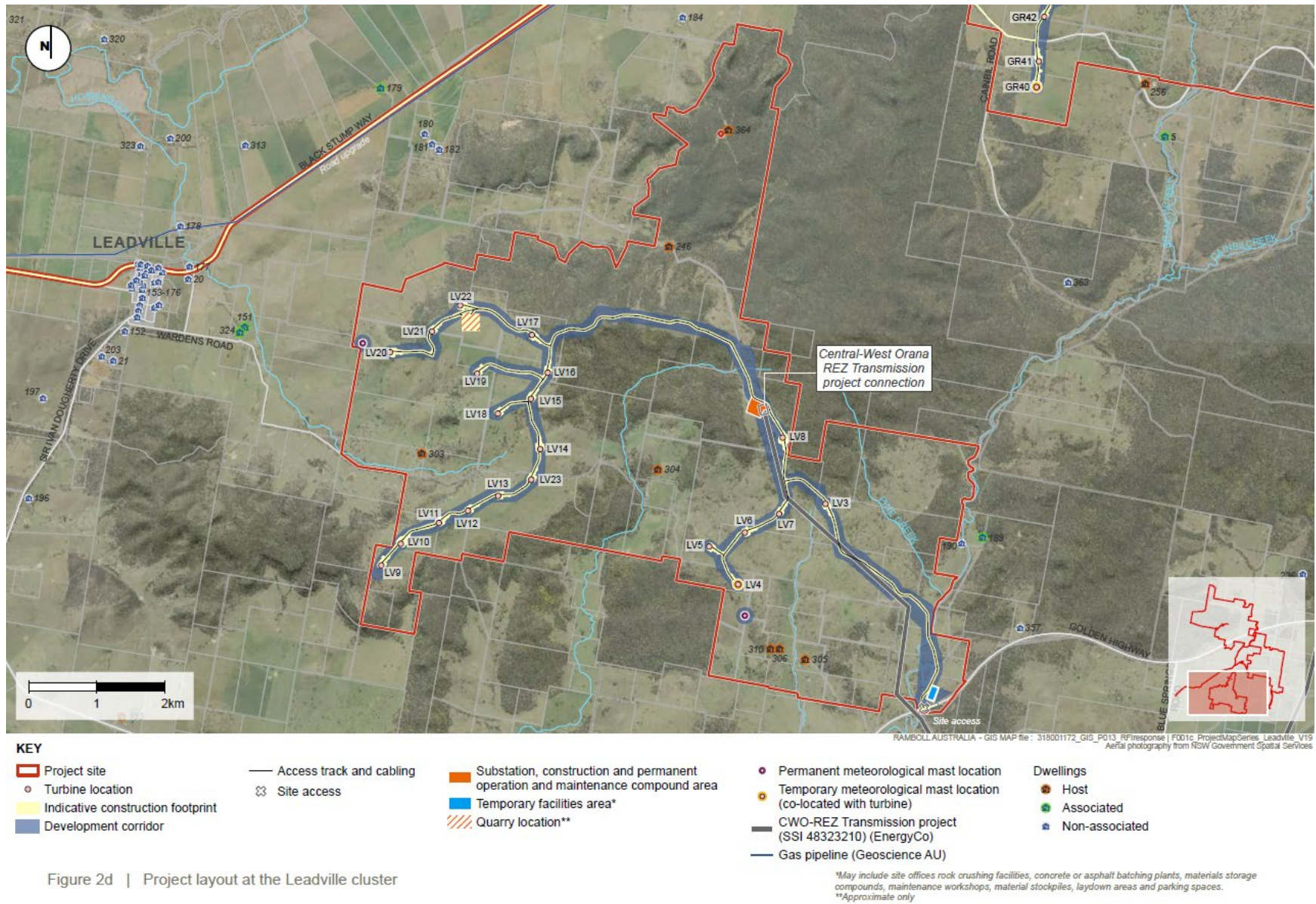


Figure 4 | Development Layout - Leadville cluster

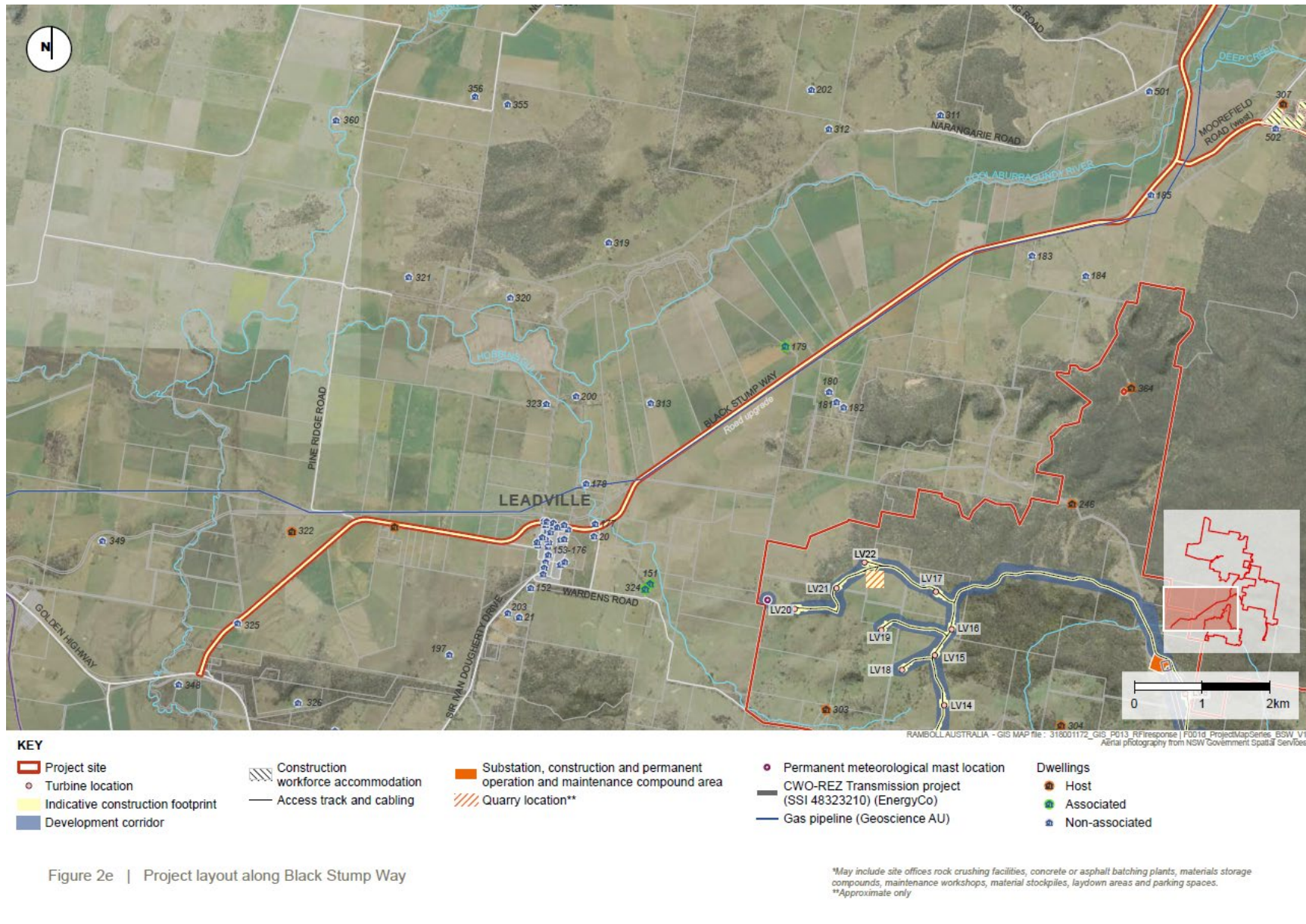


Figure 5 | Development Layout - Black Stump Way

Table 1: Wind turbine locations

| WTG | Easting | Northing |
|------|-------------|-------------|
| GR02 | 759945.14 | 6458232.019 |
| GR03 | 760266.739 | 6458556.968 |
| GR04 | 760587.016 | 6458893.704 |
| GR05 | 760344.541 | 6459440.641 |
| GR06 | 760398.235 | 6460059.051 |
| GR07 | 760673.497 | 6460478.117 |
| GR08 | 760633.476 | 6461526.448 |
| GR09 | 760499.306 | 6462088.089 |
| GR10 | 760558.591 | 6462571.725 |
| GR11 | 760662.663 | 6463034.97 |
| GR13 | 758498.019 | 6459580.932 |
| GR14 | 758774.874 | 6460044.983 |
| GR15 | 758710.723 | 6460550.468 |
| GR16 | 758513.065 | 6461112.24 |
| GR17 | 758101.44 | 6461652.448 |
| GR18 | 758376.988 | 6462070.569 |
| GR19 | 758581.489 | 6462466.426 |
| GR20 | 758622.062 | 6462951.241 |
| GR23 | 757523.567 | 6459697.045 |
| GR24 | 757475.2631 | 6460157.544 |
| GR25 | 757355.776 | 6460645.052 |
| GR26 | 757160.164 | 6461594.196 |
| GR29 | 756257.163 | 6459395.234 |
| GR30 | 756755.797 | 6459623.146 |
| GR31 | 756560.751 | 6460197.953 |
| GR32 | 756394.097 | 6461164.163 |
| GR33 | 756157.442 | 6462108.622 |
| GR34 | 756641.555 | 6462426.121 |
| GR36 | 755296.267 | 6459452.334 |
| GR37 | 755311.8376 | 6460045.341 |
| GR38 | 755577.787 | 6460433.428 |
| GR40 | 753534.959 | 6457742.856 |
| GR41 | 753568.458 | 6458121.191 |
| GR42 | 753647.755 | 6458774.517 |
| GR43 | 754027.304 | 6459161.46 |
| GR44 | 754337.783 | 6459538.028 |
| GR45 | 754591.418 | 6459955.797 |
| GR46 | 754527.639 | 6460558.659 |
| GR47 | 754417.512 | 6461744.971 |
| GR48 | 754828.76 | 6462100.826 |
| GR49 | 755070.951 | 6462557.399 |
| GR50 | 755319.065 | 6462953.592 |
| GR51 | 756547.163 | 6462873.325 |
| GR52 | 756616.012 | 6463254.785 |

| WTG | Easting | Northing |
|------------|----------------|-----------------|
| GR53 | 760536.749 | 6461039.693 |
| LV03 | 750433.007 | 6451623.796 |
| LV04 | 749149.233 | 6450440.909 |
| LV05 | 748725.194 | 6450997.253 |
| LV06 | 749248.379 | 6451202.417 |
| LV07 | 749752.599 | 6451475.866 |
| LV08 | 749804.109 | 6452596.248 |
| LV09 | 743905.263 | 6450719.1 |
| LV10 | 744192.236 | 6451037.676 |
| LV11 | 744752.637 | 6451344.471 |
| LV12 | 745180.945 | 6451522.882 |
| LV13 | 745623.058 | 6451741.054 |
| LV14 | 746242.059 | 6452427.677 |
| LV15 | 746104.389 | 6453164.942 |
| LV16 | 746352.576 | 6453549.06 |
| LV17 | 746119.374 | 6454104.181 |
| LV18 | 745619.157 | 6452949.056 |
| LV19 | 745314.243 | 6453536.42 |
| LV20 | 744035.348 | 6453849.583 |
| LV21 | 744651.037 | 6454154.839 |
| LV22 | 745065.568 | 6454537.177 |
| LV23 | 746110.662 | 6451979.597 |
| MH03 | 749310.061 | 6466082.231 |
| MH04 | 750203.401 | 6467170.538 |
| MH05 | 749563.461 | 6466460.595 |
| MH06 | 749886.286 | 6466814.661 |
| MH07 | 750476.396 | 6467536.678 |
| MH08 | 750971.249 | 6467790.713 |
| MH09 | 751298.376 | 6468113.691 |
| MH10 | 751503.882 | 6468529.452 |
| MH11 | 751848.55 | 6468951.957 |
| MH12 | 752150.758 | 6469642.403 |
| MH16 | 747930.511 | 6467308.957 |
| MH17 | 748267.395 | 6467738.541 |
| MH18 | 748696.369 | 6468096.729 |
| MH19 | 748877.701 | 6468598.264 |
| MH20 | 749287.081 | 6468979.078 |
| MH21 | 747907.519 | 6469081.392 |
| MH22 | 749923.606 | 6469163.578 |
| MH23 | 750526.921 | 6469694.938 |
