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DEFINITIONS

Act, the	<i>Environmental Planning and Assessment Act 1979</i>
Ancillary facility	Temporary facility for construction, including for example an office and amenities compound, construction compound, batch plant (concrete or bitumen), materials storage compound, maintenance workshop, testing laboratory or material stockpile area.
CASA	Civil Aviation Safety Authority
CEMP	Construction Environmental Management Plan
Conditions of Approval	The Minister's conditions of approval for the project.
Construction	<p>Includes all work in respect of the project other than:</p> <ul style="list-style-type: none">• survey, acquisitions, building/ road dilapidation surveys;• investigative drilling, excavation, or salvage;• minor clearing or translocation of native vegetation;• establishing ancillary facilities/ construction work sites (in locations meeting the criteria identified in the conditions of approval);• installation of environmental impact mitigation measures, fencing, enabling works;• other activities determined by the Environmental Representative to have minimal environmental impact (e.g. minor access roads, minor adjustments to services/ utilities, etc). <p>Note - work where heritage, threatened species, populations or endangered ecological communities would be affected, is classified as construction, unless otherwise approved by the Secretary in consultation with the Office of Environment and Heritage.</p>
Councils	Glen Innes Severn and Inverell Shire Councils
Decommissioning	The removal of wind turbines and any associated above ground infrastructure
Department	Department of Planning and Environment
DPI	Department of Primary Industries
Dust	Any solid material that may become suspended in air or deposited
EA	<p>The Environmental Assessment for the Sapphire Wind Farm dated November 2011, as modified by the:</p> <ul style="list-style-type: none">• Sapphire Wind Farm Preferred Project Report and Response to Submissions, dated November 2011;• Sapphire Wind Farm – Minor Change to the Project letter, dated 15 November 2012; and• Sapphire Wind Farm Environmental Assessment – Modification No. 1, dated February 2016, and associated response to submissions, dated 4 May 2016.
EEC	Endangered ecological communities
EPA	Environment Protection Authority
Heritage Item	Means an item as defined under the <i>Heritage Act 1977</i>
EPL	Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i>
Micro-Siting	Means a location allowance of 100 metres radius for project components as long as impacts remain consistent with that assessed
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the project
Minister	Minister for Planning, or delegate
Non-associated residence	Any residence on privately-owned land where the landowner has not reached a financial or in kind agreement with the Proponent in relation to the project
OEH	Office of Environment and Heritage
Operation	Means the operation of the project, but does not include commissioning trials of equipment or temporary use of parts of the project during construction.
Project	The project that is the subject of the project application MP 09_0093

Proponent	Sapphire Wind Farm Pty Ltd, or any person carrying out the project approved under this approval
Publicly available	Available for inspection by a member of the general public (for example available on an internet website)
Reasonable and feasible	<p>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. Feasible relates to engineering considerations and what is practical to build. Reasonable 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</p> <p>Where requested by the Secretary, the Proponent shall provide evidence as to how reasonable and feasible measures were considered and taken into account</p>
Registered Aboriginal Stakeholders	Aboriginal stakeholders identified as registered stakeholders in the Environmental Assessment
RFS	NSW Rural Fire Service
RMS	NSW Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Site	Land to which Major Projects Application MP09_0093 applies
Submissions Report	<i>Sapphire Wind Farm Preferred Project Report and Response to Submissions</i> (Wind Prospect CWP, November 2011)
Surveyor General	Of New South Wales
TSC Act	<i>Threatened Species Conservation Act 1995</i>

SCHEDULE B ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

B1A. In meeting the specific environmental performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the project.

TERMS OF APPROVAL

- B1. The Proponent shall carry out the project:
- generally in accordance with the EA; and
 - in accordance with the conditions of this approval.

Note: The general layout of the project is depicted in the figure in Appendix 2.

B2. If there is any inconsistency between the documents referred to in condition B1, the most recent document shall prevail to the extent of any inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.

- B3. The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- any strategies, plans, programs, reviews, audit correspondence that are submitted in accordance with the requirements of this approval;
 - any report, reviews or audits commissioned by the Department regarding compliance with this approval; and
 - the implementation of any actions or measures contained in these documents.

B4. Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

LIMITS OF APPROVAL

B5. This Approval lapses 5 years after the date of this Approval unless the Proponent has confirmed to the satisfaction of the **Secretary** that orders have been placed for wind turbines, or demonstrated that work subject of this Approval has been completed on the Site before the date on which the Approval would otherwise lapse under this condition. Work, for the purpose of this condition includes at least one of the following:

- internal track construction;
- civil works associated with the construction of the foundations for the wind turbine footings;
- control room construction;
- electrical substation construction;
- underground cabling; or
- internal overhead transmission line construction.

B6. The project shall not exceed **109** wind turbines.

B7. 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 of the date that the wind turbine was last used to generate electricity.

- B8. 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, and is the responsibility of the Proponent.

STATUTORY REQUIREMENTS

- B9. 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.

B10. Deleted.

STAGING

- B11. With the approval of the **Secretary**, the Proponent may submit any plan or program required by this approval on a progressive basis.

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

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

Notes:

- *This condition does not allow the Bird and Bat Adaptive Management Program, as required by condition C6, to be staged;*
- *While any plan or program may be submitted on a progressive basis, the Proponent must ensure that all development being carried out on site is covered by suitable plans or programs at all times.*
- *If the submission of any plan or program is to be staged, then the relevant plan or program must clearly describe the specific stage to which the plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the plan or program.*

B12. Deleted.

COMPLIANCE

B13. Deleted.

B14. Deleted.

- B15. 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.

NOTIFICATION OF DEPARTMENT

- B16. 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 of the relevant stage.

