

12 June 2025

Richard Pearson
Commissioner
Independent Planning Commission
Level 15, Suite 2, 135 King Street
SYDNEY NSW 2000

Dear Commissioner Pearson,

Pottinger Wind Farm (SSD-59235464)

Thank you for the opportunity to present to you and the Commissioners on 4 and 5 June 2025 in Deniliquin and Hay, and thank you for the opportunity to provide a written submission to the Independent Planning Commission on the proposed Pottinger Wind Farm.

Attached to this letter are:

- Appendix 1 Pottinger Wind Farm's comments on key topics raised at the IPC Public Meetings
- Appendix 2 Pottinger Wind Farm's Comments on Recommended Conditions of Consent
- Appendix 3 Demonstrated Plains-wanderer Habitat Avoidance

The response to the Commissioner's RFI dated 28/05/2025 is detailed in a separate letter.

About the proposed Pottinger Wind Farm

The proposed Pottinger Wind Farm will be jointly developed by Someva Renewables and AGL Energy in a joint venture named Pottinger Renewables Pty Ltd. Someva is a 100% Australian-owned renewable energy developer based in NSW, and we have partnered with AGL Energy, one of Australia's oldest energy companies, to develop the Pottinger Wind Farm.

We proudly acknowledge and respect the traditions of the Wamba Wamba, Perrepa Perrepa, Nari Nari and Wiradjuri peoples and respect their continued special relationship with the land, sky and waters of the areas where the Pottinger Wind Farm is proposed to be located.

The Pottinger Wind Farm project is named after the Pottinger family – one of the first families to install and maintain windmills in the region. This adoption of wind power in the early 1900s helped to develop a thriving local agriculture industry, and Pottinger Wind Farm seeks to build on that legacy to create a prosperous future for the region.

The proposed project is located near Boorooban approximately 60km south of Hay and 75km north of Deniliquin, and is to be hosted by two local landholders, the Morona and the Hooke families. Both the Morona and Hooke families operate multi-generational family farming businesses, and both these families have a deep care for their land, for their families and for their community.

The proposed Park would include up to 1,300 megawatts (MW) of wind energy from up to 247 wind turbines, supported by a 500 MW / 2,000 MWh grid-scale battery connected to the Project EnergyConnect transmission network. Pottinger Wind Farm would generate enough electricity to power approximately 830,000 average NSW homes.

Pottinger Wind Farm has recently been awarded an Access Right to the South West Renewable Energy Zone (SW REZ) by the Energy Corporation of NSW. This Access Right is for an initial 831.2 MW of wind energy supported by a 400 / 1,600 MWh grid-scale battery. This is planned as a first phase of deployment within the overall proposed planning envelope of 1,300 MW of wind and 500 MW battery capacity with the remainder of the capacity planned to be built once additional grid capacity becomes available. Pottinger was one of just four projects to receive an Access Right to the SW REZ in what was an extremely competitive tender process led by the NSW Government.

Additional capacity could become available in future due to many reasons, including but not limited to:

1. Failure of other SW REZ Access Right holders to meet their full capacity obligations to EnergyCo;
2. Network augmentations or headroom assessments enabling additional capacity on Project EnergyConnect; and/or
3. Additional capacity becoming available on the proposed VNI West connection line or connection infrastructure that is existing.

Alignment with NSW Government policies

The project aligns with the legislated NSW Electricity Infrastructure Road Map, and would replace some of the energy generated today by NSW's ageing and retiring coal fired power stations.

Regional Economic Benefits

Pottinger Wind Farm is expected to create up to 900 jobs through construction with an additional 50 jobs during operations. Pending approvals, construction on the project is planned to commence in late 2026, with operation anticipated to commence in 2029.

Supporting regional development and involving local businesses in the supply chain is a critical objective of Pottinger Wind Farm to ensure the project creates as many new jobs in the Riverina as possible over the next 35 years. A local Employment and Procurement Strategy sets local content targets for construction and operations. To facilitate First Nations and local business participation in the proposed project, the project has registered twenty-two work packages seeking Expressions of Interest (EOI) through the Industry Capability Network. To date, over 600 businesses have registered their interest for Pottinger Wind Farm. The project team has met with many businesses already, including over 100 in the recent EnergyCo Business Roadshows in Deniliquin and Hay.

Local businesses will also benefit from flow-on economic benefits from increased activity throughout the Riverina. Pottinger Wind Farm is currently procuring three 'head', or main contractors, to supply the wind turbines, battery storage technology and the Balance of Plant (civil and electrical works), with the intention of confirming selected contractors in Q3/Q4 2025.

These main contractors will be responsible for contracting local businesses and First Nations businesses – in line with the project's Employment and Procurement Strategy.

Community and Stakeholder Engagement

Pottinger Wind Farm has received broad and deep support from the local community, including from both local councils - Hay Shire Council and Edward River Council. As noted during the IPC meetings in Hay and Deniliquin earlier this month, there were no objections from anyone living within 20 kilometres of the proposed Pottinger Wind Farm during the Environmental Impact Statement (EIS) process. We note that there were 77 supporting submissions.