| MH24 | 751221.159 | 6469685.62 |
| MH25 | 751472.342 | 6470236.588 |
| MH26 | 750567.174 | 6470281.628 |
| MH27 | 751801.806 | 6470750.29 |
| MH28 | 751977.103 | 6471224.506 |

| WTG | Easting | Northing |
|------------|----------------|-----------------|
| MH29 | 752288.073 | 6471746.447 |
| MH31 | 751344.377 | 6472530.76 |
| MH32 | 751417.434 | 6472993.069 |
| MH33 | 751276.18 | 6473502.287 |
| MH37 | 751352.288 | 6475974.874 |
| MH38 | 750845.356 | 6475562.351 |
| MH39 | 750100.888 | 6475563.205 |
| MH41 | 749694.935 | 6471624.256 |
| MH42 | 749585.322 | 6472140.232 |
| MH43 | 749773.233 | 6472587.155 |
| MH44 | 750080.573 | 6472964.3 |
| MH46 | 747638.229 | 6471922.642 |
| MH47 | 747721.118 | 6472510.78 |
| MH48 | 748040.167 | 6473036.369 |
| MH49 | 748307.567 | 6473886.836 |
| MH50 | 745939.092 | 6471611.827 |
| MH51 | 746165.5923 | 6472194.653 |
| MH52 | 746506.636 | 6472633.859 |
| MH53 | 747036.217 | 6473136.448 |
| MH54 | 747293.898 | 6474024.411 |
| MH55 | 744418.686 | 6471708.52 |
| MH56 | 744717.806 | 6472070.918 |
| MH57 | 744782.881 | 6472678.165 |
| MH58 | 744861.349 | 6473223.194 |
| MH59 | 745936.225 | 6473627.316 |
| MH60 | 745068.68 | 6473786.525 |
| MH61 | 745040.905 | 6474392.268 |
| MH64 | 742115.349 | 6469958.435 |
| MH65 | 742350.248 | 6470379.486 |
| MH66 | 742473.533 | 6470870.414 |
| MH67 | 742559.871 | 6471381.055 |
| MH68 | 742949.791 | 6471955.708 |
| MH69 | 743645.951 | 6472241.15 |
| MH70 | 743672.734 | 6473041.253 |
| MH71 | 744195.121 | 6473794.208 |
| MH72 | 744138.06 | 6474344.211 |
| MH74 | 742157.814 | 6472530.773 |
| MH75 | 742831.377 | 6472639.725 |
| MH76 | 741505.01 | 6473174.359 |
| MH77 | 742545.574 | 6473427.976 |
| MH78 | 742975.263 | 6474284.738 |
| MH15 | 747065.4922 | 6467378.32 |

APPENDIX 2 SCHEDULE OF LANDS

| Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) |
|--------------------------------|--------------------------------|--------------------------------|
| 1/120973 | 37/750745 | 58/750768 |
| 1/121325 | 42/750745 | 61/750768 |
| 1/132142 | 48/750745 | 67/750768 |
| 10/132925 | 49/750745 | 68/750768 |
| 11/132925 | 51/750745 | 71/750768 |
| 1/132931 | 52/750745 | 73/750768 |
| 2/132931 | 53/750745 | 113/750768 |
| 3/132931 | 54/750745 | 115/750768 |
| 4/132931 | 55/750745 | 123/750768 |
| 5/132931 | 56/750745 | 43/750772 |
| 6/132931 | 57/750745 | 45/750772 |
| 7/132931 | 59/750745 | 46/750772 |
| 4/133873 | 61/750745 | 65/750772 |
| 1/217788 | 62/750745 | 72/750772 |
| 2/244310 | 63/750745 | 75/750772 |
| 8/256130 | 64/750745 | 76/750772 |
| 9/256130 | 65/750745 | 91/750772 |
| 10/256130 | 66/750745 | 96/750772 |
| 11/256130 | 67/750745 | 108/750772 |
| 1/378972 | 68/750745 | 110/750772 |
| 2/382987 | 73/750745 | 111/750772 |
| A/430321 | 74/750745 | 112/750772 |
| 1/512844 | 75/750745 | 115/750772 |
| 2/512844 | 76/750745 | 116/750772 |
| 1/596076 | 77/750745 | 140/750772 |
| 2/631136 | 78/750745 | 142/750772 |
| 1/661801 | 79/750745 | 143/750772 |
| 2/746422 | 80/750745 | 151/750772 |
| 6/750740 | 81/750745 | 152/750772 |
| 20/750740 | 82/750745 | 155/750772 |
| 21/750740 | 83/750745 | 157/750772 |
| 22/750740 | 84/750745 | 177/750772 |
| 35/750740 | 85/750745 | 5/754966 |
| 43/750740 | 86/750745 | 19/754966 |
| 79/750740 | 87/750745 | 47/754966 |
| 80/750740 | 88/750745 | 48/754966 |
| 81/750740 | 89/750745 | 50/754966 |

| Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) |
|--------------------------------|--------------------------------|--------------------------------|
| 83/750740 | 90/750745 | 63/754966 |
| 88/750740 | 91/750745 | 65/754966 |
| 89/750740 | 92/750745 | 69/754966 |
| 90/750740 | 93/750745 | 76/754966 |
| 95/750740 | 94/750745 | 78/754966 |
| 96/750740 | 95/750745 | 81/754966 |
| 97/750740 | 96/750745 | 82/754966 |
| 99/750740 | 97/750745 | 88/754966 |
| 103/750740 | 98/750745 | 92/754966 |
| 104/750740 | 99/750745 | 96/754966 |
| 105/750740 | 100/750745 | 98/754966 |
| 106/750740 | 101/750745 | 13/754967 |
| 107/750740 | 104/750745 | 14/754967 |
| 108/750740 | 105/750745 | 3/754975 |
| 112/750740 | 106/750745 | 4/754975 |
| 113/750740 | 107/750745 | 5/754975 |
| 114/750740 | 108/750745 | 10/754975 |
| 115/750740 | 109/750745 | 11/754975 |
| 116/750740 | 113/750745 | 12/754975 |
| 117/750740 | 120/750745 | 1/812579 |
| 118/750740 | 126/750745 | 11/820719 |
| 119/750740 | 128/750745 | 12/820719 |
| 126/750740 | 129/750745 | 13/820719 |
| 131/750740 | 132/750745 | 136/824118 |
| 139/750740 | 4/750768 | 1/876041 |
| 142/750740 | 5/750768 | 2/876041 |
| 149/750740 | 6/750768 | 1/1091571 |
| 150/750740 | 12/750768 | 2/1091571 |
| 195/750740 | 14/750768 | 58/1099077 |
| 207/750740 | 23/750768 | 2/1105831 |
| 208/750740 | 24/750768 | 49/1115849 |
| 7/750745 | 33/750768 | 1/1187452 |
| 8/750745 | 35/750768 | 2/1187452 |
| 14/750745 | 38/750768 | 1/1214801 |
| 22/750745 | 39/750768 | 1/1214808 |
| 25/750745 | 41/750768 | 1/1227122 |
| 26/750745 | 42/750768 | 2/1227122 |
| 27/750745 | 43/750768 | 5503/1244975 |
| 28/750745 | 44/750768 | 1/1252803 |

| Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) | Lot Number / Deposit Plan (DP) |
|--------------------------------|--------------------------------|--------------------------------|
| 29/750745 | 47/750768 | 3/1253547 |
| 30/750745 | 48/750768 | 1/1253559 |
| 31/750745 | 53/750768 | 2/1253639 |
| 32/750745 | 54/750768 | 4/1256557 |
| 36/750745 | 57/750768 | 3/1257054 |
| 154/750772 | 7001/1028400 | 7005/1026530 |
| 7005/1028425 | 7006/1028362 | 7006/1068801 |
| 7007/1068801 | 7013/1028426 | 7014/1028426 |

