

**APPENDIX B: CONSOLIDATED APPROVAL**

# Project Approval

## Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation from the Minister enforced from 1<sup>st</sup> October, 2011, the Planning Assessment Commission of New South Wales (**the Commission**) approves the project application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Mr Garry Payne AM  
Member of the Commission

Mr Lindsay Kelly  
Member of the Commission

Sydney

2011

File No: 10/09150

### SCHEDULE 1

<b>Application No.:</b>	MP 10_0135
<b>Proponent:</b>	Capital Wind Farm 2 Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lots 72, 79, 80 of DP 754919, Lot 300 of DP 1137335, Lot 7 of DP 227420, Lot 16 of DP 535180, Lot B of DP 320961, Lot 18 of DP 535179, Lot 1 of DP 1140319, Lot 1 of DP 237079, Lot E of DP 38379, Lot 1 of DP 1202062, Lot 45 of DP754877 and Lot 100 and 101 of DP 115937.
<b>Project:</b>	Capital Wind Farm 2, including: <ul style="list-style-type: none"><li>• 41 wind turbine generators with a generating capacity of approximately up to 143.5 megawatts, kiosk transformers and access tracks;</li><li>• up to three meteorological monitoring masts;</li><li>• up to 15 kilometre section of internal overhead transmission line. The Project would utilise the existing Capital Wind Farm 330 kilovolt grid connection and substation infrastructure; and</li><li>• associated temporary and ancillary works.</li></ul>

[Modification 1 – 4 July 2013](#)

[Modification 3 – 17 March 2015](#)

[Modification 2 – 29 June 2015](#)

[Modification 4 – XX XX XX](#)

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**Appendix A**

## DEFINITIONS

Act	Environmental Planning and Assessment Act 1979
CCC	Community Consultative Committee
CEMP	Construction Environmental Management Plan
Conditions of Approval	The Minister's conditions of approval for the project.
Construction	All pre-operation activities associated with the project other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys or other activities determined by the Environmental Representative to have minimal environmental impact such as minor access roads, commissioning activities, minor adjustments to services / utilities, establishing temporary construction sites, or minor clearing (except where threatened species, populations or ecological communities would be affected).
Council	<u>Queanbeyan-Palerang Regional Council</u> <del>Palering Council</del>
EPL	<u>Environment Protection Licence under the Protection of the Environment Operations Act 1997.</u>
OEH	Office of Environment and Heritage
OHL	Overhead Transmission Line
Department	Department of Planning and Environment
DRE	<u>Division of Resources and Energy</u>
DTIRIS	NSW Department of Trade and Investment, Regional Infrastructure and Services
Dust	Any solid material that may become suspended in air or deposited
EA	The environmental assessment titled <i>Capital II Wind Farm Bungendore</i> (Monteath & Powys Pty Limited, December 2010), as modified by the: <ul style="list-style-type: none"> <li>• <i>Submissions Response Report Capital II Wind Farm and Preferred Project Report</i> for the project (Infigen Energy, March 2011);</li> <li>• Email correspondence from Infigen Energy to the Department, dated 5, 9, 12, 17 and 20 May 2011;</li> <li>• Application to modify the project approval (Mod 1), dated 16 April 2013, including additional information submitted to the Department by Infigen in support of the application, dated 24 June 2013; and</li> <li>• Application to modify the project approval (Mod 3), dated 9 October 2014, and further email correspondence from Infigen to the Department dated 14 January 2015; and</li> <li>• <b>Application to modify the project approval (Mod 2), including additional information submitted to the Department by Infigen in support of the application on 23 April 2014, the associated <i>Response to Submissions</i> document dated 10 November 2014; and</b></li> <li>• <u>Application to modify the project approval (Mod 4), dated 16 September 2016, including the associated <i>Response to Submissions</i> dated 28 October 2016.</u></li> </ul>
EPA	Environment Protection Authority
EPL	<u>Environment Protection Licence under the Protection of the Environment Operations Act 1997.</u>
Minister	Minister for Planning, or delegate
Natural Temperate Grassland	Native Grasslands, derived from previously existing native woodland and forest communities within the project area, and developed as stand-alone grassland communities over time.
Non-associated receptors	Landowner that has not reached a financial or in kind agreement with the Proponent in relation to the project
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
OHL	Overhead Transmission Line
Operation	Any activity which results in the production of electricity for contribution to the electricity grid, but does not include commissioning
Project	The project as described in the EA
Proponent	Infigen Pty Ltd, or any person who seeks to carry out the development approved under this approval
Reasonable and feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. <b>Feasible</b> relates to engineering considerations and what is practical to build <u>or implement</u> . <b>Reasonable</b> relates to the application of judgement in arriving at a decision, taking into account mitigation benefits and cost of mitigation

	versus benefits provided, community views and nature and extent of potential improvements.
<b>Registered Aboriginal Stakeholders</b>	Aboriginal stakeholders identified as registered stakeholders in the Environmental Assessment, including the Buru Ngunnawal Aboriginal Corporation, Pejar Local Aboriginal Land Council and Gundungurra Tribal Council Aboriginal Corporation.
<b>Residence/receiver not associated with the project</b>	No landowner agreement between the Proponent and landowner has been formed, that takes into account the cumulative impacts of Capital Wind Farm, Capital Wind Farm 2 and Woodlawn Wind Farm, as outlined in the email of 20 May 2011, referred to under condition A1 (d) of this Approval.
<b>RFS</b>	NSW Rural Fire Service
<b>RMS</b>	NSW Roads and Maritime Services
<b>Secretary</b>	Secretary of the Department of Planning and Environment (or nominee)
<b>Sensitive Receiver Site</b>	Any non associated residential dwelling or non associated receptor Land to which Major Projects Application MP10_0135 applies.
<b>Submissions Report</b>	<i>Submissions Response Report Capital II Wind Farm</i> (Infigen Energy, April 2011).
<b>Surveyor General</b>	<u>Surveyor General</u> of New South Wales.

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## SCHEDULE 2 PART A - ADMINISTRATIVE CONDITIONS

### Terms of Approval

- A1. The Proponent shall carry out the project generally in accordance with the:
- (a) EA; and
  - (b) conditions of this approval.

*Note: The general layout of the project is shown in Appendix A.*

- A2. In the event of an inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
- A3. The Proponent shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.

### Limits of Approval

- A4. This project approval shall lapse ~~five~~two years after the date on which it ~~is~~Mod 4 is granted, unless works subject of this approval have commenced before that time.
- A5. The project shall not exceed 41 wind turbines.

### Statutory Requirements

- A6. The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.
- A7. For the purposes of section 75S(2)(b) of the Act, the *relevant provisions*, as defined in section 75S(1A) of the Act, apply to this approval.