Deep and broad community engagement and listening has been a cornerstone of this project to date. In the last 18 months alone, we have had over 2,000 unique interactions with over 220 community members. Key themes from that engagement include:

1. Biodiversity including Plains-wanderer protection;
2. Protection of high value agricultural land;
3. Protection of Aboriginal cultural heritage;
4. Minimising the visual impact of turbines;
5. Housing and accommodation; and
6. Roads and transport.

In terms of responding to the community and the results of the independent environmental and technical studies, there have been four separate junctures where Pottinger Wind Farm has made changes to the proposed wind turbine layout and associated infrastructure, each time reducing and mitigating potential concerns and impacts.

These times included:

1. Prior to lodging the Scoping Report;
2. Ahead of delivering the EIS;
3. During the Response to Submissions stage; and
4. At the final RFI Stage.

One of the key changes the project team made following exhibition of the EIS was to remove six turbines from the proposed project layout. This was in response to community and government agency feedback around reducing potential impacts to biodiversity and Aboriginal cultural heritage.

By embedding ourselves within the community and developing true partnerships we have been able to listen to and understand community perspectives, ensuring these perspectives have been considered and incorporated into the planning of the project.

Neighbour Benefit Program

Pottinger Wind Farm offers a Neighbour Benefits Program providing neighbours living within 10 kilometres of the Park the opportunity to benefit for the operating life of the project. We have

heard this is a valued aspect of the project due to the Program's ability to assist with farm revenue during drought periods revenue stream for local families and farming businesses.

Community Benefits

Pottinger Wind Farm is dedicated to making a meaningful economic and social contribution to the communities throughout the Riverina. Our team has worked with local stakeholders to co-design a benefit sharing plan that shares the financial and social benefits of the project in many ways into the future.

We have signed Letters of Intent with Hay Shire Council and Edward River Council that will result in annual contributions to Hay Shire Council of \$580,125 p.a. and to Edward River Council of \$580,125 p.a. (based on 1,300 MW of wind). This equates to at least \$34.8m to Hay Shire Council (\$17.4m) and Edward River Council (\$17.4m) over 30 years for critical community projects and services (based on 1,300 MW of wind).

A First Nations Fund will be established of \$6.1m over 30 years or annual contributions of \$204,750, with this fund co-administered by Pottinger Wind Farm and local First Nations groups.

A further \$500,000 is planned to be distributed in the second half of 2025 to local First Nations and community groups as part of Pottinger's REZ Success Fund. Recipients include RFS Mid Murray, RFS MIA District, Boorooban Social Club, Giz a Break, Hay Inc, Deniliquin Local Aboriginal Land Council and Yarkuwa Indigenous Knowledge Centre.

Table 1: Contributions to Councils and First Nations Fund (for 1,300 MW installed capacity)

Recipient	1,300 MW of wind	\$ / MW / Annum contribution	Annual contribution	Indicative Total contribution s (30 years)
Hay Shire Council	650	\$892.50	\$580,125	\$17,403,750
Edward River Council	650	\$892.50	\$580,125	\$17,403,750
First Nations Fund	1,300	\$157.50	\$204,750	\$6,142,500
Total contributions			\$1,365,000	\$40,950,000

*Monetary values in this table are based on 2024/25 CPI values and will be subject to annual CPI indexing

Listening to the community

Pottinger Wind Farm understands the importance to the community of protecting the local environment, including habitat for the iconic Plains-wanderer. This has led us to work closely with technical experts, NSW government agencies and hosts to re-design many parts of the turbine layout to ensure we identify, avoid and protect habitat for the Plains-wanderer. Throughout the development we have reduced impacts on NSW important mapped habitat for the Plains-wanderer from 5.16ha in the EIS down to just 2.67ha. These design changes have been compiled and summarised in Appendix 3 for convenience. Further to this, as part of our commitment to conserving Plains-wanderer habitat we have committed to protecting an additional 13 hectares of

Plains-wanderer habitat in the region. This commitment creates a nature positive offset benefit for the Plains-wanderer and for Plains-wanderer habitat.

Pottinger has also been carefully designed to operate alongside existing agricultural businesses and lifestyles. Throughout Pottinger's initial investigations we worked with host landowners to identify, avoid and protect areas of high value agricultural land as well as existing conservation areas. This co-design and engagement means Pottinger will avoid high value farming land such as irrigated areas for cropping, heavily timbered areas, and biodiversity conservation areas.

The independent visual assessment has concluded that the visual impact for this project is very low. The site selected for this project has also been broadly welcomed by the community, with turbines proposed being over ten kilometres from the Cobb Highway.

Our project team has also been working closely Hay Shire Council and Edward River Council to mitigate and develop strategies for a range of issues such as roads, waste, water supply and decommissioning. We will finalise these mitigation measures through tailored management plans and strategies in consultation with local councils and the Department of Planning, Heritage and Infrastructure, and as required by any Conditions of Consent.

From the outset, this project has been about working with the local community to ensure that the benefits of renewable energy are shared. From supporting more resilient and sustainable local farming operations, to providing employment and training opportunities and direct support for community and First Nations groups, Pottinger Wind Farm is designed with the region's long-term prosperity in mind.