**The site will also be taken to include any Crown Land and Road Reserves contained within the site.*

APPENDIX 3 QUARRY PLANS

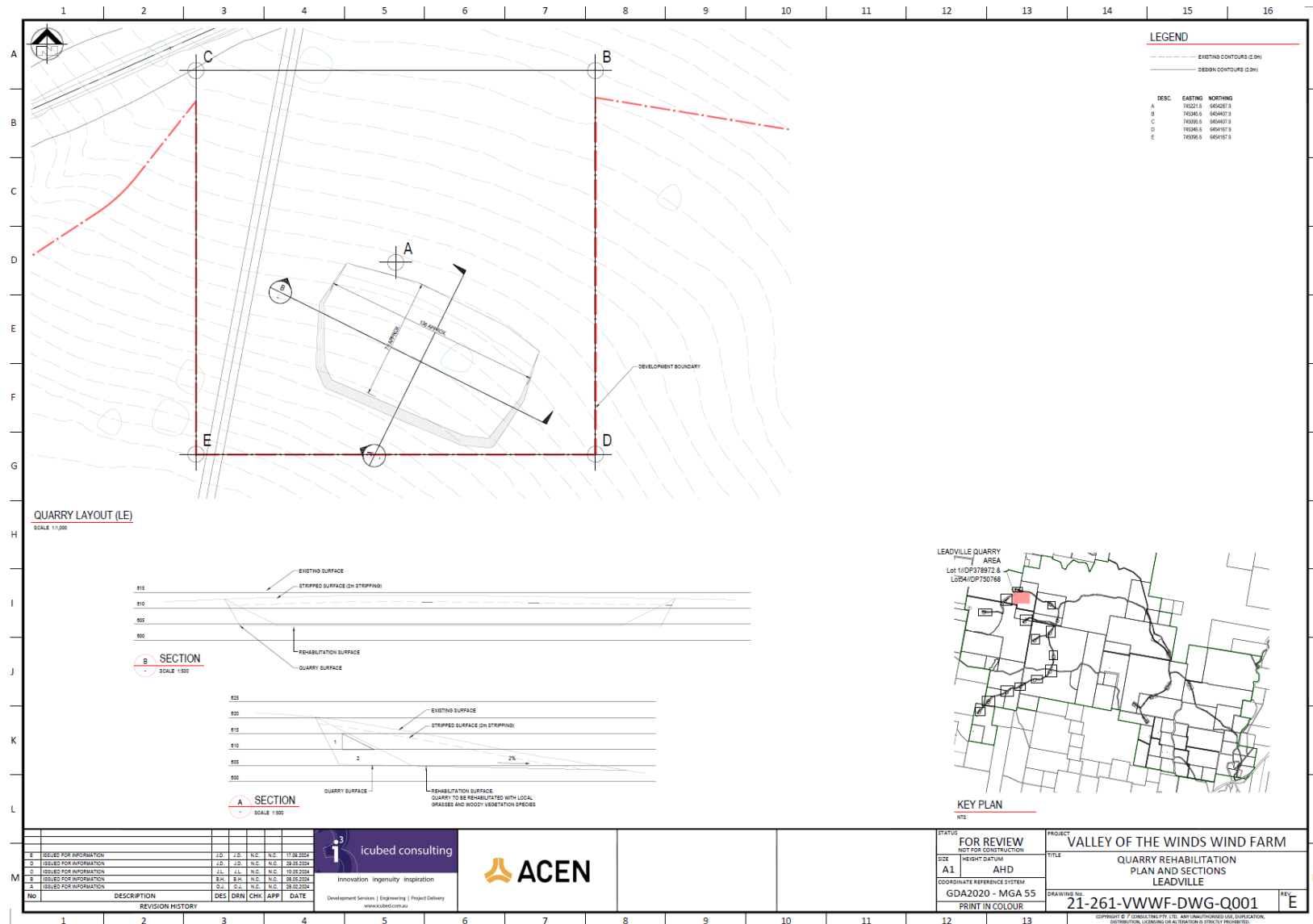


Figure 6 | Quarry Plan – Leadville cluster

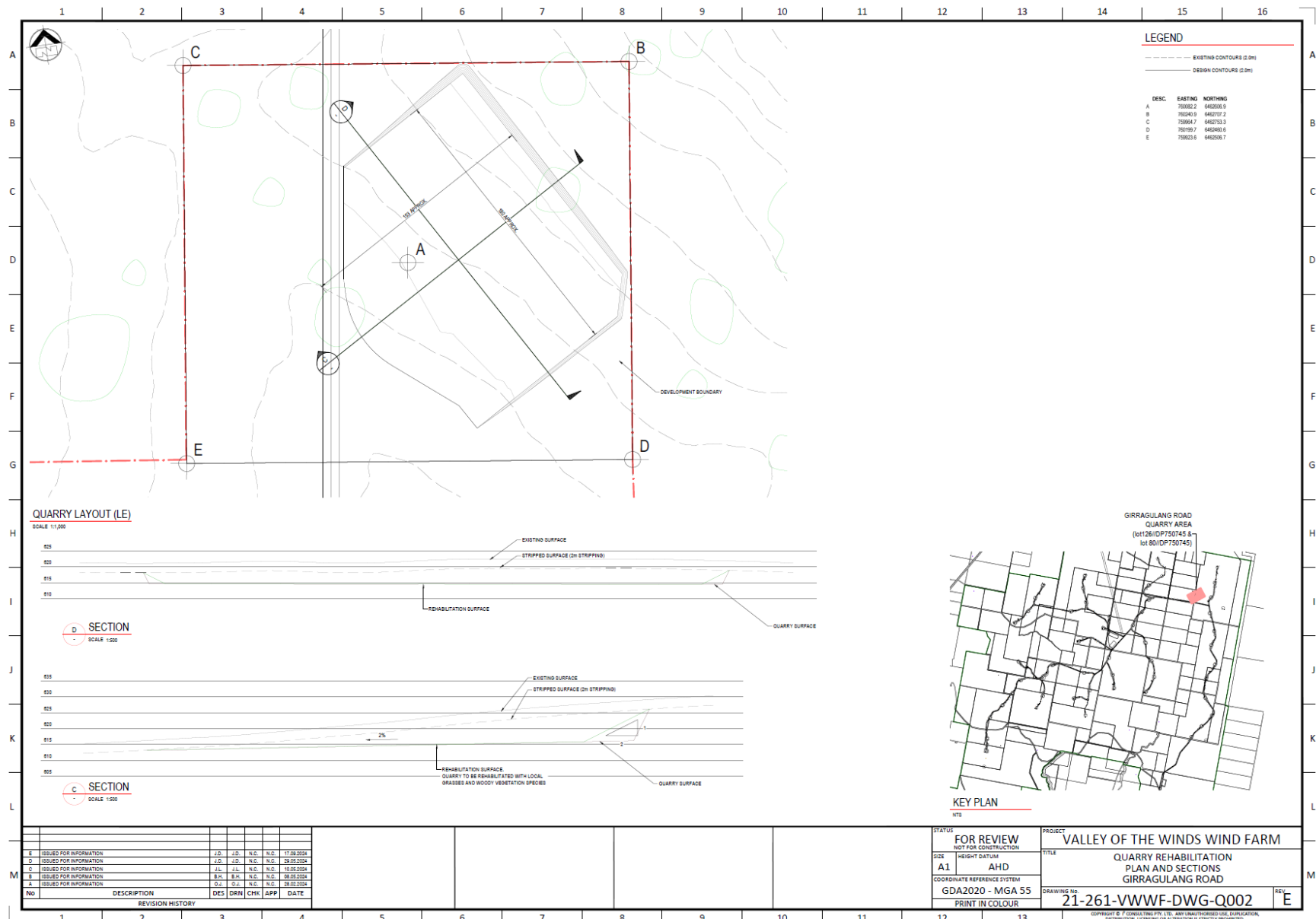


Figure 2 | Quarry Plan – Girragulang Road cluster

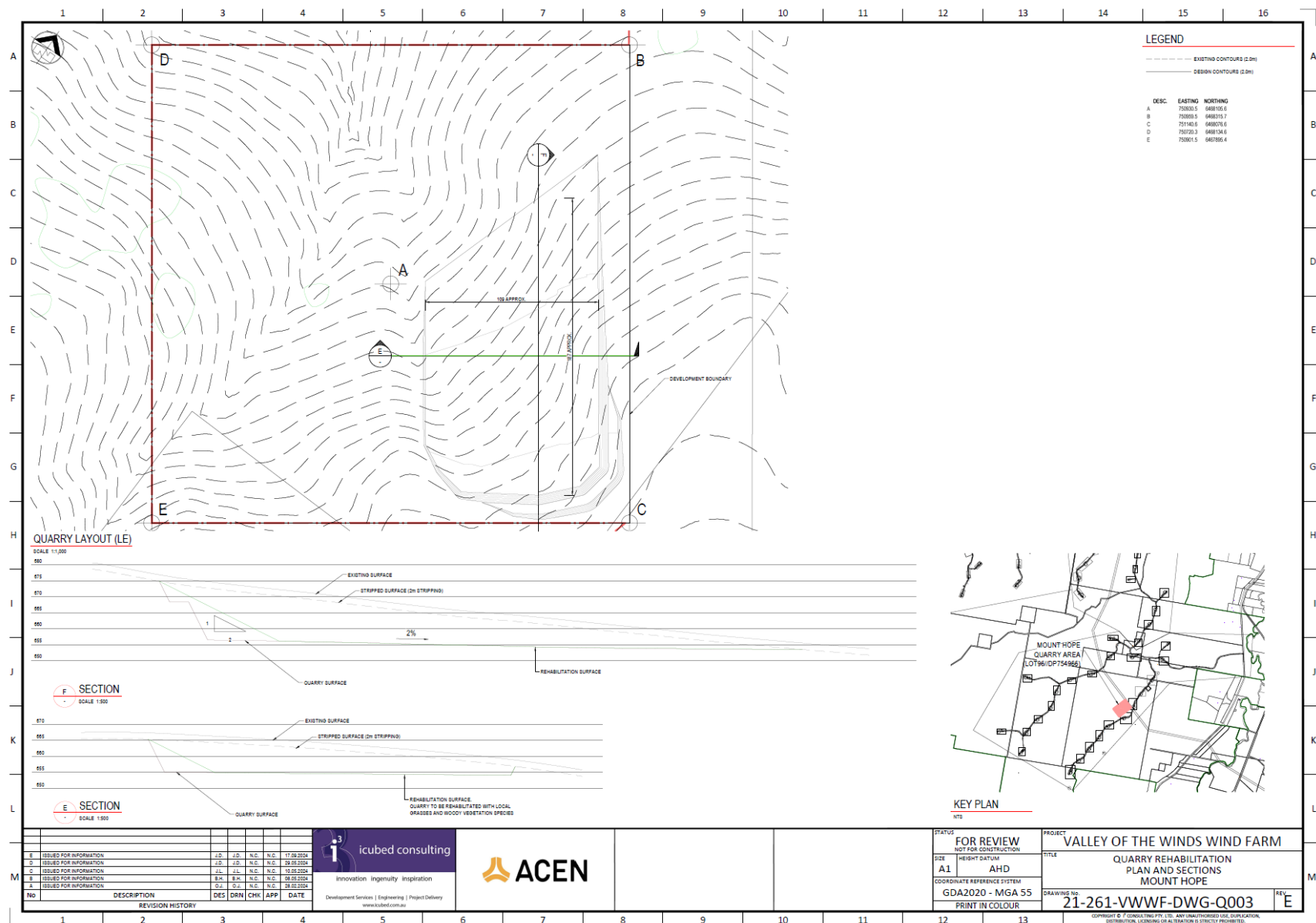


Figure 3 | Quarry Plan – Mount Hope cluster

APPENDIX 4 GENERAL TERMS OF APPLICANT'S VPA OFFER

The VPA must include provisions for the payment, collection, management and distribution of the contributions under the agreement.

| Council | Payment Details |
|----------------------------|--|
| Warrumbungle Shire Council | <ul style="list-style-type: none">• The annual contribution payable by the Applicant is \$1,050 per megawatt (MW) installed per annum (adjusted annually to increases in CPI from 2023-24 financial year), within the relevant local government area over the operational life of development.• In addition, the first payment will be 10% of the estimated total sum of annual contributions over a 25-year life for the project.• All subsequent payments will be equivalent to 90% of the Development Contribution based on the following calculation: \$1,050 (indexed to CPI from 2023-24 financial year) x MW installed capacity x 90% (per annum for a 25-year period)• Payments will commence within 14 days of the EPC Contract being signed, or the date the 'Notice to Proceed' is executed, whichever is first. |

APPENDIX 5 HAULAGE ROUTE AND ROAD UPGRADES

Table 1 | Haulage route and road upgrades to be implemented by the Applicant

| Road/Intersection | | Chainage | Treatment | Timing |
|-----------------------------------|--|---|--|---|
| Warrumbungle Shire Council | | | | |
| 1# | Mount Hope Road | CH0.9 – CH13.1 from intersection of Mount Hope Road and Neilrex Road | <ul style="list-style-type: none"> Meet minimum 7m unsealed gravel width including shoulders. Widen on curves to accommodate 26m B-double and heavy vehicles requiring escort swept paths. Install any make-up guideposts to meet TfNSW delineation specifications. | Prior to use of Mount Hope Road for heavy vehicles requiring escort |
| 2 | Intersection of wind farm access tracks and Mount Hope Road | Where wind farm access tracks are proposed to intersect Mount Hope Road within the Mount Hope Road cluster project boundary | <ul style="list-style-type: none"> Intersections will be upgraded to Austroads standards* | Prior to use of Mount Hope Road for heavy vehicles requiring escort swept movements |
| 3 | Black Stump Way / Mount Hope Cluster site access road intersection | CH28.4 from Golden Highway/Black Stump Way intersection | <ul style="list-style-type: none"> Sealed short Auxiliary Left (AUL[S]) treatment* Short Channelised Right (CHR[S]) treatment* Seal the minor leg for a distance of at least 30m* | Prior to commencing construction of the Mount Hope cluster |
| 4 | Black Stump Way intersection with Moorefield Road (west) | CH17.4 from Golden Highway/Black Stump Way intersection | <ul style="list-style-type: none"> Sealed full Auxiliary Left (AUL) treatment* Full Channelised Right (CHR) treatment* | Prior to operation of Temporary Workforce Accommodation Facility |
| 4a | Black Stump Way | CH0 from Golden Highway/Black Stump Way intersection to CH28.4 Mount Hope Cluster access [3] | <ul style="list-style-type: none"> Renew or rehabilitate pavement for width of both lanes to Austroads standards to offset the project lifetime design heavy vehicle Equivalent Standard Axles or a value of 5x10-5 (whichever is less) Meet minimum 7.5m width sealed pavement Minimum 9m width seal (including shoulders) as far as practicable^ Mark centre and edge lines and upgrade or remediate any signage and safety barriers to meet TfNSW delineation specifications. | Prior to use of Black Stump Way for heavy vehicles requiring escort |
| 5a | Moorefield Road (west) - sealed | CH0 from Black Stump Way / Moorefield Road (west) intersection to CH1.6 of Moorefield Road (west) | <ul style="list-style-type: none"> Provide a two-coat bitumen seal and meet minimum 7.2m sealed width | Prior to operation of the Temporary Workforce Accommodation Facility, or project vehicles along this segment exceeding 20 movements in any hourly period (whichever occurs first) |