*Note: This condition is relevant to construction and occupation certificates for the project.*

### Compliance

- A8. The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.
- A9. The Proponent shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.
- A10. In the event of a dispute between the Proponent and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the project, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.

### Decommissioning

- A11. Prior to the commencement of construction, the Proponent shall provide written evidence to the satisfaction of the Secretary, that the lease agreements with the site landowners have adequate provisions to require that decommissioning occurs in accordance with this approval.

## **Revision of Strategies, Plans and Programs**

**A12. Within 3 months of:**

- (a) the submission of an audit report under condition F2; or
- (b) any modification to the conditions of this approval, (unless the conditions require otherwise),

the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.

Where this review leads to revisions in any such document, then within 4 weeks of the review, the revised document must be submitted to the Secretary for approval.

*Note: This condition ensures that strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.*

## **Notification of Department**

A13. Prior to the commencement of the construction, operation and/or decommissioning of the project, the Proponent shall notify the Department in writing of the date of commencement.

If the construction, operation and/or decommissioning of the project is to be staged, then the Proponent shall:

- (a) notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the project that would be carried out during the relevant stage; and
- (b) inform the local community and the Community Consultative Committee about the proposed staging plans.

## **Incident Reporting**

A14. The Proponent shall immediately notify the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary, and any relevant agencies, with a detailed report on the incident, and such further reports as may be requested.

## **Updating & Staging of Strategies, Plans or Programs**

A15. With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval.

### Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Proponent shall ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.
- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.



### **Final Layout Plans**

A16. Prior to the commencement of construction, the Proponent shall submit detailed plans of the final layout of the project to the Secretary, including:

- (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure;
- and
- (b) the GIS coordinates of the final wind turbine locations.

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

### **Micro-siting Restrictions**

A17. The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided:

- (a) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix A; and
- (b) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this approval.

## PART B – GENERAL CONDITIONS

### Visual Amenity

- B1. The Proponent shall, at the request of any owners of residential dwellings or businesses with views of a turbine(s) located within five kilometres of their dwellings, provide and bear the full cost of reasonable landscaping treatments to visually screen these dwellings. Such a request may be made in writing by the owner of the dwelling or business within 6 months from the commencement of operation of the project, and landscaping treatments agreed between the parties must be implemented and completed within 12 months of such an agreement. Should the parties not be able to reach agreement on the scope of landscaping treatments, then either party may refer the matter to the **Secretary** for resolution. The **Secretary's** decision on such a referral shall be final and binding on the parties.
- B2. The Proponent must ensure all residents, business owners or public authority, whose dwelling, business or public area respectively, may be subject to moderate to high visual impact, as defined in the EA, are consulted regarding impact minimisation measures and the outcomes of this consultation process are used to inform the Design and Landscaping Plan, required under condition C14 d).

### Turbine and Associated Infrastructure External Design

- B3. The turbines shall be painted matt off-white/grey. The blades shall be finished with a surface treatment that minimises any potential for glare or reflection.
- B4. No advertising, signs or logos shall be mounted on the turbines, except where required for safety purposes.
- B5. The Proponent shall maximise the use of building materials and treatments for associated infrastructure which visually complement the surrounding environment.

### Lighting

- B6. No external lighting other than low intensity security night lighting of infrastructure associated with the project, including wind turbines is permitted; unless otherwise agreed or directed by the **Secretary**.

### Shadow Flicker

- B7. Shadow flicker from the project must not exceed 30 hours/annum at any residence not associated with the project. Verification of the ability to achieve this shall be provided to the **Secretary**, as detailed under condition C13 k).

### Indigenous Heritage

- B8. Disturbance to the Aboriginal objects CWF2-PAD01, CWF2-PAD02, CWF2-S-05, CWF2-S-06, CWF2-1F-07, CWF2-S-14 and CWF2-1F-20 must be avoided for the life of the project.
- B9. Mitigation strategies must be considered and implemented for each of the 63 listed Indigenous sites that are subject to mitigated impacts, identified in Tables 8.1 and 8.2 of the *Final Aboriginal Archaeological & Culture Heritage Assessment Report*, contained in the EA. This information must be detailed in the CEMP and be prepared in consultation with OEH.
- B9A. The Proponent shall survey the easement for the extension of the **OHL-overhead transmission line** (shown in pink on the figure in Appendix A) in consultation with the relevant Aboriginal groups prior to constructing the **OHL-overhead transmission line**, and avoid and/or minimise any impacts on Indigenous artefacts within the easement to the satisfaction of the **Secretary**.

### **Traffic and Transport Management**

- B10. Upon determining the haulage route(s) for construction, the Proponent shall commission a qualified person to undertake a **Road Dilapidation Report** of all roads from and around Bungendore, Tarago and Goulburn, to the site proposed to be used for construction activities in consultation with relevant road authorities. The Report shall assess the current condition of the relevant roads, in consultation with the RMS, the Primary Industries Division of DTIRIS and Council, and identify any upgrade requirements to accommodate project traffic for the duration of construction (including culvert, bridge and drainage design; intersection treatments; vehicle turning requirements; and site access) considering final traffic volumes. The road dilapidation report shall be submitted to the Secretary prior to the commencement of construction clearly identifying recommendations made by the Council and the RMS and how these have been addressed. The Proponent shall ensure that all upgrade measures identified in the report are implemented to the satisfaction of the RMS, the Primary Industries Division of DTIRIS and Council, prior to the commencement of construction. Following completion of construction, a subsequent Road Dilapidation Report shall be prepared to assess any damage that may have resulted due to traffic and transport related to the construction of the project.
- B11. The Proponent must restore the relevant roads to a state, at least equal to that described in the **original Road Dilapidation** report, where the dilapidation is attributable to construction traffic, aside from that resulting from normal wear and tear. The cost of any restorative work described in the subsequent Report or recommended by the relevant road authorities after review of the subsequent Report, shall be funded by the Proponent. Such work shall be undertaken at a time as agreed upon between the Proponent and the relevant road authorities. In the event of a dispute between the parties with respect to the extent of restorative work that may be required under this condition, any party may refer the matter to the Secretary for resolution. The Secretary determination of any such dispute shall be final and binding on the parties.

### **Trigonometric Reserves**

- B12. Disturbance to Trigonometric Reserves shall be avoided during the life of the project, unless otherwise approved by the Surveyor General and the relevant licence under the *Crown Lands Act 1989* is obtained by the Proponent.

### **Crown Waterways and Track Crossings**

- B13. The Proponent shall consult with the DTIRIS (Fisheries), in relation to any proposed infrastructure or works on and around the bed and banks of Crown waterways. Prior to the carrying out of such works, the Proponent shall obtain the relevant approval of DTIRIS.
- B14. The design and construction of any new or upgraded **waterway crossings** shall be undertaken in accordance with *Policy and Guidelines for Fish Friendly Waterway Crossings* (NSW Department of Primary Industries, 2004) and *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (NSW Fisheries, 2004).