Pottinger Wind Farm has the potential to support the growth and prosperity of the Riverina region for decades to come, while meaningfully contributing to NSW's legislated energy goals and energy transition.

We welcome the opportunity to provide clarifications or further information should the Commission seek this. We look forward to the outcome of the Commission's determination.

Yours sincerely,



Jamie Chivers
Managing Director, Someva Renewables
Director, Pottinger Renewables Pty Ltd

Appendix 1 – Pottinger Wind Farm’s comments on key topics raised at the IPC Public Meetings

The table below includes Pottinger Wind Farm’s comments on key topics raised during the IPC public meetings on 4 and 5 June 2025.

Discussion Topic from IPC Public Meetings	Proponent Comments
Biodiversity Offset Credits	<p>As stated in the Updated Biodiversity Development Assessment Report (March 2025, Biosis), Pottinger Energy is committed to establishing Biodiversity Stewardship Sites to prioritise securing offsets required for the project within the local area. Any offsets that cannot be secured through the establishment of local offsets would then be sourced through other means.</p> <p>Such an approach is advantageous to the local environment, as disturbed habitats are offset close to the areas impacted by the project. It is also advantageous to nearby landowners, who improve their land for financial benefit and share the project’s commitment to protecting local species.</p>
Impacts to high value agricultural land	<p>Throughout Pottinger’s initial investigations we worked with host landowners to identify, avoid and protect areas of high value agricultural land as well as existing conservation areas. This co-design and engagement means Pottinger will avoid high value farming land such as irrigated areas for cropping, heavily timbered areas, and biodiversity conservation areas.</p>
Project decommissioning	<p>Pottinger Wind Farm is committed to ensuring the responsible decommissioning of the energy park. Section 3.7 of the Environmental Impact Statement describes how the Wind Farm will be decommissioned. The Recommended Conditions of Consent include requirements pertaining to decommissioning, which Pottinger Wind Farm is committed to achieving (subject to Pottinger Wind Farm’s comments on Recommended Condition B61 in Appendix 2).</p> <p>In accordance with The NSW Wind Energy Guideline (Nov 2024, NSW Department of Planning, Housing and Infrastructure), Pottinger Wind Farm has ensured agreements with host landowners include</p>

	provisions protecting host landowners in the event Pottinger Wind Farm or any future owner is financially incapable of decommissioning the facility.
Exploitation of workers in supply chains	Pottinger Wind Farm will comply with the Modern Slavery Act 2018. Pottinger Wind Farm has adopted AGL's Modern Slavery policy: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/who-we-are/our-company/250501-agl-modern-slavery-statement.pdf
Security risks inherent to overseas supply chains	Pottinger Wind Farm will comply with the Security of Critical Infrastructure Act 2018, including the requirement to produce a Risk Management Plan.
Fire Safety	<p>Pottinger Wind Farm understands the need to be responsible with respect to bushfire and fire safety.</p> <p>The Recommended Conditions of Consent include many conditions pertaining to the management of such risks, all of which Pottinger is supportive of (subject to Pottinger Wind Farm's comments pertaining to Recommended Condition B48 in Appendix 2).</p> <ul style="list-style-type: none"> • Recommended Condition B28 requires measures and timeframes for bushfire management to be included in a Biodiversity Management Plan. • In relation to the BESS (Battery Energy Storage System), Recommended Condition B48 requires a comprehensive Fire Safety Study to be prepared to the satisfaction of the Planning Secretary and implemented. • Recommended Condition B52 requires Pottinger Wind Farm to minimise fire risks, including by managing vegetation fuel loads on-site and in accordance with the RFS's (Rural Fire Services) Planning for Bushfire Protection 2019. It requires Pottinger to provide dedicated water tanks of 65,000L total capacity for use by FRNSW (Fire and Rescue NSW). It includes a requirement for a 10m Asset Protection Zone around infrastructure. It requires Pottinger Wind Farm to assist firefighters as much as practicable if there is a fire. • Recommended Condition B53 includes similar requirements to B52 in relation to the accommodation camp. • Recommended Condition B54 requires an Emergency Plan to be prepared by Pottinger Wind Farm, prior to construction. It must consider numerous aspects relating to fire and bushfire, both in terms of fire prevention and mitigation should a fire occur.

<p>Concerns regarding conservation of the SAII Plains-wanderer bird</p>	<p>The SAII Plains-wanderer bird has been carefully considered during the determination process. Pottinger Wind Farm has consulted closely with DPHI and DCCEEW Conservation Programs, Heritage & Regulation Division (CPHR). The DPHI notes in their Assessment Report that “the Department considers that the concerns raised by NSW DCCEEW CPHR have been resolved...”</p> <p>This statement by DPHI is on the basis of additional information provided by Pottinger Wind Farm, revision to the project layout to further minimise Plains-wanderer habitat impacts (as summarised and attached in Appendix 3) and the formalisation of commitments in the Recommended Conditions of Consent.</p> <p>Recommended Condition of Consent B28 formalises Pottinger Wind Farm’s proactive commitment to ensuring that an additional 13ha of Plains-wanderer habitat is managed for nature positive benefits. It includes ensuring that at least 3ha of existing Plains-wanderer important mapped habitat is secured, in perpetuity, under a Biodiversity Stewardship Agreement. Pottinger Wind Farm is committed to achieving these outcomes and minimising impacts to the Plains-wanderer.</p> <p>Additional information is available in Appendix 3. Further information is available in the response to RFI 3 – Consolidated BDAR.</p>
<p>Public road upgrades and the timing of works</p>	<p>Pottinger Wind Farm understands the importance of local upgrades to road users and local councils.</p> <p>Pottinger Wind Farm has worked with council stakeholders to create a schedule of road upgrades, that forms Table 1, Appendix 5 of the Recommended Conditions. The table sets out the works to be undertaken and the agreed timing (subject to Pottinger Wind Farm’s comments in Appendix 2 of this document).</p>