| Road/Intersection | | Chainage | Treatment | Timing |
|--------------------------|---|---|--|--|
| 5b | Moorefield Road (west) - sealed | CH1.6 from Black Stump Way / Moorefield Road (west) intersection to CH4.6 of Moorefield Road (west) intersection | <ul style="list-style-type: none"> Provide a two-coat bitumen seal and meet minimum 7.2m sealed width including shoulders as far as practicable[^] Upgrade road delineation and furniture in accordance with a Road Safety. | Prior to project vehicles along this segment exceeding 20 movements in any hourly period |
| 5c | Moorefield Road (west) - unsealed | CH4.6 from Black Stump Way / Moorefield Road (west) intersection [4] to western Girragulang cluster access gate | <ul style="list-style-type: none"> Provide a 7m unsealed width including shoulders as far as practicable[^] Upgrade road delineation and furniture in accordance with a Road Safety Audit. | Prior to project vehicles along this segment exceeding 20 movements in any hourly period |
| 6 | Temporary Workforce Accommodation Facility access point | CH1.6 from Black Stump Way / Moorefield Road (west) intersection [4] | <ul style="list-style-type: none"> Sealed full Auxiliary Left (AUL) treatment* Full Channelised Right (CHR) treatment* Seal the minor leg between the carriageway and road reserve boundary* | Prior to occupation of the Temporary Workforce Accommodation Facility |
| 10 | Moorefield Road (west) intersection with wind farm access track | Where wind farm access tracks are proposed to intersect Moorefield Road (west) within the Girragulang Road cluster project boundary | <ul style="list-style-type: none"> Intersections will be upgraded to Austroads standards* | Prior to project vehicles along this segment exceeding 20 movements in any hourly period |
| 11 | Wardens Road intersection | Where wind farm access tracks are proposed to intersect Wardens Road within the Leadville cluster project boundary | <ul style="list-style-type: none"> Intersections will be upgraded to Austroads standards* | Prior to project vehicles using the crossing of Wardens Road. |
| Transport for NSW | | | | |
| 8 | Golden Highway intersection with Leadville Cluster Access Road | - | <ul style="list-style-type: none"> Basic right turn [BAR] treatment Basic left turn [BAL] treatment | Prior to commencing construction of the Leadville cluster |
| 9 | Golden Highway intersection with Girragulang Road Cluster access road | - | <ul style="list-style-type: none"> Basic right turn [BAR] treatment Basic left turn [BAL] treatment | Prior to commencing construction of the Girragulang Road cluster |

reference numbers correspond to Appendix 5 Figure 2

* upgrade to Austroads standards unless the Traffic Management Plan in condition B44 demonstrates that lesser upgrades are required.

[^] so far as is practicable without having to realign table drains, extend culverts or remove significant trees or sensitive vegetation or encroach on land that does not belong to Council.