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

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

SCHEDULE C ENVIRONMENTAL PERFORMANCE

BIODIVERSITY

Clearing

- C1. The clearing of all native vegetation is to be limited to the minimal extent practicably required as detailed in the Construction Flora & Fauna Management Plan and no more than 126 hectares is to be cleared, unless otherwise agreed by the **Secretary**. Details regarding the procedures for clearing vegetation and minimising the extent of clearing shall be clearly included in the Construction Flora and Fauna Management Plan required under condition E22.
- C2. Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas or in derived native grassland (either in offset areas or areas adjoining impacted areas) and details included in the Construction Flora and Fauna Management Plan contained in condition E22.

Detailed Design and Micro-Siting

- C3. All reasonable and feasible efforts shall be made to locate wind turbines at least 30 metres from adjacent hollow-bearing trees which have the potential to provide roost or nesting habitat for bird and bat species identified to be at risk of rotor collision during turbine operation.
- C4. Where micro-siting is proposed, the Proponent shall identify the final proposed turbine locations in the CEMP, and demonstrate how those locations will not give rise to increased landscape, vegetation, fauna, cultural heritage, visual amenity, shadow flicker, noise, fire risk or aviation impacts when compared with the approved locations.
- C5. All reasonable and feasible effort shall be made to avoid native vegetation disturbance (including clearing of hollow bearing trees) during micro-siting and construction of the project so as to reduce as far as possible the extent of vegetation disturbance required for the project.

Bird and Bat Monitoring and Management

- C6. Prior to the commencement of construction, the Proponent shall prepare and submit for the approval of the **Secretary** a **Bird and Bat Adaptive Management Program**, which takes into account bird/ bat monitoring methods identified in the current editions of *AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia* and *Wind Farm and Birds: Interim Standards for Risk Assessment*. The Program shall be prepared and implemented by a suitably qualified expert, approved by the **Secretary**. The Program shall incorporate **Monitoring, and a Decision Matrix** that clearly sets out how the Proponent will respond to the outcomes of monitoring. It shall:
- incorporate an ongoing role for the suitably qualified expert;
 - set out monitoring requirements in order to assess the impact of the project on bird and bat populations, including details on survey locations, parameters to be measured, frequency of surveys and analyses and reporting. The monitoring program shall be capable of detecting any changes to the population of birds and/ or bats that can reasonably be attributed to the operation of the project, that is, data may be required to be collected prior to the commencement of construction;
 - incorporate a decision making framework that sets out specific actions and when they may be required to be implemented to reduce any impacts on bird and bat populations that have been identified as a result of the monitoring;
 - identify 'at risk' bird and bat groups, seasons (such as wet seasons where bird species may be attracted to nearby wetlands) and/or areas within the project site which may attract high levels of mortality and include monthly mortality assessments and periodic local population census' and bird utilisation surveys;

- identify potential mitigation measures and implementation strategies in order to reduce impacts on birds and bats such as minimising the availability of raptor perches, swift carcass removal, pest control including rabbits, use of deterrents, and sector management including switching off turbines that are predicted to or have had an unacceptable impact on bird/bat mortality at certain times; and
- identify matters to be addressed in periodic reports in relation to the outcomes of monitoring, the application of the decision making framework, the mitigation measures identified, progress with the implementation of such measures, and their success.

The Reports referred to under part □ shall be submitted to the **Secretary** and OEH on an annual basis for the first five years of operation and every two years thereafter (unless otherwise agreed to by the **Secretary**), and shall be prepared within two months of the end of the reporting period. The **Secretary** may, at the request of the Proponent at anytime, vary the reporting requirement or period by notice in writing to the Proponent.

The Proponent is required to implement reasonable and feasible mitigation measures as identified under part □ where the need for further action is identified through the Bird and Bat Adaptive Management Programme, or as otherwise agreed with the **Secretary**.

Retirement of Credits

C7. Within 12 months of the commencement of construction, unless otherwise agreed by the **Secretary**, the Proponent shall retire biodiversity credits of a number and class specified in Tables 1a and 1b below to the satisfaction of OEH.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*, and can be achieved by:

- acquiring or retiring credits under the biobanking scheme in the TSC Act;
- making payments into an offset fund that has been established by the NSW Government; or
- providing suitable supplementary measures.

Table 1A – Ecosystem credit requirements

Biometric Vegetation Type	Biometric Condition / Structure	Impact Area (ha)	Credits Required
Blakely's Red Gum - Yellow Box grassy open forest or woodland of the New England Tablelands	Moderate to Good / Native Pasture	1.30	19
White Box grassy woodland of the Nandewar and Brigalow Belt South Bioregions	Moderate to Good / Native Pasture	6.73	106
White Box grassy woodland of the Nandewar and Brigalow Belt South Bioregions	Low / Paddock trees	0.29	2
White Box grassy woodland of the Nandewar and Brigalow Belt South Bioregions	Moderate to Good / Woodland	3.68	97
Manna Gum – Rough-barked Apple – Yellow Box grassy woodland/open forest of the New England Tablelands and North Coast	Moderate to Good / Native Pasture	47.34	642
Manna Gum – Rough-barked Apple – Yellow Box grassy woodland/open forest of the New	Low / Paddock trees	22.40	261

England Tablelands and North Coast			
Manna Gum – Rough-barked Apple – Yellow Box grassy woodland/open forest of the New England Tablelands and North Coast	Moderate to Good / Woodland	44.48	1,274
Black Cypress Pine – Tumbledown Gum – Narrow-leaved Ironbark open forest of northern parts of the Nandewar Bioregion	Moderate to Good / Native Pasture	0.49	9
Total		126.71	2,410

Table 1B – Species credit requirements

Species	Potential Habitat Impact (ha)	Credits Required
Regent Honeyeater	48	3,708

Note: In accordance with the credit profile agreed in Appendix 11 of the EA, Blakely's Red Gum – Yellow Box may be used to offset impacts to Manna Gum vegetation type.