**POTTINGER
WIND
FARM**



Pottinger Renewables Pty Limited

Sydney, NSW 2000
Australia

Appendix 2 – Pottinger Wind Farm’s Comments on Recommended Conditions of Consent

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Pottinger Renewables has reviewed the Recommended Conditions of Consent and is broadly supportive of their content. In order to meet energisation of Project EnergyConnect with timely generation from Pottinger Renewables, and support the Government's targets for carbon reduction, it is imperative that the Conditions of Consent are structured to allow the efficient sequencing of the works required to move the Project towards and then through the construction process. There remains development activities of a minor nature which are considered pre-construction and on the critical path to achieve construction and delivery of energy into Project EnergyConnect, examples of which are:

1. Wind Monitoring Masts which are used to collect data to characterise the wind at the site. Accurate data at the expected hub height of the turbines is needed to inform the procurement and specification of the wind turbines (to ensure they meet design life requirements) and to refine the revenue model for the wind farm to support the debt financing process. Typically, a minimum of 12 months data is required after mast erection and before a contract can be placed for supply of the wind turbines.
2. Geotechnical Investigation Works aimed at characterizing the sub-ground and ground conditions. This information is used to develop the Final Layout (by avoiding areas of unfavourable geotechnical conditions), develop designs for the wind turbine foundations, grid connection infrastructure and electrical cables and therefore refine the quantities of concrete, steel and rock required to be imported to the site. This information is imperative to developing quality and specific management plans, such as those pertaining to biodiversity management and traffic management.

Item	Condition(s)	Pottinger Comment	Proposed Amendments
1.	Definitions – “Ancillary infrastructure”	<p>It creates uncertainty for the “wind monitoring masts” to be included within the definitions of both “Ancillary infrastructure” and “Pre-construction minor works”.</p> <p>We suggest further clarity by distinguishing between:</p> <ul style="list-style-type: none"> • “permanent wind monitoring masts” – which in our view should be considered “Ancillary infrastructure”; and • “temporary wind monitoring masts” – which in our view should be considered “pre-construction minor works”. <p>If the proposed changes are not adopted, then there is a risk that the consent could be misinterpreted to the effect that the installation of all “wind monitoring masts” could trigger full compliance with all of the other conditions that</p>	<p>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), <u>permanent</u> wind monitoring masts and internal roads.</p>

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		<p>are required to be satisfied prior to "Construction". This is not our understanding of the intent of the condition, and would substantially lengthen the time taken to develop the project and would result in management plans contingent on construction being less informed.</p> <p>The proposed change is shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p>	
2.	Definitions – "Pre-construction minor works"	<p>In order to:</p> <ul style="list-style-type: none"> • avoid doubt with respect to undertaking geotechnical investigation works in order to inform detailed design, the preparation of management plans, Final Layout plans and strategies to manage the environmental impacts of the Project; and • enable works that are not within the definition of "Construction" to be undertaken, <p>it is necessary for the proponent to undertake geotechnical investigation works on the Project land.</p> <p>Accordingly, our position is that explicit reference needs to be made in the definition of "Pre-construction minor works" to "geotechnical works".</p> <p>Failing to particularise this point leaves the proponent exposed to an argument by third parties that geotechnical works necessary for the abovementioned purposes cannot lawfully be undertaken as part of "Pre-construction minor works" and prior to certain other steps being undertaken under the consent. Whilst we understand that "excavation" is intended to</p>	<p>Includes the following activities:</p> <ul style="list-style-type: none"> • surveys; • overhead line safety marking; • building and road dilapidation surveys; • investigative drilling, excavation or salvage <u>and geotechnical investigation works</u>; • 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; • <u>temporary</u> wind monitoring masts; and • construction of minor access roads and minor adjustments to services/utilities, etc.