### **Mineral Resources**

- B15. Prior to the commencement of relevant construction works, the Proponent shall consult with the ~~Department of Trade & Investment, Regional Infrastructure & Services (Mineral Resources section)~~ DRE and holders of mineral, mining and exploration titles or tenements, with respect to measures to be applied during construction and operation of the project so as to minimise the potential for any sterilisation of resources on the tenement.

## Hazards and Risks

### Bushfire Risk

- B16. The Proponent shall ensure that all project components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant RFS design guidelines (*Planning for Bushfire Protection*, 2006 and *Standards for Asset Protection*, Undated) and provide for necessary emergency management including appropriate fire-fighting equipment and water supplies on site to respond to a bush fire.
- B17. Throughout the operational life of the project, the Proponent shall regularly consult with the local RFS to ensure its familiarity with the project, including the construction timetable and the final location of all infrastructure on the site. The Proponent shall comply with any reasonable request of the local RFS to reduce the risk of bushfire and to enable fast access in emergencies.

### Bunding and Spill Management

- B18. The Proponent shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code) and combustible liquids, strictly in accordance with:
- (a) all relevant Australian Standards;
  - (b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - (c) the EPA's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.
- In the event of an inconsistency between requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

### Aviation Obstacles and Hazards

- B19. Prior to the commencement of construction, the Proponent shall consult with:
- (a) aerodrome operators that have an aerodrome located within 30 kilometres of the boundaries of the site, to determine any impact on Obstacle Limitation Surfaces at such aerodromes;
  - (b) AirServices Australia, to determine potential impacts on instrument approach procedures at aerodromes, navigational aids, communications and surveillance facilities; and
  - (c) Aerial Agriculture Association Australia, to determine potential hazards to aerial application and related operations.
- Mitigation measures for each of the potential impacts and hazards identified in condition B19 (a) to (c) above, shall be determined, and implemented, in consultation with the respective groups identified in this condition, prior to the commencement of construction.
- B20. Prior to the commencement of construction and operation, the Proponent shall provide the following information to the Civil Aviation Safety Authority, Airservices Australia, Royal Australian Air Force - Aeronautical Information Services, as well as all known users of privately owned local airfields:
- (a) "as constructed" coordinates in latitude and longitude of each wind turbine generator;
  - (b) final height of each wind turbine generator in Australian Height Datum; and
  - (c) ground level at the base of each wind turbine generator in Australian Height Datum.
- B21. Should increases to the costs of aerial agricultural spraying on any non-associated property surrounding the site be attributable to the operation of the project, the Proponent shall fully fund to the affected landowner, the cost difference between current aerial agricultural spraying and the increased cost.

### **Safety Management System**

- B22. At least two months prior to the commencement of commissioning, the Proponent shall prepare a report outlining a comprehensive **Safety Management System**, covering all on-site systems relevant to ensuring the safe operation of the project. The report shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept at the site and shall be available for inspection by the Department upon request. The Safety Management System shall be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*, and should include:
- (a) procedures and programs for the maintenance and testing of the safety related equipment to ensure its integrity over the life of the project; and
  - (b) an outline of a documented procedure for the management of change.

### **Electromagnetic Interference**

#### **Television and Radio Interference**

- B23. Prior to the commencement of commissioning of the project, the Proponent shall undertake an assessment of the existing quality of the television/radio transmission available at a representative sample of residential dwellings located within 5 kilometres of any wind turbine.
- B24. In the event of a complaint regarding television/radio transmission during the operation of the project, from a receptor located within 5 kilometres of a wind turbine, the Proponent shall investigate the quality of transmission at the receptor compared to the pre-commissioning situation and where any transmission problems can be reasonably attributable to the project, rectify the problems within three months of the receipt of the complaint, through the implementation of such measures as:
- (a) modification to or replacement of receiving antenna;
  - (b) installation and maintenance of a parasitic antenna system;
  - (c) provision of a land line between the affected receptor and an antenna located in an area of favourable reception; or
  - (d) other feasible measures.

If interference cannot be overcome by the measures outlined in a) to d), the Proponent shall negotiate with the impacted landowner about installing and maintaining a satellite receiving antenna. The Proponent shall be responsible for all costs associated with the mitigation measures.

#### **Radio Communication**

- B25. In the event that any issue with radio communication service links (installed before construction of the project) arise as a result of the project (such as obstruction of transmission paths), the Proponent shall consult with the operator and undertake appropriate remedial measures to rectify any issue. Such measures may include:
- (a) modification to or relocation of the existing antennae;
  - (b) installation of a directional antennae; and/ or
  - (c) installation of an amplifier to boost the signal strength.

### **Operational Noise Design Standards – Overhead Transmission Line**

- B26. The Proponent shall ensure that any overhead transmission line associated with the project is designed, constructed and operated to minimise the generation of corona and aeolian noise as far as reasonable and feasible, at the nearest existing sensitive receivers.

### **Dust Generation**

B27. The Proponent shall construct and operate the project in a manner that minimises dust generation from the site, including wind-blown and traffic generated dust as far as practicable. All project related activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should visible dust emissions attributable to the project occur during construction, operation and decommissioning, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emission of visible dust cease.

### **Water Quality Impacts**

B28. Except as may be expressly provided by an ~~Environment Protection Licence~~EPL for the project, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997*, which prohibits the pollution of waters.

### **Community Contributions**

B29. The Proponent must ensure that any voluntary arrangement it enters into with Palerang Council, in relation to the provision of a monetary contribution or other material public benefit, which is to be applied to a public purpose, is the subject of a Planning Agreement within the meaning of section 93F of the Act. Upon execution of the Planning Agreement, the Proponent shall inform the Secretary on the outcomes of such an agreement.

### **Waste Generation and Management**

B30. The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.

B31. The Proponent shall maximise the reuse and/or recycling of waste materials generated on site, to minimise the need for treatment or disposal of those materials outside the site.

B32. The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with *Waste Classification Guidelines (DECC, 2008)* or any future guideline that may supersede that document and where removed from the site is only directed to a waste management facility lawfully permitted to accept those materials.

B33. The Proponent shall ensure that no green waste is burnt on site during the life of the project.

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## PART C – PRIOR TO CONSTRUCTION

### FLORA AND FAUNA IMPACTS

#### Native Flora and Fauna Impacts

- C1. The clearing of all native vegetation is to be limited to the minimal extent practicably required and no more than two hectares of Natural Temperate Grassland is to be cleared. Details regarding the procedures for clearing vegetation and minimising the extent of clearing shall be clearly included in the Flora and Fauna Management Plan contained in condition C16 (b).
- C2. Prior to the commencement of construction, the Proponent shall, in consultation with OEH, further survey the site to determine the presence of the Pink-tailed Worm Lizard, the Striped Legless Lizard and the Little Whip Snake. The survey(s) shall be conducted during optimal conditions for the species.