SOIL, WATER QUALITY AND HYDROLOGY

- C8. Except as may be provided by an EPL, the project shall be constructed and operated to comply with section 120 of the *Protection of the Environment Operations Act 1997*, which prohibits the pollution of waters.

Waterways

- C9. Waterway crossings shall be designed and constructed in consultation with **DPI (Water)** and DPI (Fisheries) and consistent with DPI (Fisheries) guidelines, *Policy and Guidelines for Fish Friendly Waterway Crossings* (2004) and *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004).

HAZARDS AND RISK

- C10. Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:
- all relevant Australian Standards;
 - for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management*, technical bulletin (Environment Protection Authority, 1997).

In the event of an inconsistency between the requirements listed in □ to □ above, the most stringent requirement shall prevail to the extent of the inconsistency.

Aviation Obstacles and Hazards

C11. Deleted

- C12. Prior to the commencement of construction, the Proponent shall provide the following information to the **CASA**, Airservices Australia, Royal Australian Air Force - Aeronautical Information Services (**the authorities**), as well as all known users of privately owned local airfields:
- “to be constructed” coordinates in latitude and longitude of each wind turbine generator;
 - final height of each wind turbine generator in Australian Height Datum;

- (c) ground level at the base of each wind turbine generator in Australian Height Datum;
- (d) confirmation of compliance with any Obstacle Lighting Surface; and
- (e) details of any aviation hazard lighting.

C12A. Within 30 days of the practical completion of any turbine or mast, the Proponent shall:

- (a) provide confirmation to the authorities and local aviation users that the information that was previously provided remains accurate; or
- (b) update the information previously provided.

C13. 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 reasonable cost difference between pre-construction aerial agricultural spraying and the increased cost, as agreed between the relevant parties.

Bushfire Risk

C14. 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*) and provide for necessary emergency management including appropriate fire-fighting equipment and water supplies on site to respond to a bush fire.

C15. Throughout the operational life of the project, the Proponent shall regularly consult with the local RFS about details of 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.

Telecommunications

C16. If the project results in the disruption to radio or telecommunications services in the area, then the Proponent shall make good any disruption to these services as soon as practicable following the disruption.

If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.

NOISE

Overhead Transmission Line

C17. Any overhead transmission line associated with the project shall be designed, constructed and operated to minimise the generation of corona and aeolian noise as far as reasonable and feasible at the nearest existing **non-associated residences**.

WASTE MANAGEMENT

Waste Generation and Management

C18. 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.

C19. The Proponent shall maximise the reuse and/or recycling of waste materials generated on site by the project, to minimise the need for treatment or disposal of those materials outside the site.

C20. The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site by the project 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 the materials.

C21. The Proponent shall ensure that no green waste associated with the project is burnt on site during the life of the project.

UTILITIES AND SERVICES

C22. Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the project shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Proponent.

VISUAL AMENITY

Acquisition Upon Request

C23. For a period of 5 years from the commencement of construction of the project, the owner(s) of the land listed in Table 2 may request the Proponent to acquire their land. Upon receiving a written request from these owner(s), the Proponent shall acquire the land in accordance with the procedures in conditions G2 and G3.

However, this condition does not apply if the Proponent has an agreement with the owner(s) of the relevant land in regard to the visual impacts associated with the project, and the Proponent has advised the Department in writing of the terms of this agreement.

Table 2 – Land subject to acquisition upon request

Acquisition Basis	Cluster	Land	Relevant Lot and DP numbers
Visual Impact	Sapphire cluster	“Krystal Blue” (R29)	Lot 2 - DP589446 & Lot 3 - DP589446

Note: To identify the land and cluster referred to in Table 2, see the figure in Appendix 2.

Visual Agreement

C23A. The Proponent shall not construct the turbine listed in Table 3 unless the Proponent has an agreement with the owner(s) of the relevant land in regard to the visual impacts associated with the project, and the Proponent has advised the Department in writing of the terms of this agreement.

Table 3 – Turbines to be deleted or land subject to visual agreement

Turbine	or	Land	Relevant Lot and DP numbers
Turbine 117		“Mount Buckley” (R10)	Lot 1 - DP 1072905

Note: To identify the land and turbine referred to in Table 3, see the figure in Appendix 2.

Visual Impact Mitigation

C24. For a period of 5 years from the commencement of construction of the project, the owner(s) of:

- (a) the land listed in Table 2 or Table 3 (unless the landowner has requested acquisition or has an agreement with the Proponent in regard to visual impacts);
or
- (b) any other non-associated residence within 5 kilometres of any wind turbine, may request additional visual mitigation measures at their residence. Upon receiving a written request from these owner(s), the Proponent shall implement visual impact mitigation measures (such as landscaping, vegetation screening, provision of awnings/blinds) at the residence (including its curtilage) in consultation with the landowner.

These mitigation measures must be reasonable and feasible, directed towards reducing the visual impacts of the wind turbines on the residence (including its curtilage), and commensurate with the level of visual impact.

The mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.

If the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

Notes:

- *To avoid any doubt, the visual impact mitigation measures must be aimed at reducing the visibility of the wind turbines from the residence and its curtilage. Mitigation measures are not required to be implemented to reduce the visibility of wind turbines from other locations on the property.*
- *In some cases, mitigation measures may not be warranted as the wind turbines would not be visible from the residence and its curtilage.*
- *The identification of appropriate visual impact mitigation measures will be easier following the construction of the wind turbines. While landowners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the wind turbines are visible from their residence.*

Turbine and Associated Infrastructure External Design

C25. 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. No advertising, signs or logos shall be mounted on the turbines, except where required for safety purposes.

C26. The Proponent shall maximise the use of building materials and treatments for associated infrastructure which visually complement the surrounding environment.

Shadow Flicker

C27. Shadow flicker from the project must not exceed 30 hours/annum at any residence not associated with the project.