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		<p>include geotechnical investigation works, there is also uncertainty as to whether “excavation” would include geotechnical works as a matter of law, which only emphasises the need for the clarifying words proposed. This is on the basis that the consent ought not be misinterpreted as requiring that geotechnical works cannot be undertaken except as part of “Construction”.</p> <p>Consistent with our comments in the line item above, we propose that the reference to “wind monitoring mast” be clarified to explicitly refer to “temporary wind monitoring mast”.</p> <p>We request this should be included at bullet point 4 as shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p>	
3.	New Condition A8a – Staging	<p>For the purposes of this response, we refer to the new condition as “Condition A8a”.</p> <p>We request that the IPC include a new Condition A8a after Condition A8 or anywhere else within Part A (<i>Administrative Conditions</i>) to clarify that the development may be undertaken in stages and that the conditions of the consent are only required to be complied with at the time and to the extent that they relate to each specific stage(s).</p> <p>We have proposed drafting shown in <u>mark-up</u> based on our review of equivalent conditions included in development consents for other similar wind farm projects.</p>	<p><u>A8a. The Applicant may construct, operate and decommission the development in stages.</u></p> <p><u>Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).</u></p>
4.	Conditions B24 and B28 – Biodiversity Offsets	<p>The reference to “development” in Condition B24 and B28 is potentially confusing and may unintentionally limit the activities that should</p>	<p>B24. Prior to carrying out any <u>development construction</u> that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must: ...</p>

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		<p>reasonably be able to be undertaken before the time stipulated in the condition.</p> <p>We suggest that the reference to “development” (which is very broad under the legislative provisions) be replaced with “construction”, to better clarify that biodiversity offsetting requirements do not apply in the context of “pre-construction minor works”. We note, for completeness, that the definition of “Construction” explicitly excludes “pre-construction minor works” as well as “minor clearing or translocation of native vegetation”. This means that these “pre-construction minor works” should not be subject to biodiversity offset requirements, given that they are permitted to occur prior to construction.</p> <p>The proposed changes are shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p>	<p>B28. Prior to carrying out any <u>development construction</u> 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: ...</p>
5.	Condition B24(b) – Biodiversity Offsets	<p>We suggest that this sub-section be removed, as it is already substantively addressed under Condition B24(a) and does not need to be duplicated. Further, the requirements of the two conditions, B24(a) and B24(b), are conflicting.</p> <p>The proposed change is shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p>	<p>B24. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must:</p> <p>(a) retire biodiversity credits of a number and class specified in Tables 1 and Table 2 of Appendix 6, unless the Planning Secretary agrees otherwise in accordance with condition B26; and</p> <p>(b) retire biodiversity credits specified in Tables 1 and 2 of Appendix 6 prior to carrying out any development that would impact on biodiversity values.</p> <p>...</p>

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6.	Condition B26(a) – Biodiversity Offsets	<p>We have recommended additional language to clarify, in particular, that a staged approach to the Project would need to be incorporated into the requirement for biodiversity offsets.</p> <p>The proposed change is shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p> <p>It may be that if the other suggested changes we have proposed in relation to staging in item 3 above is adopted, then this proposed change would be less necessary. In any event, our view is that it would not be unreasonable to clarify the position by including the additional drafting as proposed.</p>	<p>B26. If the Applicant identifies a way to reduce impacts including:</p> <p>(a) that it will not proceed with parts of the development (e.g. removing or relocating turbines or access tracks), <u>or the development is proposed to be staged</u>; and</p> <p>...</p>
7.	Conditions B24, B25 and B26 – Biodiversity Offsets	<p>We suggest that the wording of conditions B24, B25 and B26 be amended to contemplate staging be added that provide flexibility for re-baselining offset liabilities on account of potentially reducing liability for biodiversity credits for undisturbed areas with the agreement of the Planning Secretary. We are only seeking a mechanism which provides reasonable flexibility in the event that impacts on biodiversity can be reduced and we agree that there should not be any potential to increase biodiversity impacts and offset liabilities. The clarifying words in Condition B26 are also reasonably required to avoid any uncertainty.</p> <p>The proposed changes are shown in <u>mark-up</u> in the adjacent column against the Recommended Draft Conditions.</p> <p>Unlike the case with item 6 above, our view is that the proposed changes in the adjacent column are necessary irrespective of whether</p>	<p>B24. Prior to carrying out any construction that could directly or indirectly impact the biodiversity values requiring offset <u>(or prior to carrying out any construction of a stage, if the development is to be staged)</u>, the Applicant...</p> <p>B25. Prior to carrying out any construction that could directly or indirectly impact the biodiversity values requiring offset <u>(or prior to carrying out any construction of a stage, if the development is to be staged)</u>, the Applicant...</p> <p>B26. If the Applicant identifies a way to reduce impacts <u>prior to carrying out any construction that could directly or indirectly impact the biodiversity values requiring offset (or prior to carrying out any construction of a stage, if the development is to be staged)</u> including:...</p>