#### Biodiversity Offset Package

- C3. For any clearing of Natural Temperate Grassland (refer to condition C1), the Proponent shall develop and submit for the approval of the **Secretary**, a **Biodiversity Offset Package** (the Package). The Package shall be developed in consultation with OEH. The Package shall:
- a) identify the objectives and outcomes to be met by the Biodiversity Offset Package;
  - b) consider the biodiversity management measures or activities identified in the documents set out in condition A1 or elsewhere in these Conditions of Approval, including:
    - i. relevant construction measures to reduce flora and fauna impacts; and
    - ii. any ongoing biodiversity or threatened species monitoring requirements.
  - c) provide details of available compensatory habitat in the region to offset the loss of native grasslands and habitat for threatened fauna species, in perpetuity, as a result of the project. Where possible, this should include purchase of land, development of agreements with identified land management authorities (e.g. OEH and local council) for long term management and funding of offsets and mitigation measures, and installation of identified mitigation measures;
  - d) describe the methodology used to develop the Package, including the decision-making framework used in selecting the priority ranking of compensatory habitat options available in the region;
  - e) include an offset for direct and indirect impacts of the proposal which maintains or improves biodiversity values;
  - f) describe the size and quality of the habitat/vegetation communities identified in point e);
  - g) detail the final suite of biodiversity offset measures selected in accordance with the Package; and
  - h) include a program (timeline) to achieve the implementation of the final suite of measures.

Unless otherwise agreed by the **Secretary**, the Biodiversity Offset Package shall be submitted to the **Secretary** for approval, and approval obtained, prior to the commencement of any construction works.

#### Bird and Bat Monitoring

- C4. Prior to the commencement of construction, the Proponent shall prepare a Bird and Bat Adaptive Management Plan, to the satisfaction of the **Secretary**. The plan must:
- (a) be prepared in consultation with the OEH, by a suitably qualified expert whose appointment has been approved by the **Secretary**;

- (b) take into account the monitoring methods in the most recent versions of AusWEA *Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia and Wind Farm and Birds: Interim Standards for Risk Assessment*;
- (c) include a baseline survey, which identifies the 'at risk' bird and bat species which use the site, paying particular attention to NSW and Commonwealth listed threatened and migratory species;
- (d) use data collected at Capital 1 and Woodlawn Wind Farm, to take into account the cumulative impacts of the project with these operations;
- (e) include mitigation measures and strategies to minimise impacts of the project on at risk bird and bat populations;
- (f) include a monitoring program for at risk bird and bat populations, which includes:
  - monitoring locations, measurement parameters, and monitoring frequency;
  - mortality risk assessments and bird and bat population utilisation surveys;
  - triggers for more intensive monitoring; and
  - triggers for reviewing the monitoring program;
- (g) evaluate and report on:
  - the results of the monitoring program;
  - the progress and success of the proposed mitigation measures and strategies; and
  - whether additional remedial actions are necessary to address the impacts of the project on threatened bird and bat populations .

The results of the monitoring program must be submitted to the Secretary and OEH annually for the first three years of operation, and if the Secretary determines that further reporting is required, at intervals directed by the Secretary thereafter.

The Proponent shall implement any additional reasonable and feasible mitigation measures, as directed in writing by the Secretary, (including temporarily switching off specific turbines, if required), to minimise any significant impacts of the project on threatened bird and bat species.

*Note: With the written approval of the Secretary, the Bird and Bat Adaptive Management Plan can be integrated with the similar plan for the Capital 1 Wind Farm.*

## **COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

### **Community Information Plan**

- C5. The Proponent shall prepare and implement a Community Information Plan, to the satisfaction of the Secretary. This plan must detail the consultation processes to be undertaken during the construction, operation and decommissioning of the project, and include:
- (a) procedures to inform the local community of all construction, operations and decommissioning activities;
  - (b) community complaints protocols, including:
    - a 24-hour complaints hotline; and
    - a detailed complaints register, which records the nature of the complaint and any action taken to address the complaint; and
  - (c) procedures to inform the community of their rights under this approval, including those relevant to visual impacts and electromagnetic interference.

### **Community Consultative Committee**

- C6. The Proponent shall:
- (a) establish a Community Consultative Committee for the project within 4 months of the approval date of Modification 4; and
  - (b) operate this Committee following establishment.



to the satisfaction of the Secretary, and in accordance with the *Community Consultative Committee Guidelines for State Significant Projects* (2016), or its latest version.

*Note: This Community Consultative Committee (CCC) may be established as a single CCC for the following State Significant Projects: Capital Wind Farm; Capital 2 Wind Farm; Woodlawn Wind Farm and Capital Solar Farm.*

~~The Proponent shall establish a Community Consultative Committee (CCC) for the project to the satisfaction of the Secretary. This CCC must:~~

- ~~• be established prior to the commencement of construction, unless otherwise agreed with the Secretary; and~~
- ~~• be operated in accordance with the procedures detailed in Appendix C of the draft *NSW Wind Farm Guidelines* (Department of Planning & Infrastructure 2011), or any update to this guideline.~~

~~Notes:~~

- ~~• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the project complies with this approval.~~
- ~~• The CCC must comprise an independent Chair, and appropriate representation from the Proponent, Council, and the local community.~~

### **Access to Information**

**C7.** The Proponent shall, by 31 October 2015 unless otherwise agreed with the Secretary:

- (a) make the following publicly available on its website as is relevant to the stage of the project:
  - the EA;
  - the final infrastructure layout plans;
  - current statutory approvals for the project;
  - approved strategies, plans or programs required under the conditions of this approval;
  - a comprehensive summary of monitoring results reported under the approved plans, strategies and programs;
  - the complaints register;
  - minutes of CCC meetings;
  - any independent environmental audit report, and the Proponent's response to audit recommendations; and
- (b) keep this information up to date, to the satisfaction of the Secretary.

### **COMPLIANCE TRACKING PROGRAM**

**C11.** Prior to the commencement of construction, the Proponent shall develop and implement a **Compliance Tracking Program**, to track compliance with the requirements of this approval during the construction and operation of the project and shall include, but not necessarily be limited to:

- (a) provisions for periodic reporting of compliance status to the **Secretary** including at least prior to the commencement of construction of the project, prior to the commencement of operation of the project and within two years of operation commencement;
- (b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing (refer to condition F2 of this Approval);
- (c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;
- (d) mechanisms for recording environmental incidents and actions taken in response to those incidents;
- (e) provisions for reporting environmental incidents to the **Secretary** during construction and operation; and
- (f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.