Visual Appearance

C28. The Proponent shall:

- (a) implement all reasonable and feasible measures to minimise the off-site visual impacts of the project;
- (b) ensure the wind turbines are:
 - painted off white/grey; and
 - finished with a surface treatment that minimises the potential for glare and reflection;

- (c) ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape;
- (d) establish and maintain suitable landscaping around the substations to minimise any visual impacts of this infrastructure on surrounding properties; and
- (e) not mount any advertising signs or logos on wind turbines or ancillary infrastructure.

Night Lighting

C29. The Proponent shall:

- (a) implement all reasonable and feasible measures to minimise the off-site lighting impacts of the project; and
- (b) ensure that all external lighting associated with the project (apart from any aviation hazard lighting):
 - is installed as low intensity lighting (except where required for safety or emergency purposes)
 - does not shine above the horizontal;
 - uses best management practice for bat deterrence; and
 - complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

Aviation Hazard Lighting

C29A. Prior to the commencement of operations, the Proponent shall:

- (a) consult further with CASA about the need for aviation hazard lighting; and
- (b) ensure that any aviation lighting that is needed complies with CASA's requirements.

If there is a dispute between CASA and the Proponent about the need for aviation hazard lighting, the Proponent may refer the matter to the Secretary for resolution.

C30. Deleted

PROPERTY IMPACTS

Crown Land

C31. Prior to the commencement of construction of the project, the Proponent shall, with the agreement of Council, assume full maintenance responsibility for any Crown road reserves associated with the project which are identified as requiring dedication to Council during the life of the project. The Proponent shall retain full maintenance responsibility for any such road(s) for the duration of their dedication to Council during the life of the project.

C32. Prior to the commencement of construction of the project, the Proponent shall consult with and comply with the requirements of the Department of Lands in relation to any Crown land affected by the project to enable the lawful use of that land by the project.

Trigonometric Reserves

C33. 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.

Mineral Resources

C34. Deleted

SCHEDULE D COMMUNITY INFORMATION, REPORTING AND AUDITING

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Community Consultative Committee

D1. The Proponent shall establish and operate a CCC for the project to the satisfaction of the Secretary. This CCC must be established and operated in accordance with any applicable CCC guideline.

Notes:

- *The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring the Proponent complies with this approval.*
- *The CCC should be comprised of an independent chair and appropriate representation from the Proponent, Council and the local community.*

Complaints and Enquiries Procedure

D2. Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall ensure that the following are available for community enquiries and complaints for the life of the project (including construction and operation) or as otherwise agreed by the Secretary:

- a 24 hour telephone number(s) on which complaints and enquiries about the project may be registered;
- a postal address to which written complaints and enquires may be sent;
- an email address to which electronic complaints and enquiries may be transmitted; and
- a complaints management and mediation system for complaints unable to be resolved.

The telephone number, the postal and email addresses shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval.

D3. Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall prepare and implement a **Complaints Management System** consistent with *AS 4269: Complaints Handling* and maintain the System for the duration of construction and for the life of the project.

Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.

Provision of Electronic Information

D4. Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the project, for the life of the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:

- information on the current implementation status of the project;
- a copy of the documents referred to under condition B1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time;

- a copy of this approval and any future modification to this approval;
- a copy of each relevant environmental approval/consent, licence or permit required and obtained in relation to the project;
- a copy of each current strategy, plan, program or other document required under this approval;
- the outcomes of compliance tracking in accordance with condition D5 of this approval; and
- details of contact point(s) to which community complaints and inquiries may be directed, including a telephone number, postal and email addresses.

COMPLIANCE MONITORING AND TRACKING

Compliance Tracking Program

- D5. The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall be submitted to the **Secretary** for approval prior to the commencement of construction and operate for the life of the project. The Program shall include, but not necessarily be limited to:
- provisions for the notification of the **Secretary** prior to the commencement of construction and prior to the commencement of operation of the project (including prior to each stage, where works are being staged);
 - provisions for periodic review of the compliance status of the project against the requirements of this approval;
 - provisions for periodic reporting of compliance status to the **Secretary**, including a Pre-Construction Compliance Report, during construction reporting, and a Pre-Operation Compliance Report;
 - a program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing;
 - mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;
 - provisions for reporting environmental incidents to the **Secretary** and relevant public authorities during construction;
 - procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and
 - 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.

Incident Reporting

- D6. The Proponent shall notify the **Secretary** within 24 hours of becoming aware of any incident with actual or potential significant off-site impacts on people or the biophysical environment. Further, the Proponent shall provide full written details of the incident to the **Secretary** within seven days of the date on which the incident occurred.
- D7. The Proponent shall meet the requirements of the **Secretary** to address the cause(s) or impacts of any incident, as they relate to this approval, reported in accordance with condition D6 of this approval, within such period as the **Secretary** may require.

Revision of Plans and Programs

D7A. Within 3 months of the submission of:

- an incident report under condition D6 above;
- an audit under condition D8 below; or
- any modification to the conditions of this approval (unless the conditions require otherwise),

the Proponent shall review and, if necessary, revise the 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 is to ensure the plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

OPERATIONAL PERFORMANCE

Operation Performance Audit Report

D8. Within fifteen months of the commencement of operation, and at any other time required by the Secretary, the Proponent shall commission an independent qualified person or team to undertake an Operational Performance Audit of the project. The independent person or team shall be approved by the Secretary prior to the commencement of the Audit. The Operational Performance Audit Report shall be submitted to the Secretary within one month of the completion of the Audit, unless otherwise agreed by the Secretary. The Audit shall:

- assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
- assess the operational performance of the project against the aims and objectives for the project specified in the documents referred to under condition B1 of this approval;
- assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition B1 this approval; and
- review the effectiveness of the environmental management of the project, including any environmental impact mitigation works.

SCHEDULE E CONSTRUCTION ENVIRONMENTAL MANAGEMENT

AIR QUALITY

Dust Generation

E1. 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 and operation, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.