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		the staging condition in item 3 above is adopted.	
8.	Condition B45 – Notification of Aviation Authorities	<p>The imposition of a 7-month timeframe:</p> <ul style="list-style-type: none"> could substantially delay erection of wind monitoring masts (which are appropriately listed as “pre-construction minor works” in the Definitions); and appears to be arbitrary and has not been requested by Airservices Australia or other relevant regulator. <p>A review of recently approved wind farms in NSW reveals that where a similar condition has been imposed, no timeframe has been indicated (e.g. Hills of Gold and Yanco Delta Wind Farms).</p> <p>The proposed change allows the timeframe for activation of a commercial agreement to be included in the commercial agreement after negotiation with Air Service Australia.</p>	<p>At least 7 months Prior to the commencement of construction of any wind turbine or wind monitoring mast, the Applicant must consult with Airservices Australia to secure a commercial agreement for amendments required to air routes H247 and W762, and the Hay aerodrome 25 nm MSA instrument procedure.</p>
9.	Condition B61 – Decommissioning and Rehabilitation	<p>The requirement to remove underground cabling is contrary to the NSW Wind Energy Guidelines (Nov 2024, NSW Department of Planning, Housing and Infrastructure) which states:</p> <p><i>“Pending the final agreed land use and conditions of consent (including requirements to rehabilitate ecologically sensitive areas), below-ground cabling and conduits may be left in-situ and access tracks retained to support the ongoing use of land for agricultural use.”</i></p>	<p>To be decommissioned and removed <u>to a depth of 500mm</u> below ground level, unless the Planning Secretary agrees otherwise.</p>

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		<p>It is also contrary to the description of decommissioning included in Section 3.7 of the EIS which states:</p> <p><i>“below ground infrastructure at a depth of 0.5 m or greater will be retained to avoid further environmental disturbance and minimise impact to revegetate areas, unless removal is requested by the landowner ...”</i></p> <p>We request this requirement is amended to clarify that cabling will only be removed to a depth of 500mm</p>	
10.	Additional Notes	<p>To avoid any ambiguity in the consent, we request that a note in respect of staging be added under any conditions where it would have potential application, including:</p> <ul style="list-style-type: none"> • Conditions B1 to B4 (<i>Lighting</i>); • Conditions B24, B25 and B26 (<i>Biodiversity Offsets</i>) in the event that our proposed amendments at item 7 above are not adopted; • Condition B28 (<i>Biodiversity Management Plan</i>); • Condition B29 (<i>Bird and Bat Adaptive Management Plan</i>); • Condition B33 (<i>Heritage Management Plan</i>); • Conditions B34 to B42 (<i>Transport</i>); • Conditions B43 to B46 (<i>Aviation</i>); • Conditions B48 to B55 (<i>Hazards</i>); and 	<p><u><i>Note: If the construction of the development is to be staged, then the satisfaction of this condition may be staged on an equivalent basis.</i></u></p>

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		<ul style="list-style-type: none"> Conditions B57 to B59 (<i>Accommodation Camp</i>). <p>We request wording consistent with and to the effect of that in <u>mark-up</u> in the adjacent column.</p>	
11.	Appendix 5 – Table 1 (<i>Road upgrades to be implemented by the Applicant</i>)	<p>With respect to the following:</p> <ul style="list-style-type: none"> Hay LGA – Intersection of Cobb Highway and West Burrabogie Road; Hay LGA – Intersection of Cobb Highway and Jerilderie Road; Edward River LGA – Intersection of Cobb Highway and Warwillah Road; and Edward River LGA – Intersection of Cobb Highway and Wargam Road, <p>the Project has not committed to conducting road upgrades prior to commencement of pre-construction minor works. Such a requirement would substantially delay performance of “pre-construction minor works” and would not be commensurate with the traffic movements required for those works. We request that the timing specified in the ‘Timing’ column be updated throughout the table.</p> <p>To address this issue, we propose that words to the effect of those in the adjacent column shown in <u>mark-up</u> be used throughout Appendix 5, Table 1 as appropriate.</p>	<p><u>Prior to commencement of preconstruction minor works Prior to use by heavy vehicles travelling to site for the purposes of construction.</u></p>

Appendix 3: Demonstrated Plains-wanderer Habitat Avoidance

Through the development of Pottinger Wind Farm, Pottinger Renewables has been committed to avoiding areas of high value biodiversity where possible, including in relation to Plains-wanderer Habitat. The early development layouts utilised publicly available broad scale mapping from sources such as BioNet and NSW Seed. Following on-site survey which accurately mapped the distribution of Plains-wanderer Habitat across the project area, the following steps were taken to further minimise impacts:

- Relocation of turbines and infrastructure from broadscale mapped and surveyed habitat;
- Reduction of road footprint where possible through these areas; and
- Utilisation of existing disturbance and access tracks.

The Table below demonstrates how Plains-wanderer habitat impacts were reduced throughout the planning process. Some examples of where habitat was avoided through design iteration are illustrated in the Figures following the Table. The Figures show the layout prior to optimisation in light green and pink, and the optimised layout in light yellow.

It is noted that project designs must also balance impacts to other constraints including other TEC species, cultural heritage, technical constraints, agricultural constraints, and design efficiencies.