## ENVIRONMENTAL MANAGEMENT

### Environmental Representative

- C12. Prior to the commencement of any construction or operational activities, the Proponent shall nominate for the approval of the Secretary a suitably qualified and experienced Environmental Representative(s) independent of the design, construction and operation personnel. The Proponent shall engage the Environmental Representative(s) prior to construction, during construction, and throughout the life of the project, or as otherwise agreed by the Secretary. The Environmental Representative(s) shall:
- (a) monitor the implementation of all environmental management plans and monitoring programs required under this approval;
  - (b) monitor the outcome of all environmental management plans and advise the Proponent upon the achievement of all project environmental outcomes;
  - (c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project;
  - (d) ensure that environmental auditing is undertaken in accordance with the requirements of condition C11 and the project Environmental Management System(s);
  - (e) be consulted in responding to the community concerning the environmental performance of the project; and
  - (f) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur, until reasonable steps are implemented to avoid such impact.

### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C13. The Proponent shall prepare and implement a **Construction Environmental Management Plan (CEMP)** to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be prepared in consultation with OEH and be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004 or its latest revision) and shall include, but not necessarily be limited to:
- (a) a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;
  - (b) identification of the potential for cumulative impacts with other construction activities occurring in the vicinity of the project and how such impacts would be managed;
  - (c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;
  - (d) statutory and other obligations that the Proponent is required to fulfil during construction, including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
  - (e) evidence of consultation with relevant public authorities required under this condition and how issues raised by the agencies have been addressed in the Plan;
  - (f) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
  - (g) details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts;
  - (h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1 (a) to (c) of this approval, including those safeguards and mitigation measures detailed in sections 3, 9 and 13 of the EA;

- (i) the additional requirements of this approval;
- (j) a matrix of construction work method statements (or similar) to be prepared and the anticipated level of risk associated with each determined;
- (k) verification of the avoidance of shadow flicker impacts on non-associated receivers and demonstration that any such potential impacts on associated receivers have been addressed under developed agreements;
- (l) measures to monitor and manage soil and water (surface and groundwater) impacts in consultation with NOW, including: control measures for works close to Lake George (including rehabilitation measures following disturbance and monitoring measures and completion criteria to determine rehabilitation success);
- (m) measures to monitor and manage potential flood impacts in consultation with NOW, including contingency measures for the site during potential floods;
- (n) measures to monitor and manage dust emissions including dust generated by traffic on unsealed public roads and unsealed internal access tracks;
- (o) emergency management measures including measures to control bushfires; and
- (p) the Management Plans listed under condition C14 of this approval.

The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of any relevant construction works associated with the project, or within such period otherwise agreed by the Secretary. Construction works shall not commence until written approval has been received from the Secretary.

C14. As part of the CEMP required under condition C13, the Proponent shall prepare and implement the following:

- (a) a **Traffic Management Protocol** to outline management of traffic conflicts that may be generated during construction and operation of the project. The Plan shall address the requirements of the RMS, the Primary Industries Division of DTIRIS, the Council and any other relevant road authority and shall include, but not necessarily be limited to:
  - (i) details of traffic volumes and routes for heavy vehicles (including routes to be used during operation and maintenance stages of the project), including any necessary route or timing restriction for oversized loads;
  - (ii) detailed consideration of measures to be employed to ensure traffic volume, acoustic and amenity impacts (such as dust generation) along the heavy vehicle routes are minimised;
  - (iii) detailed consideration of alternative routes (where necessary);
  - (iv) demonstration that the road structure has the ability to sustain the increased vehicle loads and traffic movements;
  - (v) demonstration that the structures situated along the vehicles routes would not be adversely impacted from the vibration caused by the additional vehicles travelling on the route;
  - (vi) details of any upgrade requirements, as identified under condition B10, to accommodate project traffic for the duration of construction (including intersection treatments, vehicle turning requirements and site access), considering final traffic volumes; and
  - (vii) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with.
- (b) a **Flora and Fauna Management Plan**, developed in consultation with OEH, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the project. The Plan shall include, but not necessarily be limited to:
  - (i) plans showing terrestrial vegetation communities; important flora and fauna habitat areas, including rocky outcrops; location of EECs, including Natural Temperate Grassland, and native pasture; and areas to be cleared;

- (ii) methods to manage impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the project, such as location of fencing, procedures for vegetation clearing or soil removal/stockpiling; procedures for managing weeds; rehabilitation; and education tools to ensure construction personnel are made aware of fauna species that have the potential of occurring within the Project site. These management measures should address impacts identified from the results of the pre-construction survey (refer to condition C2 of this approval) and during construction, such as detection of fauna by construction personnel;
  - (iii) procedures to accurately determine the total area, type and condition of vegetation community to be cleared; and
  - (iv) a procedure to review management methods where they are found to be ineffective.
- (c) a **Construction Noise Management Plan** to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures. The Plan shall include, but not necessarily be limited to:
- (i) details of construction activities, including construction traffic and an indicative schedule for construction works;
  - (ii) specification of the noise criteria as it applies to a particular activity;
  - (iii) identification of construction activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;
  - (iv) detail what reasonable and feasible actions and measures would be implemented to minimise noise impacts;
  - (v) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise amenity, as well as procedures for dealing with and responding to noise complaints; and
  - (vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported; and, if any exceedance is detected how any non-compliance would be rectified.
- (d) A **Design and Landscaping Plan** to outline measures to ensure appropriate development and maintenance of landscaping on the site to achieve adequate landscape buffers and address the visual impacts arising from the project, including turbines, site access roads and associated above ground infrastructure, as far as is reasonable and feasible. The Plan must be prepared by a qualified landscape architect and where relevant meet the requirements of Council, should there be any. The Plan must include design treatments for the turbines and ancillary infrastructure, including, but not necessarily limited to:
- (i) the landscape screening measures at the residences situated in close proximity to the project site and along roadsides to screen potential moderate to significant views of the project, including an outline of additional measures available for requested landscaping treatments, as permitted under condition B1;
  - (ii) landscape elements and built elements, including proposed treatments, finishes and materials of exposed surfaces (including colour specifications);
  - (iii) lighting;
  - (iv) a schedule of species to be used in landscaping;
  - (v) details of the timing and progressive implementation of landscape works; and
  - (vi) procedures and methods to monitor and maintain landscaped areas.
- (e) An **Indigenous Heritage Management Plan**, to outline the measures to minimise and manage impacts to indigenous items and sites, as required under conditions B9 and B9A. The Plan shall be informed by recent archaeological surveys and test excavations

conducted on the properties adjacent to the project site and developed in consultation with the relevant Aboriginal stakeholders and OEH.

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## PART D – DURING CONSTRUCTION

### FLORA AND FAUNA

#### Rock Outcrop Habitat

- D1. The Proponent shall, where practicable, avoid disturbance to areas of rock outcrops, during all stages of the project. Locations of rock outcrop habitat shall be determined and described within the document required under condition C14 (b).