HERITAGE

E2. In undertaking the project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan required by condition E22.

E3. If during the course of construction the Proponent becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the NSW Heritage Act 1977. Relevant works shall not recommence until written authorisation from OEH advising otherwise is received by the Proponent.

E4. If during the course of construction the Proponent becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works shall not recommence until written authorisation from OEH advising otherwise is received by the Proponent.

NOISE AND VIBRATION

Construction or Decommissioning Hours

E5. The Proponent shall only undertake construction or decommissioning activities between:

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

The following construction activities may be undertaken outside these hours:

- activities that are inaudible at any non-associated residence;
- activities approved under an out-of-hours (OOHW) work protocol (see condition E22(b)(vi));
- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
- emergency work to avoid the loss of lives, property and/or prevent environmental harm.

E5A. The Proponent shall minimise the construction and/or decommissioning noise of the project, including any associated traffic noise.

E6. Deleted

E7. Deleted

Construction Noise and Vibration

E8. Deleted

E9. The Proponent shall only carry out blasting on site between 9am and 5pm Monday to Friday and 9am to 1pm Saturday. No blasting is allowed on Sundays or NSW public holidays.

E10. The Proponent shall ensure that any blasting carried out during construction of the project does not exceed the criteria in Table 1.

Table 1 – Blasting criteria

Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance
Residence on privately-owned land	120	10	0%
	115	5	5% of the total number of blasts or events over a period of 12 months

E11. Deleted.

E12. Deleted.

PROPERTY IMPACTS

E13. Access to property shall be maintained during construction unless otherwise agreed in advance with the affected property owner. Access that is physically affected by the project shall be reinstated by the Proponent to at least an equivalent standard, in consultation with the affected property owner.

E14. Any damage caused to property as a result of the project shall be rectified or the property owner compensated, within a reasonable timeframe, with the costs borne by the Proponent.

SOIL, WATER QUALITY AND HYDROLOGY

Construction Soil and Water Management

E15. Soil and water management measures consistent with *Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition* (Landcom, 2004) shall be employed during the construction of the project to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.

E16. Where available, and of appropriate chemical and biological quality, stormwater, recycled water or other water sources shall be used in preference to potable water for construction activities, including concrete mixing and dust control.

TRANSPORT AND ACCESS

Road Dilapidation

- E17. Unless otherwise agreed by the **Secretary**, the Proponent shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:
- (a) prior to the commencement of construction, review the proposed route and existing access provisions to the Wind Farm Site to determine whether the route and existing provisions allow for safe access of construction and operational vehicles associated with the project (including appropriate site distances and provisions for over-mass or over-dimensional transport and safety with other road users). Where improvements, temporary upgrades or changes to the proposed route are required as a result of the project, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of construction and at the full expense of the Proponent; and
 - (b) assess all roads proposed to be used for over-mass and/ or over-dimensional transport (including intersections, bridges, culverts and other road features) prior to the commencement of construction to determine whether the existing road condition can accommodate the proposed over-mass and/ or over-dimensional haulage. Where improvements or temporary upgrades are required as a result of the project, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of construction and at the full expense of the Proponent.

Upon determining the haulage route(s) for construction vehicles associated with the project, and prior to construction, an independent and qualified person or team shall undertake a **Road Dilapidation Report**. The report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the project. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage.

Following completion of construction, a subsequent report shall be prepared to assess any damage that may have resulted from the construction of the project.

Measures undertaken to restore or reinstate roads damaged by the project shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Proponent.

ANCILLARY FACILITIES

- E18. Unless otherwise approved by the **Secretary**, the location of ancillary facilities associated with the construction of the project shall:
- (a) be located more than 50 metres from a waterway;
 - (b) be located within or adjacent to the project;
 - (c) have ready access to the road network;
 - (d) be located to minimise the need for heavy vehicles to travel through residential areas;
 - (e) be sited on relatively level land;
 - (f) be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);
 - (g) not require vegetation clearing beyond that already required by the project;
 - (h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already approved to be impacted by the project;
 - (i) not unreasonably affect the land use of adjacent properties;

- (j) be above the 20 year ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and
- (k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.

The location of the ancillary facilities shall be identified in the Construction Environmental Management Plan required under condition E21 and include consideration of the above criteria. Where any of the above criteria cannot be met for any proposed ancillary facility, the Proponent shall demonstrate to the satisfaction of the **Secretary** that there will be no significant adverse impact from the ancillary facility's construction or operation. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan.

E19. All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner.

ENVIRONMENTAL REPRESENTATIVE

E20. Prior to the commencement of construction of the project, or as otherwise agreed by the **Secretary**, the Proponent shall nominate for the approval of the **Secretary** a suitably qualified and experienced Environmental Representative(s) that is independent of the design, construction and operational personnel. The Proponent shall employ the Environmental Representative(s) for the duration of construction, operation, and decommissioning or as otherwise agreed by the **Secretary**. The Environmental Representative(s) shall:

- (a) be the principal point of advice in relation to the environmental performance of the project;
- (b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Proponent upon the achievement of these plans/ programs;
- (c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and other licences and consents related to the environmental performance and impacts of the project;
- (d) ensure that environmental auditing is undertaken in accordance with the project's Environmental Management System(s);
- (e) be given the authority to approve/ reject minor amendments to the Construction Environmental Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environmental Management Plan required under condition E21;
- (f) be given the authority and independence to require reasonable and feasible steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions cease immediately until the issue is resolved should an adverse impact on the environment be likely to occur; and
- (g) be consulted in responding to the community concerning the environmental performance of the project where the resolution of points of conflict between the Proponent and the community is required.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

E21. Prior to the commencement of construction, or as otherwise agreed by the **Secretary**, the Proponent shall prepare and implement (following approval) a **Construction Environmental Management Plan** for the project. The Plan shall outline the environmental management practices and procedures that are to be followed during

construction, and shall be prepared in consultation with the relevant agencies and in accordance with the *Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:

