



David Mooney -- A/Director
Independent Planning Commission
Level 3, 201 Elizabeth Street
Sydney NSW 2000
29 March 2018

Dear David,

RE: Bango Wind Farm OEH Letter to PAC 21_03_18

Thank you for the opportunity to respond to the Office of Environment and Heritage (OEH) submission from 21st March 2018. The letter does not raise any new concerns – CWP Renewables have been in discussion with the OEH and the Department of Planning and Environment (DPE) regarding these issues over the past five years. The rationale for removing 43 turbines from the layout was based largely on avoiding impacts to Superb Parrot breeding habitat and removal of valuable roadside vegetation.

As you have not had the advantage of our discussions over the years, please consider the following paragraphs for more information regarding the issues outlined in the OEH letter.

Vegetation Mapping

Vegetation mapping has been undertaken by two independent parties (ERM 2012/2013) and ELA (2017). The latter was commissioned in response to most recent OEH comments on the original Environmental Impact Statement (EIS) (2013) to undertake supplementary vegetation mapping and offset calculations including field data collection. ELA (2017) largely verified the original vegetation mapping as well as identifying the site was mostly in a degraded condition (from its native or remnant state), typical of an agricultural landscape. The ELA (2017) report thoroughly reviewed not only the existing vegetation data, but determined which previous data were reliable and which should be discarded (where uncertainties existed).

The OEH letter to the PAC regarding this Table 12 is contradictory to the statement following Table 12 in the DPE Assessment Report (DPE 2018: p51) which reads, "The Department and OEH are satisfied that the

offset credit requirements have been correctly calculated using the FBA". That paragraph notes further that the credit profile would be re-calculated following detailed design and that the DPE notes the number and class of credits required may well reduce as the impacts calculated are for a 'worst-case' scenario.

The proponent has presented notional offset options and will progress these with confidence when certainty is provided regarding the Project. To that end, the DPE Assessment Report states that "This assessment shows that the potential offset sites would comfortably meet the offsetting requirements of OEH's policy." (DPE 2018: p51) and finally, in conclusion, "With the retirement of the required biodiversity offset credits, both the Department and OEH are satisfied that the project could be undertaken in a manner that improves or at least maintains the biodiversity values of the locality over the medium to long term."

The proposed consent conditions 19 and 20 (in Schedule 2) address the offset requirements in progressing the project, which are not inconsistent with the OEH comment in the letter to the PAC, and the proponent is comfortable with, and committed to, the proposed consent conditions.

Bird and Bat Collision Risk

Wedge-tailed Eagle Nest Separation

The DPE Assessment Report (DPE 2018: pp52) contains a table identifying the Wedge-tailed Eagle as an 'at risk' species from bird strike. The report repeats the EIS prediction of the number of bird and bat strikes per year per turbine (being 1 to 2 birds per year) and states that this prediction is consistent with actual monitoring data from five other wind farms in the region (the observed range being 0.1-2 bird/bat strikes per turbine per year, average being 1 bird/bat strike per turbine per year).

The DPE Assessment Report (DPE 2018: pp52) goes on to state that although some caution should be applied, "If the predictions are correct, then the project is unlikely to result in any significant impacts to total populations of threatened or 'at risk' bird and bat in the locality".

Finally, "the Department considers that BWF has provided a suitably robust assessment of the potential risks of the project on bird and bat species from blade strike and recognises that adaptive management techniques including minimising the availability of raptor perches, swift carcass removal, pest control and sector management of turbines, would help reduce any impact".

The proposed consent conditions 9(c) and 18(b) (in Schedule 2) address the impact mitigation techniques to the Wedge-tailed Eagle recommended by the DPE. The proponent is comfortable with, and committed to, the proposed consent conditions.

The proposed consent condition 22 (in Schedule 2) outlines the required approach to bird and bat monitoring and adaptive management. The proponent is comfortable with, and committed to, the proposed consent conditions.

Superb Parrot Habitat & Hollow Bearing Trees Separation

Micro siting

The DPE Assessment Report (DPE 2018: p50) states that the impacts from BWF will be the removal of seven hollow bearing trees, noting that this is a "quite low" number when compared with other wind farms in the region. The report further acknowledges that BWF has committed to micro siting wind turbines as far as practicable during detailed design. It is important to note that several other considerations are important in micro siting and biodiversity represents only one of these.

The proposed consent condition 9 (in Schedule 2) outlines the parameters for micro siting, importantly including that any micro siting must not cause non-compliance with any other condition. The proponent is committed to micro siting to avoid biodiversity as much as practicable within the consent conditions and will manage this process via the Environmental Management System (EMS) and Biodiversity Management Plan (BMP).

Superb Parrots

Regarding the Superb Parrot, the proponent has made significant concessions in the proposed project layout by removing the Langs Creek cluster of turbines and avoiding over-dimensional traffic (and therefore significant roadside vegetation clearing) along Tangmangaroo Road, due to the observed Superb Parrot activity in the landscape around those turbines, and habitat quality along Tangmangaroo Road. The OEH letter to the PAC acknowledges this effort by the proponent to reduce impacts to the species. Restricting the timing of vegetation clearing is prohibitive to the scheduling of the project, and the removal of a small number of hollow bearing trees (seven in total (DPE 2018: p50)) is a very small residual impact following the substantial impact avoidance measures already undertaken by the proponent.

Hollow Removal Mitigations

The proponent acknowledges OEH's position in the letter to the PAC that the replacement of hollows removed by the project with artificial hollows is not suitable. The proponent notes this for the EMS and BMP. The suitable offset mechanisms will be used to secure the offsets for the project, which will be using the NSW guidance materials and frameworks. These inherently contain 'like-for-like' (impacts vs offsets) provisions in which the impacts are offset with areas which are calculated to account for the impacts.

Fragmentation and Habitat Alienation

The DPE Assessment Report (DPE 2018: pp53-4) describes site access as restricting oversize vehicles to access from Lachlan Valley Way only, with standard vehicles accessing from Tangmangaroo Road and Wargeila Road. The proponent acknowledges the OEH comments in the letter to the PAC and notes that



the project has already taken design measures to avoid impacts to the remnant vegetation along Tangmangaroo Road, by committing to oversize vehicle access via the Lachlan Valley Way.

We trust that through reading our response, in conjunction with the DPE Assessment Report and the BWF EIS documentation, it can be seen that the proponent has demonstrated a thorough assessment methodology consistent with government policy, and moreover, applied avoidance and mitigation strategies to minimise impacts to biodiversity within the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Old', written over a light blue horizontal line.

Kristy Old

CWP Renewables Pty Ltd

t 02 4013 4640 m 0416 932 549

P.O. Box 1708 / Level 6, Suite A, 41-45 Hunter Street, Newcastle NSW 2300