#### Fauna Impacts

- D2. Should it be determined that direct impact to any fauna may occur, the Proponent shall implement the management measures identified under the Flora and Fauna Management Plan (refer to condition C14 (b)).

### NOISE IMPACTS

#### Construction Noise

- D3. The Proponent shall implement all reasonable and feasible measures to minimise noise generation from the construction of the project consistent with the requirements of the *Interim Construction Noise Guideline (DECC, July 2009)* including noise generated by heavy vehicle haulage and other construction traffic associated with the project.

- D4. The Proponent shall only undertake construction activities associated with the project that would generate an audible noise at any sensitive receptor during the following hours:

- (a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
- (b) 8:00 am to 1:00 pm on Saturdays; and
- (c) at no time on Sundays or public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent environmental harm or risk to life.

- D5. The hours of construction activities specified under condition D4 of this approval may be varied with the prior written approval of the Secretary. Any request to alter the hours of construction specified under condition D4 shall:

- (a) be considered on a case-by-case basis; and
- (b) be accompanied by details of the nature and need for activities to be conducted during the varied construction hours and any other information necessary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.

Affected residential receivers must be informed of the timing and duration of work approved under this condition at least 48 hours before that work commences.

#### Construction Blasting

- D6. Blasting (if any) associated with the construction of the project shall only be undertaken during the following hours:

- (a) 9:00 am to 5:00 pm, Mondays to Fridays, inclusive;
- (b) 9:00 am to 1:00 pm on Saturdays; and
- (c) at no time on Sundays or public holidays.

The Proponent shall ensure that air blast overpressure generated by blasting associated with the project does not exceed the criteria specified in Table D1 when measured at the most-affected residential or sensitive receiver.

Table D1 – Airblast Overpressure Criteria

Air blast Overpressure (dB(Lin Peak))	Allowable Exceedance
115	5% of total number of blasts over a 12 month period
120	Never

- D7. The Proponent shall ensure that the ground vibration generated by blasting associated with the project does not exceed the criteria specified in Table D2 when measured at the most-affected residential or sensitive receiver.

Table D2 – Peak Particle Velocity Criteria

Peak Particle Velocity Criteria (mms <sup>-1</sup> )	Allowable Exceedance
5	5% of total number of blasts over a 12 month period
10	Never

- D8. Prior to each blasting event, the Proponent shall notify Council and potentially-affected landowners, including details of time and location of the blasting event and providing a contact point for inquiries and complaints.

## HERITAGE

### Historical and Indigenous Items

- D9. If during the course of construction, the Proponent becomes aware of a non-indigenous heritage item or any previously unidentified significant Aboriginal item(s), all work likely to affect the item(s) shall cease immediately and the Proponent must contact OEH to determine an appropriate course of action, prior to the re-commencement of work in the vicinity of the item.
-

## PART E – PRIOR TO AND DURING OPERATIONS

### OPERATIONAL NOISE

#### Operational Noise Criteria

- E1. Subject to conditions E3 to E6 of the Approval, the Proponent shall design, operate and maintain the project to ensure that the equivalent noise level ( $L_{Aeq(10\text{-minute})}$ ) from the project does not exceed, at each of the residential receiver locations identified in Table E1 below, the noise criteria identified in Table E1 below.

Table E1: Operational Noise Criteria at Non-Associated Receivers (dB(A))

Wind Speed (m/s)	4	5	6	7	8	9	10
G05	35	35	35	36	37	38	40
G06	35	35	35	36	37	38	40
G10	35	35	35	36	37	39	40
G11	35	35	35	36	37	39	40
G12	35	35	35	36	37	39	40
G13	35	35	35	36	37	39	40
G14	35	35	35	36	37	39	40
G15	35	35	35	36	37	39	40
G16	35	35	35	36	37	39	40
G17	35	35	35	36	37	39	40
G18	35	35	35	36	37	39	40
Gundry	35	36	38	39	41	42	43
Roth	35	36	38	39	41	42	43

- E2. The Proponent shall design, operate and maintain the project to ensure that the equivalent noise level ( $L_{Aeq(10\text{-minute})}$ ) from the project does not exceed at any other residential receiver (excluding those that are associated with the wind farm) in existence or the subject of a valid development consent at the date of this approval:

(a) 35 dB(A); or

(b) the existing background noise level ( $L_{A90(10\text{-minute})}$ ) correlated to the integer wind speed at 10 metres height at the wind farm site by more than 5 dB(A),

whichever is the greater, for each integer wind speed (measured at 10m height) from cut-in to rated power of the wind turbine generator.

- E3. The Proponent shall prepare a **revised Noise Assessment** for the final turbine model and turbine layout selected, which shall be submitted to the Secretary prior to commissioning of the wind turbines. The revised Noise Assessment shall include the noise predictions of the final turbine model and layout selected at each of the receiver locations. The assessment shall demonstrate consistency with the EA and the ability of final turbine model and layout to meet the requirements of condition E1.
- E4. Noise from the project is to be measured at the most affected point within the residential boundary, or at the most affected point within 20 metres of the dwelling, where the dwelling is more than 20 metres from the boundary, to determine compliance with the noise level limits in conditions E1, E2 and E3.



- E5. For the purposes of conditions E1, E2 and E3 of this approval, 5 dB(A) shall be applied to measured noise levels where tonality is present. The presence of tonality shall be determined using the methodology detailed in Wind Turbine Generator Systems- Part 11: Acoustic Noise Measurement Techniques IEC 61400-11:2002 or its latest edition.
- E6. Notwithstanding conditions E1, E2 and E3 of this approval, the noise limits specified under those conditions do not apply to any residence where a noise agreement is in place between the Proponent and the respective owner(s) of those residences in relation to noise impacts and/or noise limits. For this condition to take effect, the noise agreements shall satisfy the relevant requirements of Guidelines for Community Noise (WHO, 1999) and Section 2.3 of Wind Farms: Environmental Noise Guidelines (SA EPA, 2003).

#### **Verification of Operational Noise**

- E7. The Proponent shall prepare a **Noise Compliance Plan** which shall be submitted to the **Secretary** prior to commissioning of the wind turbines. **The Noise Compliance Plan** shall include, but not be limited to:
- (a) an assessment to be undertaken of the performance of the project against the noise predictions contained in conditions E1, E2 and E3;
  - (b) a commitment that noise compliance monitoring will be undertaken within three calendar months of the commissioning of the wind turbines. If prevailing meteorological conditions do not allow the required monitoring to be undertaken in this period, the **Secretary** shall be notified and an extension of time may be sought; and
  - (c) a requirement that all noise compliance monitoring results are submitted to the **Secretary** within one month of completion of the monitoring. The **Secretary** may request that additional noise compliance monitoring be undertaken and completed within a specified timeframe.