- (a) a description of activities to be undertaken during construction of the project (including staging and scheduling);
- (b) statutory and other obligations the Proponent is required to fulfil during construction, including approval/consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;
- (c) a description of the roles and responsibilities for relevant employees involved in the construction of the project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
- (d) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase; and
- (e) details of how environmental performance will be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the construction of the project). In particular, the following environmental performance issues shall be addressed in the Plan:
 - (i) compounds and ancillary facilities management;
 - (ii) noise and vibration;
 - (iii) traffic and access;
 - (iv) soil and water quality and spoil management;
 - (v) air quality and dust management;
 - (vi) management of Aboriginal and non-Aboriginal heritage;
 - (vii) soil contamination, hazardous material and waste management;
 - (viii) management of ecological impacts; and
 - (ix) hazard and risk management, including bushfire risk.

The Plan shall be submitted for the approval of the **Secretary** no later than one month prior to the commencement of construction, or as otherwise agreed by the **Secretary**. The Plan may be prepared in stages, however, construction works shall not commence until written approval has been received from the **Secretary**.

Note: The approval of a Construction Environmental Management Plan does not relieve the Proponent of any other requirement associated with this project approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this project approval, the requirements of this project approval prevail.

E22. As part of the Construction Environmental Management Plan for the project required under condition E21 the Proponent shall prepare and implement:

- (a) a **Construction Compound and Ancillary Facilities Management Plan** to detail the management of site compounds associated with the project. The Plan shall include but not necessarily be limited to:
 - (i) a description of the facility, its components and the surrounding environment;
 - (ii) details of the activities to be carried out at each facility, including the hours of use and the storage of dangerous and hazardous goods;
 - (iii) details of the mitigation and management procedures specific to the facility that would be implemented to minimise environmental and amenity impacts and an assessment of the adequacy of the mitigation or offsetting measures;

- (iv) identification of the timing for the completion of activities at the facility and how the site will be decommissioned (including any necessary rehabilitation); and
 - (v) appropriate monitoring, review and amendment mechanisms.
- (b) a **Construction Noise and Vibration Management Plan** to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the *Interim Construction Noise Guidelines* (DECC, 2009) and shall include, but not necessarily be limited to:
- (i) identification of **non-associated residences** and relevant construction noise and vibration goals applicable to the project;
 - (ii) details of construction activities and an indicative schedule for construction works; including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding **non-associated residences**;
 - (iii) identification of reasonable and feasible measures proposed to be implemented to minimise and manage construction noise and vibration impacts (including construction traffic noise impacts);
 - (iv) procedures and mitigation measures to ensure relevant vibration and blasting criteria are achieved, including a suitable blast management program, applicable buffer distances for vibration intensive works, use of low-vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post-construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria);
 - (v) 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;
 - (vi) an out-of-hours work (OOHW) protocol for the assessment, management and approval of works outside of standard construction **and decommissioning** hours as defined in conditions E5, including a risk assessment process under which an Environmental Representative may approve out-of-hour construction activities deemed to be of low environmental risk and refer high risk works for the **Secretary's** approval. The OOHW protocol shall detail standard assessment, mitigation and notification requirements for high and low risk out-of-hour works, and detail a standard protocol for referring applications to the **Secretary**; and
 - (vii) mechanisms for the monitoring, review and amendment of this plan.
- (c) a **Construction Traffic and Access Management Plan** to manage construction traffic and access impacts of the project. The plan shall be developed in consultation with the relevant road authority and shall include, but not necessarily be limited to:
- (i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/ spoil haulage) on these routes;
 - (ii) details of vehicle movements for construction sites and site compounds including parking, dedicated vehicle turning areas, and ingress and egress points;

- (iii) identification of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, property access, including details of oversize load movements;
 - (iv) details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access;
 - (v) a response plan which sets out a proposed response to any traffic, construction or other incident; and
 - (vi) mechanisms for the monitoring, review and amendment of this plan.
- (d) a **Construction Soil and Water Quality Management Plan** to manage surface and groundwater impacts during construction of the project. The plan shall be developed in consultation with **DPI** and include, but not necessarily be limited to:
- (i) details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater;
 - (ii) surface water and ground water impact assessment criteria consistent with Australian and New Zealand Environment Conservation Council (ANZECC) guidelines;
 - (iii) management measures to be used to minimise surface and groundwater impacts, including details of how spoil and fill material required by the project will be sourced, handled, stockpiled, reused and managed; erosion and sediment control measures; and the consideration of flood events;
 - (iv) management measures for contaminated material and a contingency plan to be implemented in the case of unanticipated discovery of contaminated material during construction;
 - (v) 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 undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any non-compliance can be rectified; and
 - (vi) mechanisms for the monitoring, review and amendment of this plan.
- (e) a **Construction Heritage Management Plan** to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed. The sub-plan shall be developed in consultation with the OEH and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to:
- (i) In relation to Aboriginal Heritage:
 - (a) details of further investigation and identification of Aboriginal cultural heritage sites within the project area;
 - (b) details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, salvage (including long term care e.g. care and control permit if applicable), and conservation, of sites and items associated with the project;
 - (c) The identification of the roles and responsibilities for all of the parties;
 - (d) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified archaeologist in consultation with the Department, OEH and registered Aboriginal stakeholders and

- assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the project, and registering of the new site in the OEH's Aboriginal Heritage Information Management System (AHIMS) register;
- (e) procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, OEH and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the OEH and/ or the NSW Police Force;
 - (f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval and *National Parks and Wildlife Act 1974* (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage; and
 - (g) procedures for ongoing Aboriginal consultation and involvement for the duration of the project, which includes a communication protocol and the identification of the roles and responsibilities for both parties; and
- (ii) In relation to Historic Heritage:
- (a) identification of heritage items directly and indirectly affected by the project;
 - (b) details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/ or measures to protect unaffected sites during construction works in the vicinity);
 - (c) details of monitoring and reporting requirements for impacts on heritage items;
 - (d) procedures for dealing with previously unidentified heritage objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the OEH and the Department, and assessment of the consistency of any new heritage impacts against the approved impacts of the project; and
 - (e) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the *Heritage Act 1977*) including site identification, protection and conservation of non-Aboriginal cultural heritage; and
- (iii) mechanisms for the monitoring, review and amendment of this plan.
- (f) a **Construction Flora and Fauna Management Plan** to detail how construction impacts on ecology will be minimised and managed. The Plan shall be developed in consultation with the OEH and shall include, but not necessarily be limited to:
- (i) plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features;
 - (ii) the identification of areas to be cleared and details of management measures (such as fencing, clearing procedures, removal and relocation of fauna during clearing, habitat tree management and construction worker education) to avoid any residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat;

- (iii) rehabilitation details, including identification of flora species and sources, the reuse of cleared flora, and measures for the management and maintenance of rehabilitated areas;
 - (iv) weed management measures focusing on early identification of invasive weeds and effective management controls;
 - (v) 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 undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any non-compliance can be rectified;
 - (vi) a procedure for dealing with unexpected EECs/threatened species identified during construction, including cessation of work and notification of the OEHL, determination of appropriate mitigation measures in consultation with the OEHL (including relevant re-location measures and micro-siting) and updating of ecological monitoring and/ or biodiversity offset requirements;
 - (vii) mechanisms for the monitoring, review and amendment of this plan; and
 - (viii) clear key milestones, performance indicators, proposed monitoring, corrective actions and timeframes for the completion of all actions outlined in the plan.
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SCHEDULE F OPERATIONAL ENVIRONMENTAL MANAGEMENT

HAZARD AND RISK

Safety Management System

- F1. 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:
- procedures and programs for the maintenance and testing of the safety related equipment to ensure its integrity over the life of the project; and
 - an outline of a documented procedure for the management of change.

Television and Radio Interference

- F2. 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 receivers located within 5 kilometres of any wind turbine.
- F3. In the event of a complaint from a receptor located within 5 kilometres of a wind turbine regarding television/radio transmission during the operation of the project, the Proponent shall investigate the quality of transmission at the receptor compared with the pre-commissioning assessment 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 measures including:
- modification to or replacement of receiving antenna;
 - installation and maintenance of a parasitic antenna system;
 - provision of a land line between the affected receptor and an antenna located in an area of favourable reception; and/or
 - other feasible measures.

If interference cannot be overcome by the measures outlined in □ to □, the Proponent shall negotiate with the impacted landowner(s) about installing and maintaining a satellite receiving antenna or other agreed mitigation measures. The Proponent shall be responsible for all costs associated with any such mitigation measures.

ECOLOGY

Rehabilitation and Revegetation

- F4. Disturbance to watercourses and/or associated riparian vegetation shall be rehabilitated to a standard equal to or better than the existing condition in consultation with the **DPI (Water)** and DPI (Fisheries) within six months of the cessation of construction activities at the relevant area. Any revegetation measures undertaken shall be monitored and maintained by the Proponent consistent with the requirements of condition F5.
- F5. The Proponent shall implement a revegetation and rehabilitation programme for all areas of the project footprint which are disturbed during the construction of the project and which are not required for the ongoing operation of the project, including temporary

construction facility sites and sections of construction access roads. The Proponent shall ensure that all revegetation measures are implemented progressively where possible and in all cases within six months of the cessation of construction activities at the relevant area. Unless otherwise agreed to by the **Secretary**, the Proponent shall monitor and maintain the health of all revegetated areas until such time that the plantings have been verified by an independent and suitably qualified expert (whose appointment has been agreed to by the **Secretary**) as being well established, in good health and self sustaining.

NOISE

Operational Noise Criteria – Wind Turbines

- F6. The Proponent shall ensure that the noise generated by the operation of the wind turbines does not exceed the relevant criteria in Table 1 at any non-associated residence.

Table 1 – Noise criteria

Location	Noise Limits (dB(A))									
	3	4	5	6	7	8	9	10	11	12
Integer wind speed (m/s) at 10 metres above ground level										
R25, R84, R87	35	35	35	35	36	39	41	45	51	57
R27, R29, R30, R32, R89, R90	35	35	35	36	36	37	39	42	46	52
R35	35	35	35	36	37	38	40	42	45	49
R78	35	35	35	37	40	44	47	48	48	46
R10, R48	35	35	35	38	41	45	48	51	53	54
R47	35	35	35	37	41	44	48	52	55	58
R39, R40, R41, R42, R44, R45, R46	35	35	36	37	38	40	43	48	56	66
R7	43	43	44	46	47	48	49	49	49	49
R17	43	44	45	46	47	48	50	53	56	60
All other non-associated receptors	The higher of 35 dB(A) or the existing background noise level ($L_{A90(10\text{-minute})}$) plus 5 dB(A)									

Note: To identify the residences referred to in Table 1, see Appendix 1.

Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the South Australian Environment Protection Authority's *Wind Farms – Environmental Noise Guidelines 2009* (or its latest version), as modified by the provisions in Appendix 3. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.

F7. Deleted

F8. Deleted

F9. Deleted

F10. Deleted

Operational Noise Criteria – Ancillary Infrastructure

- F11. The Proponent shall ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) $L_{Aeq(15\text{ minute})}$ at any non-associated residence.

Noise generated by the project is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (or its equivalent) as modified by the provisions in Appendix 3.

Noise Monitoring

F12. Within 3 months of the commencement of operations, the Proponent shall:

- undertake noise monitoring to determine whether the project is complying with the relevant conditions of this consent; and
- submit a copy of the monitoring results to the Department and the EPA.