Table 2: Plains-wanderer Habitat mitigations

Habitat GIS	EIS	RTS		RTS - Amendment (DCoC)	
	No-Existing Disturbance Considered (Ha)	Existing Disturbance Considered (Ha)	No-Existing Disturbance Considered (Ha)	Existing Disturbance Considered (Ha)	No-Existing Disturbance Considered (Ha)
Plains-wanderer Important Mapped Areas	5.626	2.814	3.668	2.675	3.756
Plains-Wanderer Surveyed Habitat	28.867	25.340	25.726	6.671	7.057
Total	34.493	28.154	29.394	9.346	10.813

Legend for the following diagrams:

Figure 1: Layout Optimisation

Legend

- WTG Locations
- EIS - Development Corridor
- Infrastructure Footprint**
 - Amended Infrastructure Footprint - Plains Wanderer Existing Disturbance Subtracted
 - RTS Infrastructure Footprint - Plains Wanderer Existing Disturbance Subtracted
 - Amended Infrastructure Footprint
 - RTS Infrastructure Footprint
- Plains Wanderer Habitat**
 - BroadScale Mapping
 - Site Survey
- Aboriginal Heritage Constraints**
 - Aboriginal Heritage Buffer
 - Aboriginal Heritage Site Extents
- Aboriginal Heritage Site Points**
 - Artefact
 - Artefact, Hearth
 - Artefact, Hearth, Modified Tree (Carved or Scarred)
 - Artefact, Hearth, Potential Archaeological Deposit (PAD)
 - Artefact, Potential Archaeological Deposit (PAD)
 - Earth Mound, Hearth, PAD
 - Hearth
 - Hearth, Modified Tree (Carved or Scarred)
 - Modified Tree (Carved or Scarred)
 - Potential Archaeological Deposit (PAD)
 - Potential Archaeological Deposit (PAD), Modified Tree (Carved or Scarred)

WTG 3-4-5



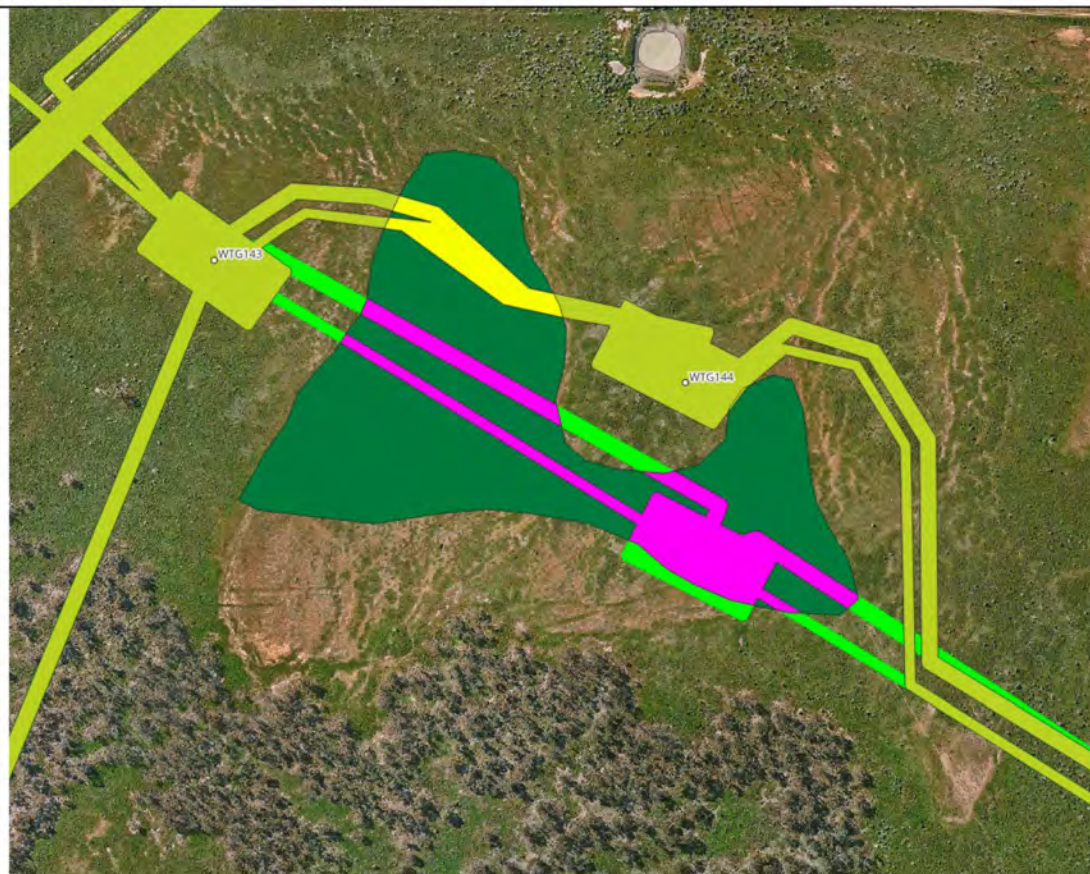
Footprint (RTS) – Excluding Existing Disturbance

2.132 (ha)

Footprint (Amended) – Excluding Existing Disturbance

0.297 (ha)