The Noise Compliance Assessment shall be undertaken generally in accordance with the procedures presented in *Wind Farms - Environmental Noise Guidelines* (SA EPA, 2003).

- E8. In the event that the Noise Compliance Plan indicates that noise from the wind turbines exceeds the noise limits specified under conditions E1, E2 and E3, as relevant, the Proponent shall investigate and propose mitigation and management measures to achieve compliance with the noise limits. Details of the remedial measures and a timetable for implementation must be submitted to the **Secretary** for approval within such period as the **Secretary** may require. Remedial measures shall include, in the first instance, all reasonable and feasible measures to reduce noise from the project, including but not necessarily limited to reduced operation of wind turbines. Once all reasonable and feasible source controls are exhausted, remedial measures may include offering building acoustic treatments and/or noise screening to affected residents, but may only be used to address noise limit exceedances at the absolute discretion of the relevant landowner/resident. The Proponent shall also demonstrate that the relevant landowner/resident has been made fully aware of the noise and other implications of making any agreement.
- E9. The Proponent shall provide written notice to all landowners that are entitled to rights under condition E8 within 21 days of determining the landholdings to which these rights apply. For the purpose of condition E8, this condition only applies where operational noise levels have been confirmed in accordance with condition E8.
- E10. The Proponent shall bear the costs of any additional at-receiver mitigation measures implemented at an affected landowner or property.

## OPERATION ENVIRONMENTAL MANAGEMENT PLAN

E11. The Proponent shall prepare and implement an **Operation Environmental Management Plan** in accordance with the Department's publication entitled *Guideline for the Preparation of Environmental Management Plans (2004)* or its latest revision. The Plan shall include but not necessarily be limited to:

- (a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to the operation of the development, including all consents, licences, approvals and consultations;
- (b) a management organisational chart identifying the roles and responsibilities for all relevant employees involved in the operation of the project;
- (c) overall environmental policies and principles to be applied to the operation of the project;
- (d) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1 (a) to (c), including those safeguards and mitigation measures detailed in sections 3, 9 and 13 of the EA;
- (e) standards and performance measures to be applied to the project, and means by which environmental performance can be periodically reviewed and improved, where appropriate;
- (f) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;
- (g) the Management Plans listed under condition E12; and
- (h) the environmental monitoring requirements outlined under this approval.

The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of Operation of the project or within such period as otherwise agreed by the Secretary. Operation must not commence until written approval has been received from the Secretary. Upon receipt of the Secretary's approval, the Proponent shall make the Plan publicly available as soon as practicable.

E12. As part of the Operation Environmental Management Plan required under condition E11, the Proponent shall prepare and implement (but not be limited to) the following:

- (a) a **Noise Management Plan** to outline measures to minimise noise emissions from the operation of the project. The Plan must include, but not necessarily be limited to:
    - i. details of procedures to ensure ongoing compliance with the operational noise limits specified in condition E1 to E3, as they apply to identified receptors. This should include identification of monitoring requirements;
    - ii. identification and implementation of best practice management techniques for minimisation of noise emissions where reasonable and feasible;
    - iii. measures to be undertaken to rectify annoying characteristics (refer to section 4.5 of the South Australian Environment Protection Authority's *Wind Farms – Environmental Noise Guidelines, 2003*) resulting from the operation of the project such as, but not limited to, infrasound or adverse mechanical noise from component failure; and
    - iv. procedures and corrective actions to be undertaken if non-compliance is detected.
-

## PART F – DURING OPERATIONS

### Noise Monitoring

- F1. Noise compliance monitoring shall be conducted in accordance with the Noise Management Plan under condition E12 (a), or as directed by the **Secretary** in response to noise complaints.

### Independent Environmental Auditing

- F2. Within two years of the commencement of Operation of the project, and then as may be directed by the **Secretary**, the Proponent shall commission an independent person or team to undertake an Environmental Audit of the project. The independent person or team shall be approved by the **Secretary** prior to the commencement of the Audit. The Audit must:
- (a) be carried out in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and or Environmental Management Systems Auditing;
  - (b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
  - (c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1(a) to A1(f) of this approval;
  - (d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and
  - (e) review the adequacy of the Proponent's response to any complaints made about the project through the Complaints Register required under condition C10.

An Environmental Audit Report must be submitted for comment to the **Secretary** within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.

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## PART G – DECOMMISSIONING / POST OPERATIONS

### MANAGEMENT OF DECOMMISSIONING

#### Decommissioning

G1. Within 18 months of the cessation of operation of the project, the site shall be decommissioned and returned, as far as practicable, to its condition prior to the commencement of construction, in consultation with the relevant landowner(s) and to the satisfaction of the Secretary (refer to condition G3) . All generating facilities and associated infrastructure (including but not necessarily limited to the Capital substation and transformers, overhead and underground transmission lines and control cabling and access roads) shall be removed from the site unless otherwise required for another generating facility or agreed by the Secretary. Project related infrastructure (including access roads) may only be retained on site, where the Proponent has demonstrated to the satisfaction of the Secretary, prior to the commencement of decommissioning, that these components are: permissible under the landuse provision existing at the time of decommissioning; would not pose an ongoing impediment to permissible landuse at the properties; and their retention has been agreed to by the relevant landowners.

*Note: 'another generating facility' may include existing approved energy generating infrastructure, such as existing Capital Wind Farm, Woodlawn Wind Farm and Capital Solar Farm. It may also include proposed energy generating infrastructure, where the development/project application has been accepted by the relevant approval authority, prior to the commencement of the decommissioning period identified above (18 months).*