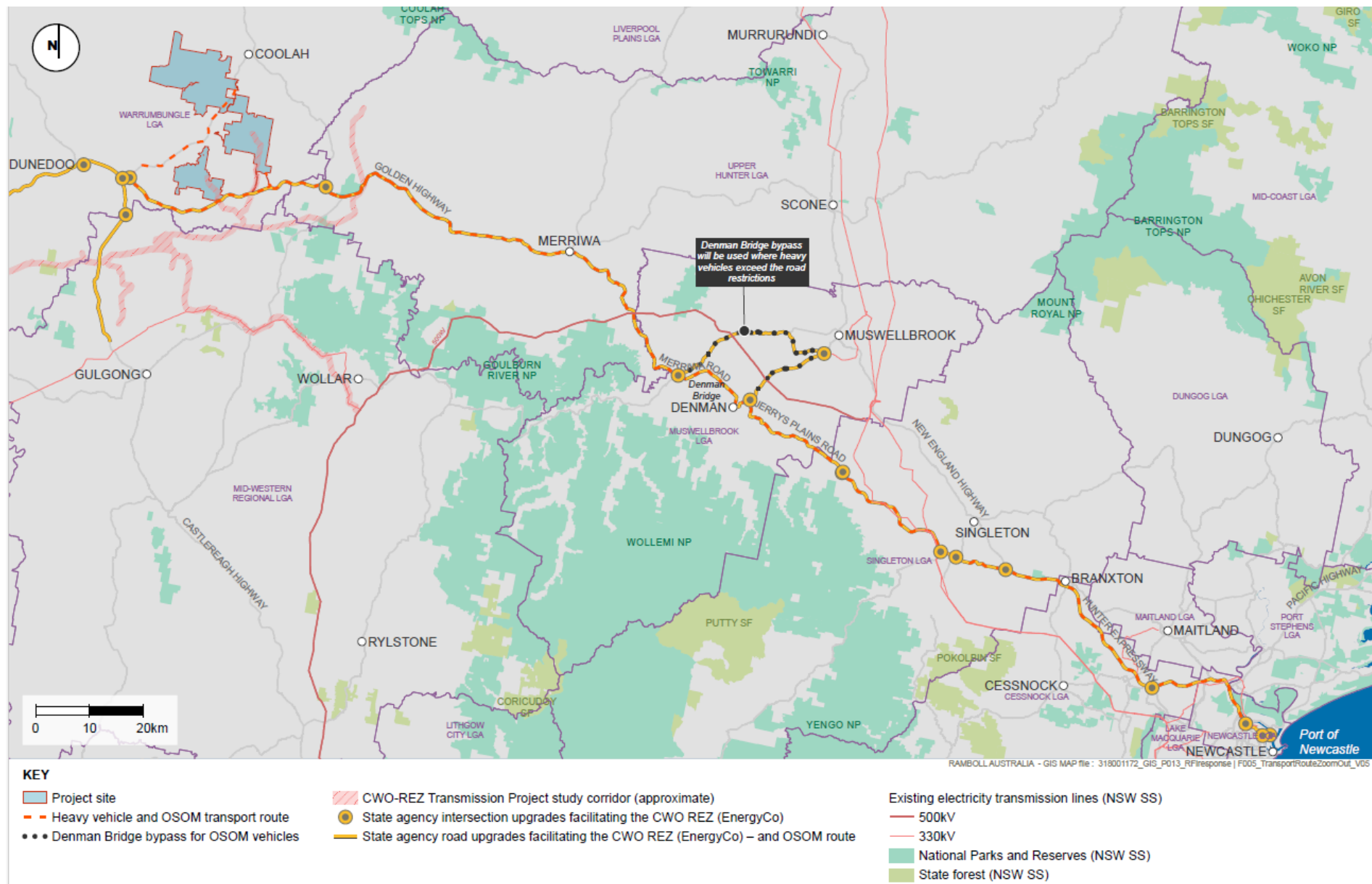


Figure 1 | Haulage route

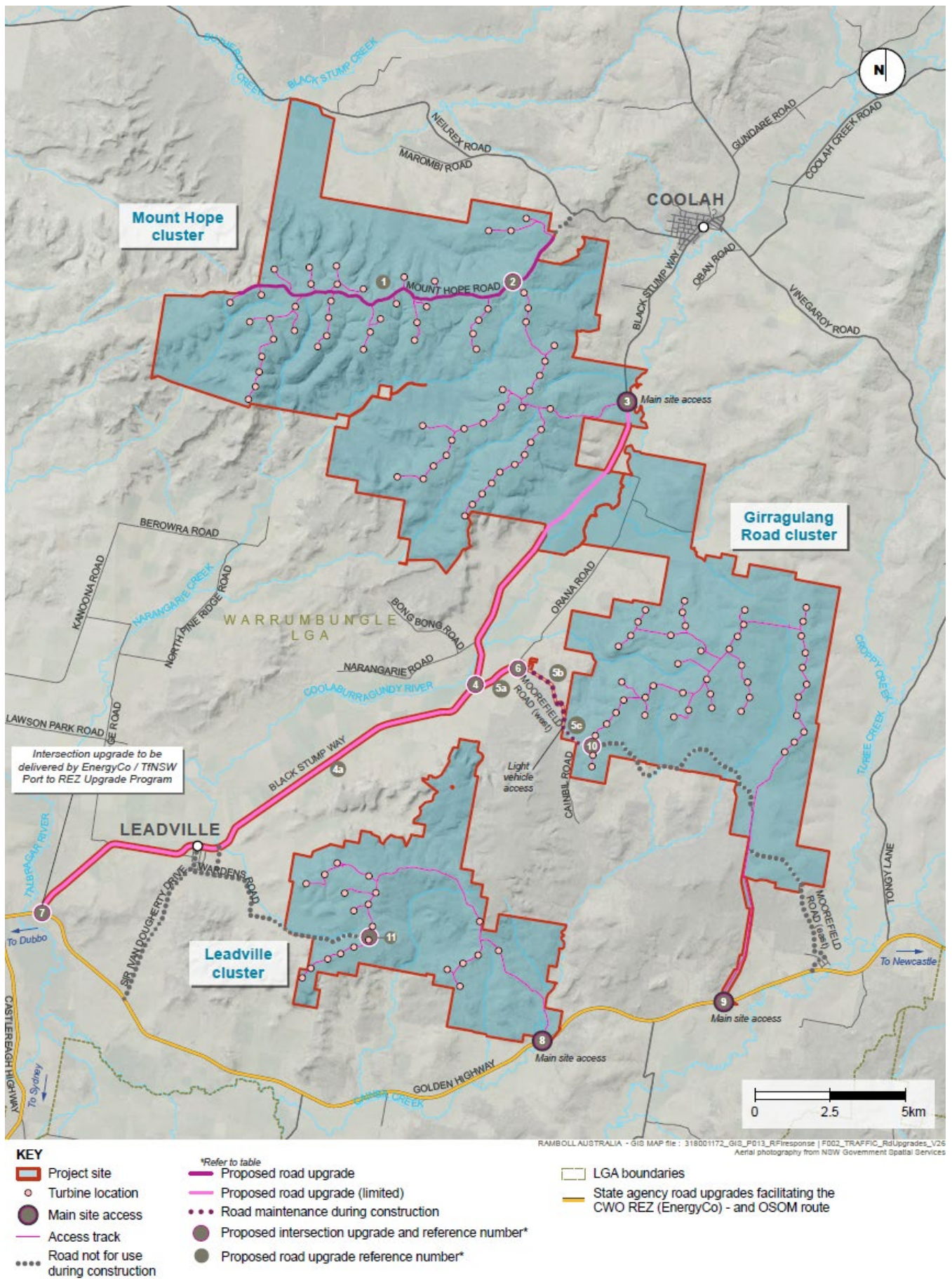


Figure 2 | Site access and road upgrades

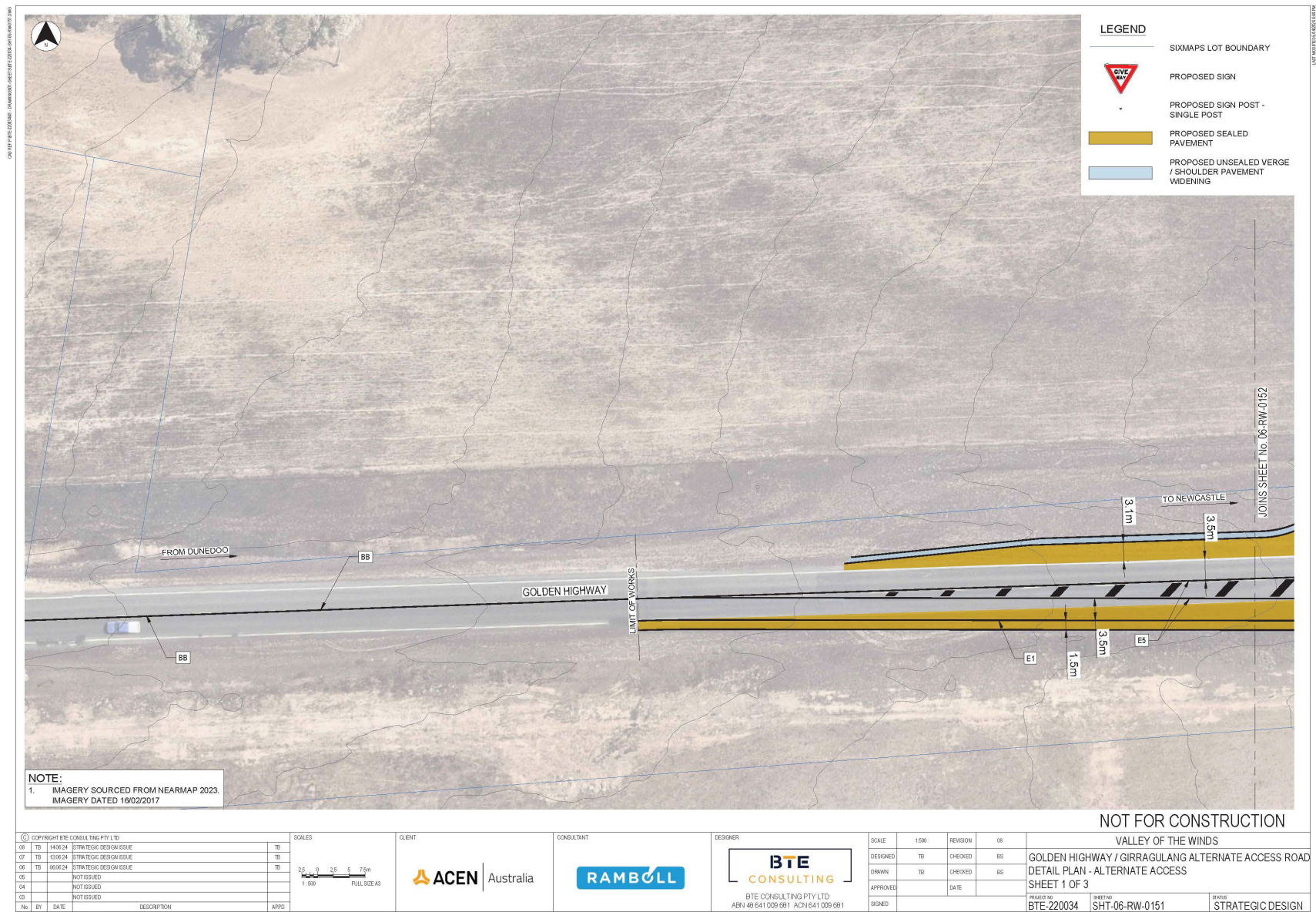


Figure 3a | Intersection upgrades

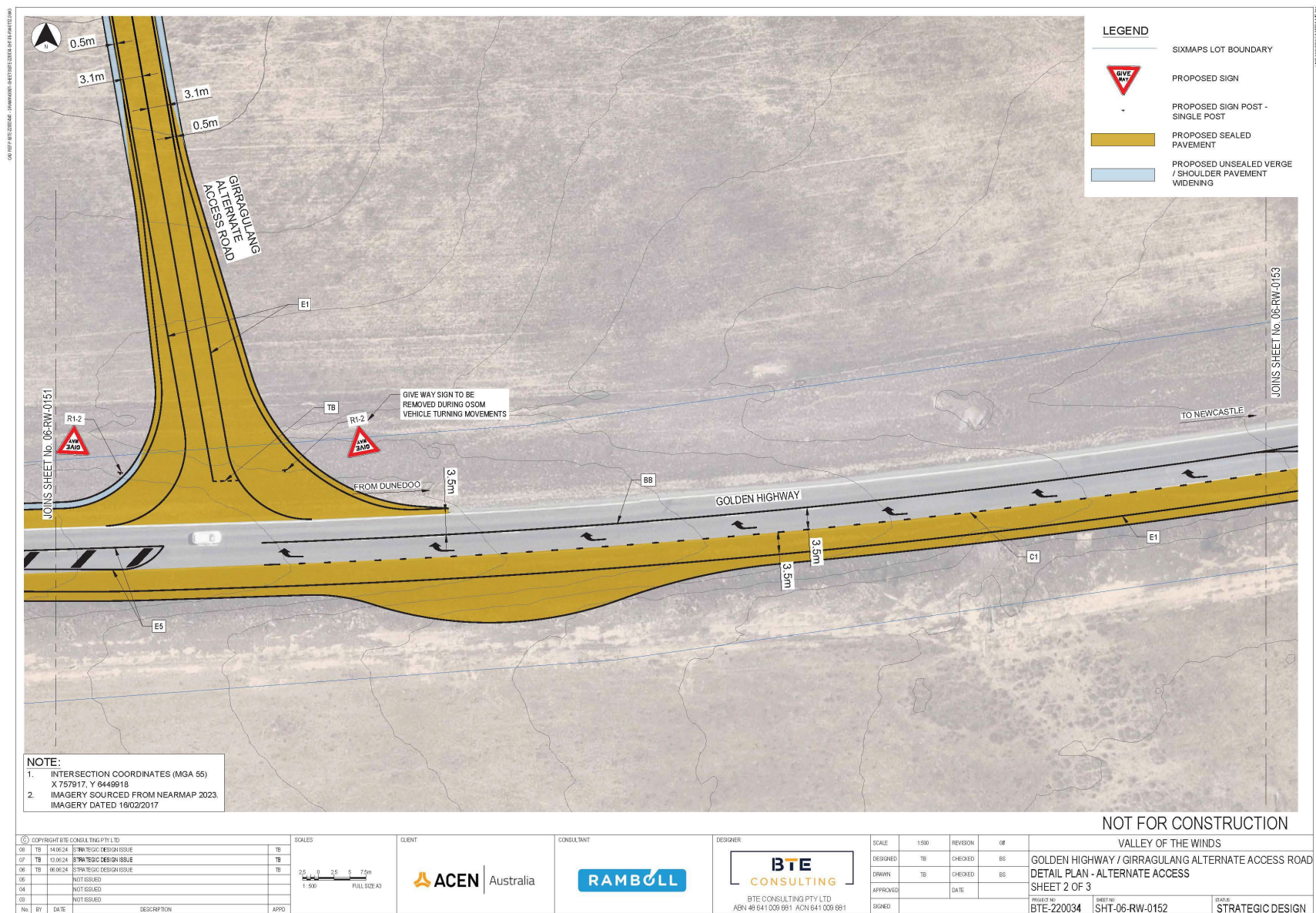


Figure 3b | Intersection upgrades

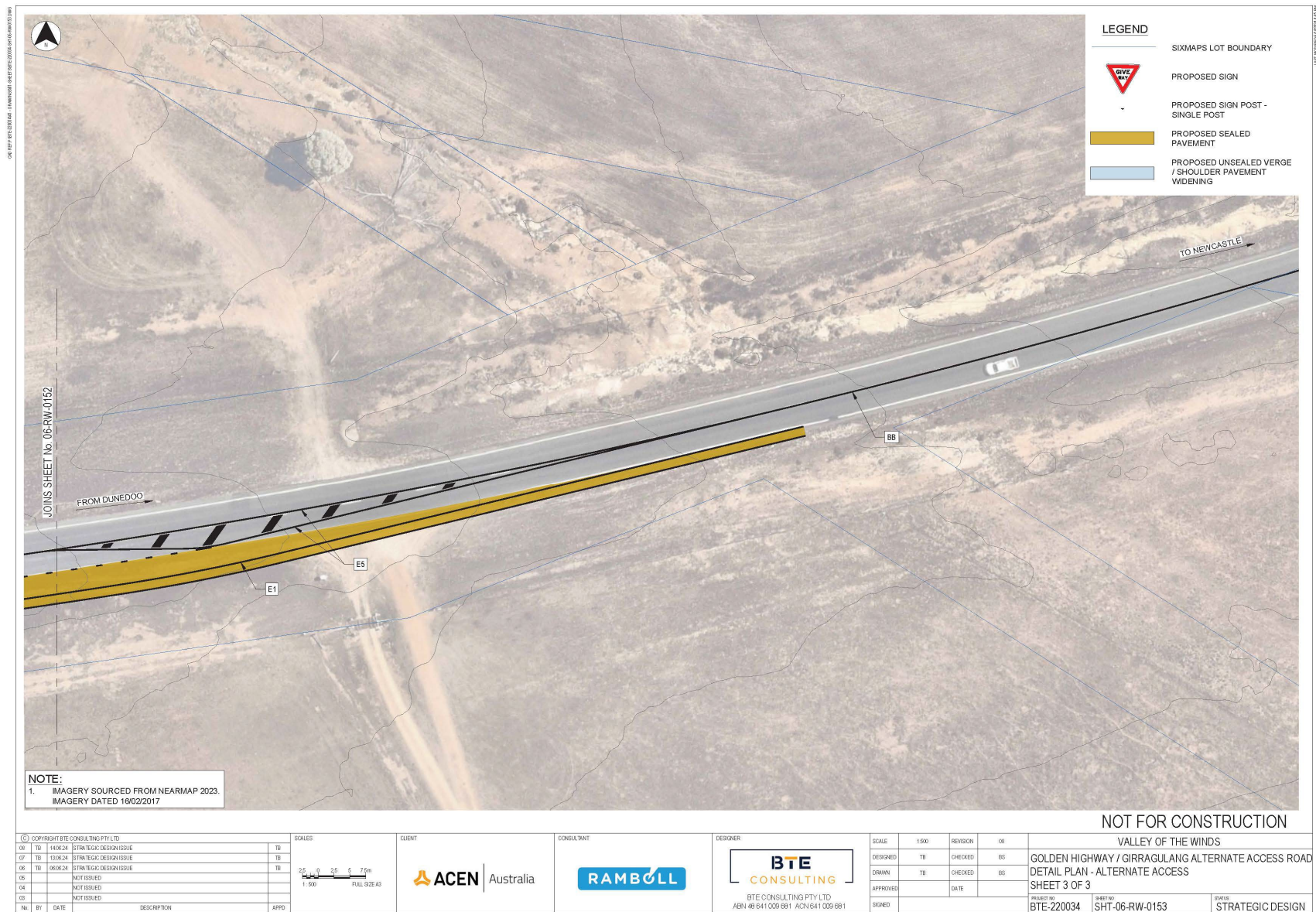


Figure 3c | Intersection upgrades

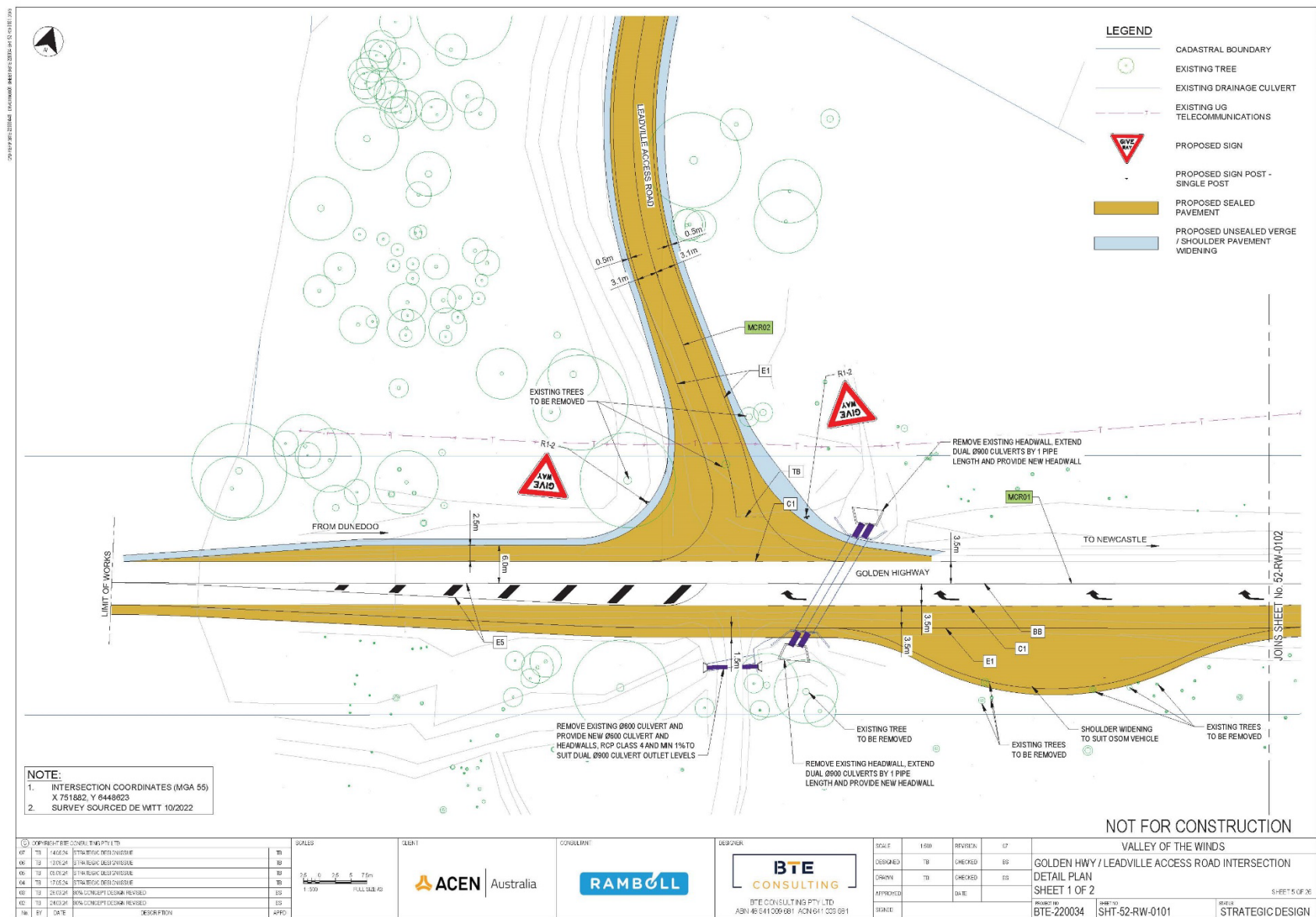


Figure 3d | Intersection upgrades

APPENDIX 6 BIODIVERSITY

Table 1 | Clearing limits and offset liability for native vegetation

| Plant Community Type | Condition | BC Act | EPBC Act | Impact (hectares) | Ecosystem Credit Liability | Timing |
|--|--------------|--------|----------|-------------------|----------------------------|---|
| Black Stump Way and Moorefield Road (west) | | | | | | |
| 281 - Rough-Barked Apple – red gum – Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion | Moderate | CEEC | CEEC | 2.17 | 78 | Prior to commencing local road upgrades on Black Stump Way and Moorefield Road (west) |
| | DNG | | - | 13.79 | 0 | |
| Project Site | | | | | | |
| 84 - River Oak – Rough-barked Apple – red gum – box riparian tall woodland (wetland) of the Brigalow Belt South Bioregion and Nandewar Bioregion | Moderate | - | - | 1.14 | 12 | Prior to commencing construction |
| 267 - White Box – White Cypress Pine – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion | Moderate | EEC | EEC | 0.67 | 19 | |
| | Low | | | 4.04 | 58 | |
| 281 - Rough-Barked Apple – red gum – Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion | Good | CEEC | CEEC | 0.66 | 30 | |
| | Moderate | | CEEC | 5.53 | 195 | |
| | Moderate | | - | 4.00 | 212 | |