WTG 143-144



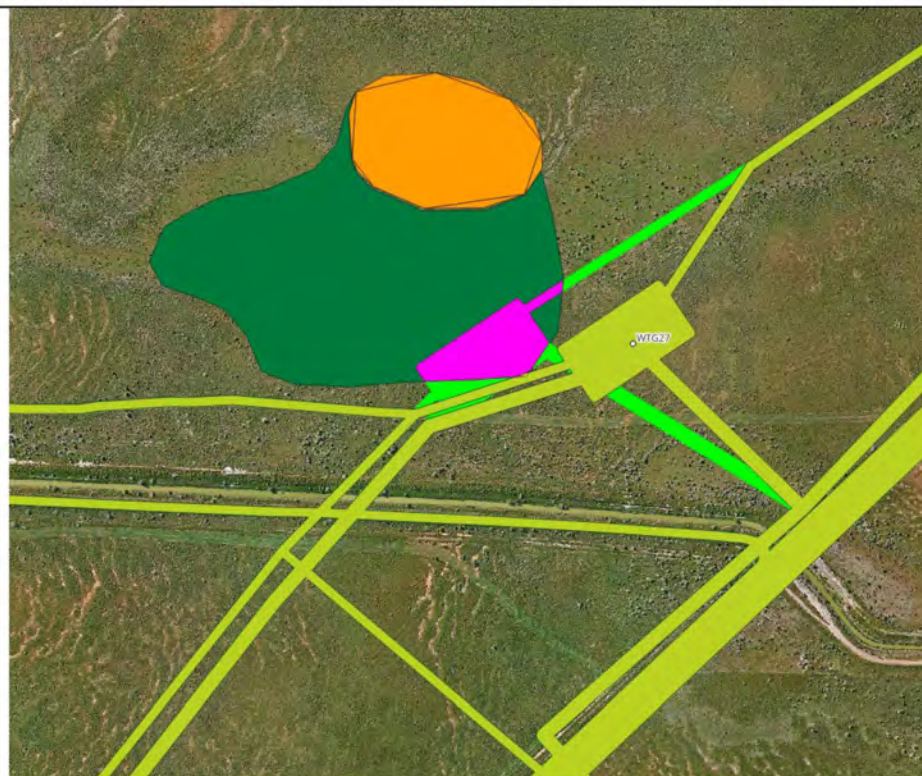
Footprint (RTS) – Excluding Existing
Disturbance

1.689 (ha)

Footprint (Amended) – Excluding Existing
Disturbance

0.524 (ha)

WTG 27



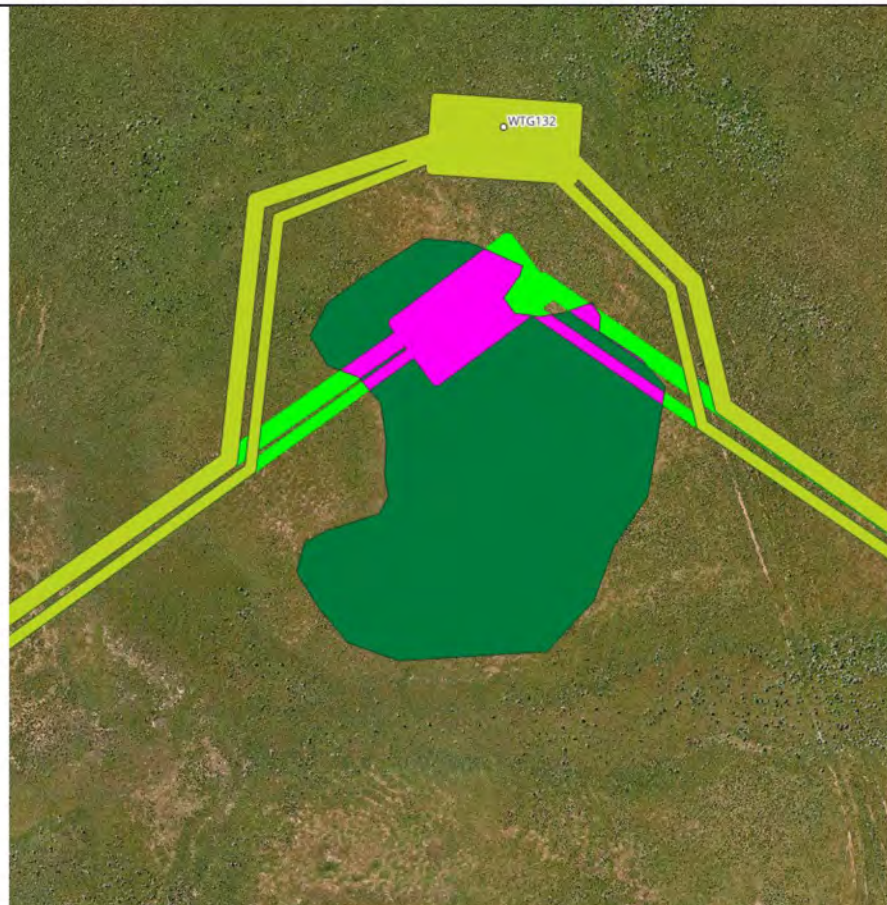
Footprint (RTS) – Excluding Existing
Disturbance

0.721 (ha)

Footprint (Amended) – Excluding Existing
Disturbance

0.002 (ha)

WTG 132



Footprint (RTS) – Excluding Existing
Disturbance

1.022 (ha)

Footprint (Amended) – Excluding Existing
Disturbance

0.000 (ha)

IPC Submission response_Pottinger Energy Park 20250612

Final Audit Report

2025-06-12

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