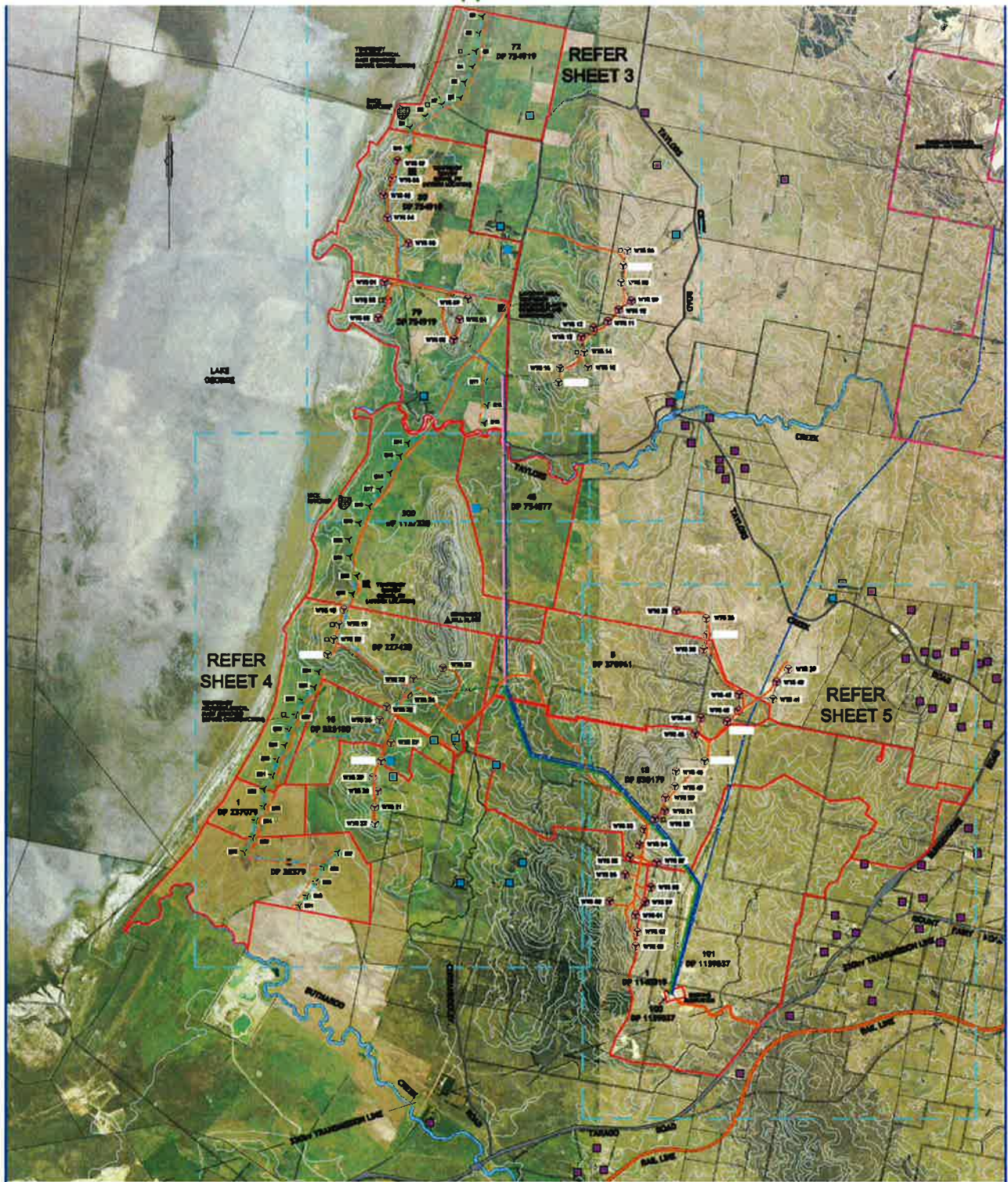
G2. If any wind turbine is not used for the generation of electricity for a continuous period of 12 months, it shall be decommissioned by the Proponent, unless otherwise agreed by the Secretary. The Proponent shall keep independently-verified annual records of the use of wind turbines for electricity generation. Copies of these records shall be provided to the Secretary upon request. The relevant wind turbine and any associated infrastructure is to be dismantled and removed from the site by the Proponent within 18 months from the date that the wind turbine was last used to generate electricity.

G3. No later than ~~one month~~ six months prior to the decommissioning of any project-related turbine, or as otherwise agreed by the Secretary, the Proponent is to prepare a Decommissioning Management Plan for the approval of the Secretary. The Plan is to include but not necessarily be limited to:

- (a) identification of structures to be removed and how they will be removed;
- (b) measures to reduce impacts on the environment and surrounding sensitive land uses;
- (c) details of components to be recycled; and
- (d) details of rehabilitation and revegetation with reference to the biodiversity offset required under condition C3.

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# Appendix A



- APPROVED WTG\*
  - EXISTING WTG\*
  - PERMANENT METEOROLOGICAL MAST
  - EXISTING METEOROLOGICAL MAST
  - RESIDENCE (RELEVANT)
  - RESIDENCE (NON RELEVANT)
  - EXISTING OVERHEAD TRANSMISSION LINE
  - APPROVED OVERHEAD TRANSMISSION LINE
  - PROPOSED OVERHEAD TRANSMISSION LINE
  - UNDERGROUND TRANSMISSION LINE
  - APPROVED UNDERGROUND
  - ATTICULATION CABLE
  - ACCESS ROAD
  - PROPOSED ACCESS ROAD (6m WEG)
  - TO INCLUDE UNDERGROUND 33kV
  - RETICULATION CABLE
  - MAJOR CONTOUR
  - MAJOR CONTOUR
- \* THE LOCATION OF INFORMATION IS BASED ON REPORTS PROVIDED BY INFINGEN ENERGY. NO SURVEY WORK HAS BEEN UNDERTAKEN BY MONTEATH & POWYS IN PREPARING THIS PLAN.
- \* THE BOUNDARIES SHOWN ON THIS PLAN ARE BASED ON INFORMATION DERIVED FROM MAP INFO - DEPARTMENT OF LANDS - MAY 2006. AT THIS STAGE NO FIELD SURVEY HAS BEEN UNDERTAKEN TO DETERMINE THE ACCURACY OF THE BOUNDARIES AS SHOWN.
- \* THE LOCATION OF TURBINES IS BASED ON CO-ORDINATES PROVIDED BY INFINGEN ENERGY.
- \* WTG - WIND TURBINE GENERATOR

1	PLAN AMENDMENTS		
2	PLAN AMENDMENTS		
3	PLAN AMENDMENTS		
4	PLAN AMENDMENTS		
5	PLAN AMENDMENTS		

**Monteath & Powys**

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 Sydney NSW 1585  
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Revised	By	Checked	Date
	AJM	FB	

Scale: A1  
 Date: 07/08/2014

INFINGEN ENERGY  
 MODIFICATION 3 PLAN 41 TURBINES - AERIAL OVERVIEW  
 CAPITAL WIND FARM  
 BUNGEDOO

Wind Turbine Generator ID	Coordinates	
	Easting (m)	Northing (m)
1	727064	6117207
2	727014	6116976
3	726969	6116718
4	726923	6116495
5	726811	6116279
6	726751	6116055
7	726494	6115961
8	726255	6115795
9	726038	6115638
10	726015	6115342
11	727100	6112030
12	727122	6111694
13	727086	6111436
14	726004	6111141
15	725894	6110958
16	725750	6110719
17	725606	6110479
18	725462	6110240
19	725319	6110001
20	725175	6109761
21	725189	6109523
22	725286	6109247
23	725224	6108992
24	724747	6107881
25	724690	6107661
26	724506	6107481
27	724422	6107265
28	724330	6107056
29	724272	6106832
30	724157	6106629
31	724097	6106405
32	723975	6106208
33	723972	6105963
34	723853	6105761
35	723819	6105522
36	723705	6105316
37	725013	6105308
38	724811	6105096
39	724709	6104886
40	724578	6104685
41	724475	6104547