| | Low | | - | 3.7 | 44 | |
| 479 - Narrow-leaved Ironbark- Black Cypress Pine – stringybark +/- Grey Gum +/- Narrow-leaved Wattle shrubby open forest on sandstone hills in the southern Brigalow Belt South Bioregion and Sydney Basin Bioregion | Burned | - | - | 4.52 | 107 | |
| | Moderate | | | 8.06 | 159 | |
| | Regenerating | | | 5.7 | 28 | |
| | Low | | | 4.19 | 0 | |
| 483 - Grey Box x White Box grassy open woodland on basalt hills in the Merriwa region, upper Hunter Valley | Good | CEEC | CEEC | 0.28 | 12 | |
| | Moderate | CEEC | CEEC | 27.46 | 511 | |
| | Moderate | CEEC | - | 80.53 | 1755 | |
| | Low | CEEC | - | 156.18 | 3034 | |
| | Poor | - | - | 327.30 | 53 | |

Table 2 | Clearing limits and offset liability for threatened fauna species

| Species | | BC Act | EPBC Act | Impact (hectares) | Species Credit Liability | Timing |
|--|----------------------------------|--------|----------|----------------------|-----------------------------|--|
| Black Stump Way and Moorefield Road (west) | | | | | | |
| Barking owl | <i>Ninox connivens</i> | V | - | 2.17 | 63 | Prior to commencing local road upgrades on Black Stump Way and Moorefield Road (west) |
| Brush-tailed phascogale | <i>Phascogale tapoatafa</i> | V | - | 1.21 | 34 | |
| Bush stone-curlew | <i>Burhinus grallarius</i> | E | - | 2.17 | 63 | |
| Eastern Cave Bat | <i>Vespadelus troughtoni</i> | V | E | 2.36 | 23 | |
| Gang-gang cockatoo | <i>Callocephalon fimbriatum</i> | E | E | 1.21 | 34 | |
| Koala | <i>Phascolarctos cinereus</i> | E | E | 2.17 | 63 | |
| Large-eared pied bat | <i>Chalinolobus dwyeri</i> | V* | V* | 6.70 | 45 | |
| Masked owl | <i>Tyto novahollandiae</i> | V | - | 2.17 | 63 | |
| Pink-tailed legless lizard | <i>Aprasia parapulchella</i> | V | V | 2.90 | 32 | |
| Powerful owl | <i>Ninox strenua</i> | V | - | 2.17 | 63 | |
| Southern myotis | <i>Myotis macropus</i> | V | - | 0.28 | 1 | |
| Squirrel glider | <i>Petaurus norfolcensis</i> | V | - | 2.17 | 63 | |
| Superb parrot | <i>Polytelis swainsonii</i> | V | V | 2.17 | 63 | |
| Project site | | | | | | |
| Barking owl | <i>Ninox connivens</i> | V | - | 15.72 | 359 | Prior to commencing construction |
| Large-eared pied bat | <i>Chalinolobus dwyeri</i> | V* | V* | 52.21 | 1407 | |
| Masked owl | <i>Tyto novahollandiae</i> | V | - | 2.77 | 77 | |
| Pale-headed snake | <i>Hoplocephalus bitorquatus</i> | V | - | 1.14 | 15 | |
| Powerful owl | <i>Ninox strenua</i> | V | - | 2.75 | 77 | |
| Squirrel glider | <i>Petaurus norfolcensis</i> | V | - | 11.98 | 383 | |

¹ the BC Act and EPBC Act listing of *Chalinolobus dwyeri* changed from Vulnerable to Endangered since finalising the BDAR.

APPENDIX 7 HERITAGE ITEMS

Table 1 | *Aboriginal Heritage items – avoid impacts*

| AHIMS ID / Site Name |
|-----------------------------|
| Orana OS-1 |
| Old Farm OS-1 |
| 36-3-0084 |

Table 2 | *Aboriginal Heritage items – avoid, minimise and / or salvage*

| AHIMS ID / Site Name |
|-----------------------------|
| Cainbil Creek OS-1 |
| The Rock IF-1 |
| Kensington OS-1 |

Table 3 | *Historic Heritage items – avoid impacts*

| Item Name |
|--------------------|
| Mt Hope-HS01 |
| The Rock-HS01 |
| The Rock-HS02 |
| Collier Creek-HS01 |

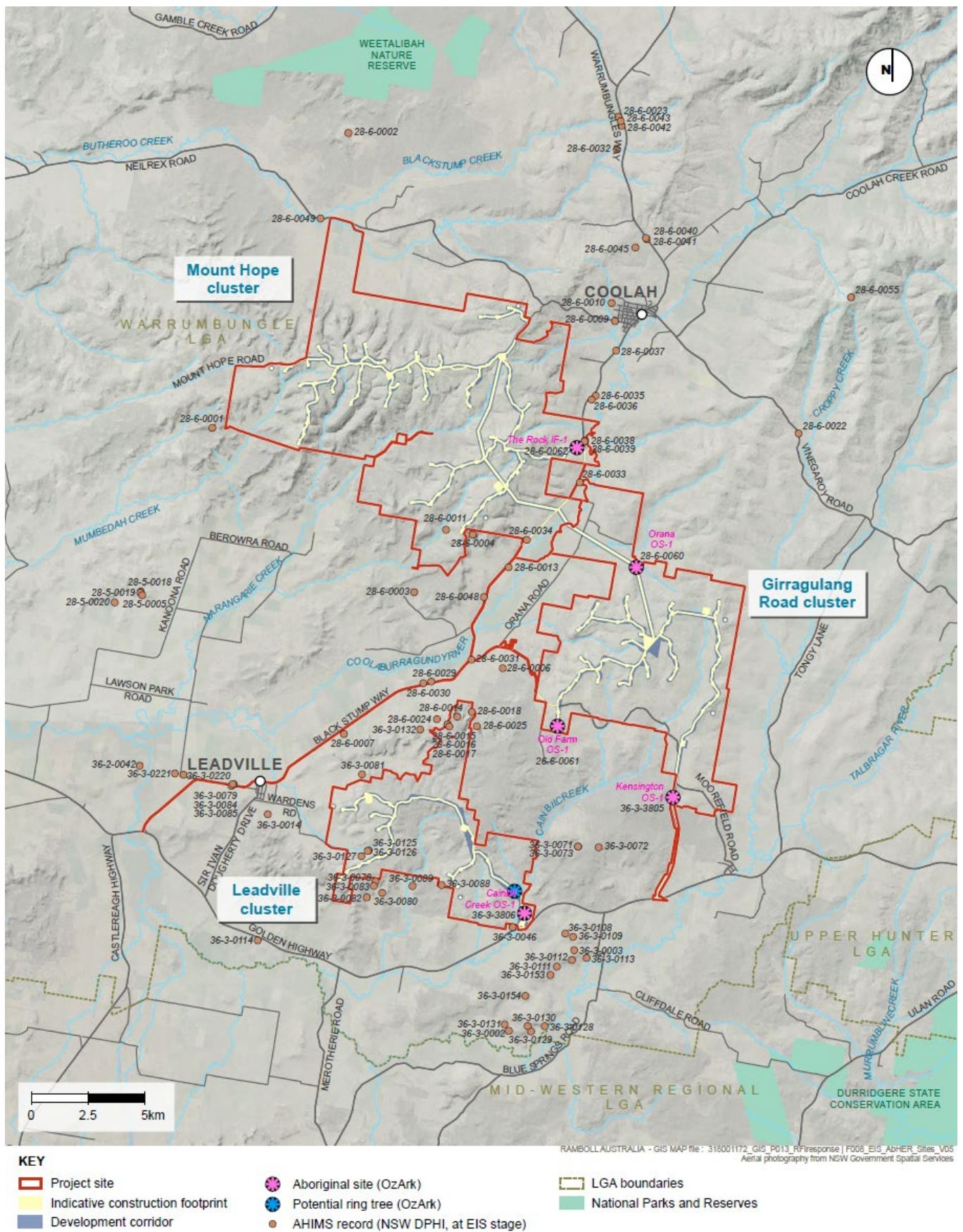


Figure 1 | Heritage items

APPENDIX 8 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident; and
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.