F13. The Proponent shall undertake further noise monitoring of the project if required by the Secretary.

F14. Deleted

F15. Deleted

F16. Deleted

F17. Deleted

OPERATIONAL ENVIRONMENTAL MANAGEMENT

F18. Prior to the commencement of operation, or as otherwise agreed by the Secretary, the Proponent shall prepare and implement (following approval) an **Operation Environmental Management Plan** for the project. The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the *Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:

- a description of activities to be undertaken during operation of the project (including staging and scheduling);
- statutory and other obligations that the Proponent is required to fulfil during operation, including approval/consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;
- overall environmental policies, guidelines and principles to be applied to the operation of the project;
- a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval;
- an environmental risk analysis to identify the key environmental performance issues associated with the operation phase;
- details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts, including those safeguards and mitigation measures detailed in the EA (and any impacts arising from the staging of the construction of the project); and
- details of how sector management would be used to ensure that operational noise criteria are not exceeded.

The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.

Operation shall 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.

Note: The approval of an Operation Environmental Management Plan does not relieve the Proponent of any other requirement associated with this project approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this project approval, the requirements of this project approval prevail.

F19. Deleted

SCHEDULE G ADDITIONAL PROCEDURES

Notification of Landowners

- G1. Upon commencement of construction of the project, the Proponent shall notify in writing the owner(s) of:
- (a) the land listed in Table 2 of schedule C that they have the right to require the Proponent to acquire their land in accordance with the procedures in conditions G2 and G3 below at any time within 5 years after the commencement of construction of the applicable cluster; and
 - (b) any other non-associated residence within 5 kilometres of any wind turbine, that they have the right to request the Proponent to implement visual impact mitigation measures at their residence (including its curtilage) at any time within 5 years following the commencement of construction of the project.

Land Acquisition

- G2. Within 3 months of receiving a written request from a landowner with acquisition rights, the Proponent shall make a binding written offer to the landowner based on:
- (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the project, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements or reasonable costs that have resulted from the implementation of the visual impact mitigation measures in condition C24;
 - (b) the reasonable costs associated with:
 - relocating within the Glen Innes Severn and Inverell Shire local government areas, or to any other local government area determined by the Secretary; and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
 - (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if at the end of this period, the Proponent and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination, whether an adjustment to the market value of the land since the independent valuation was completed is warranted and any other relevant submissions.

Within 14 days of this determination, the Proponent shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.

If the landowner refuses to accept the Proponent's binding written offer under this condition within 6 months of the offer being made, unless the Secretary determines otherwise, then the Proponent's obligations to acquire the land shall cease.

G3. The Proponent shall pay all reasonable costs associated with the land acquisition process described in condition G2 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

G4. Deleted.

G5. Deleted.

G6. Deleted.

G7. Deleted.

G8. Deleted.

DECOMMISSIONING

G9. Unless otherwise agreed by the **Secretary**, within 18 months of the cessation of operation of the project, the site shall be decommissioned and returned by the Proponent, as far as practicable, to its condition prior to the commencement, in consultation with the relevant landowner(s) and to the satisfaction of the **Secretary** (and in accordance with the Decommissioning and Rehabilitation Plan required under condition G11).

All generating facilities and associated infrastructure (including but not necessarily limited to the substations and transformers, switchyard, operation and maintenance facility, overhead transmission lines and access roads) shall be removed from the site unless otherwise 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 site's statutory landuse provisions in force upon commencement of the decommissioning; would not pose an ongoing impediment to permissible landuse at the properties; and their retention has been agreed to in writing (with evidence provided to the **Secretary**) by the relevant landowners. This condition does not apply to any infrastructure which, as at the relevant date, is owned by a network

operator under the *Electricity Supply Act 1995 (NSW)* (or any equivalent provisions which are in force as at the relevant date).

G10. Any individual turbine that ceases operating for a period of more than 12 consecutive months shall be dismantled within 18 months after the 12 month period.

G11. The Proponent shall prepare a Decommissioning and Rehabilitation Plan, which shall be submitted for the approval of the **Secretary** prior to the commencement of construction. The Plan shall be consistent with the requirements of the draft *NSW Planning Guidelines – Wind Farms* (December 2011), as updated. The plan shall be made publicly available. The Plan shall be updated every five years from the date of preparation, until decommissioning and rehabilitation is completed, and a copy of the updated versions provided to the **Secretary** and made publicly available. The plan shall include estimated costs of and funding arrangements for decommissioning, including provision for a decommissioning bond or other funding mechanisms, where the plan concludes that estimated costs and funding arrangements are inadequate.

Decommissioning Road Dilapidation

G12. Unless otherwise agreed by the **Secretary**, the Proponent shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:

- prior to the commencement of decommissioning, review the proposed route and existing access provisions to the Wind Farm Site to determine whether the route and existing provisions allow for safe access of decommissioning vehicles associated with the project (including appropriate site distances and provisions for over-mass or over-dimensional transport and safety with other road users). Where improvements, temporary upgrades or changes to the proposed route are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of decommissioning and at the full expense of the Proponent;
- assess all roads proposed to be used for over-mass and/ or over-dimensional transport (including intersections, bridges, culverts and other road features) prior to the commencement of decommissioning to determine whether the existing road condition can accommodate the proposed over-mass and/ or over-dimensional haulage. Where improvements are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of decommissioning and at the full expense of the Proponent; and

Upon determining the haulage route(s) for decommissioning vehicles associated with the project, and prior to decommissioning, an independent and qualified person or team shall undertake a **Road Dilapidation Report**. The report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the decommissioning of the project. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage.

Following completion of decommissioning, a subsequent report shall be prepared to assess any damage that may have resulted from the decommissioning of the project.

Measures undertaken to restore or reinstate roads affected by the project shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Proponent.

DECOMMISSIONING ENVIRONMENTAL MANAGEMENT PLAN

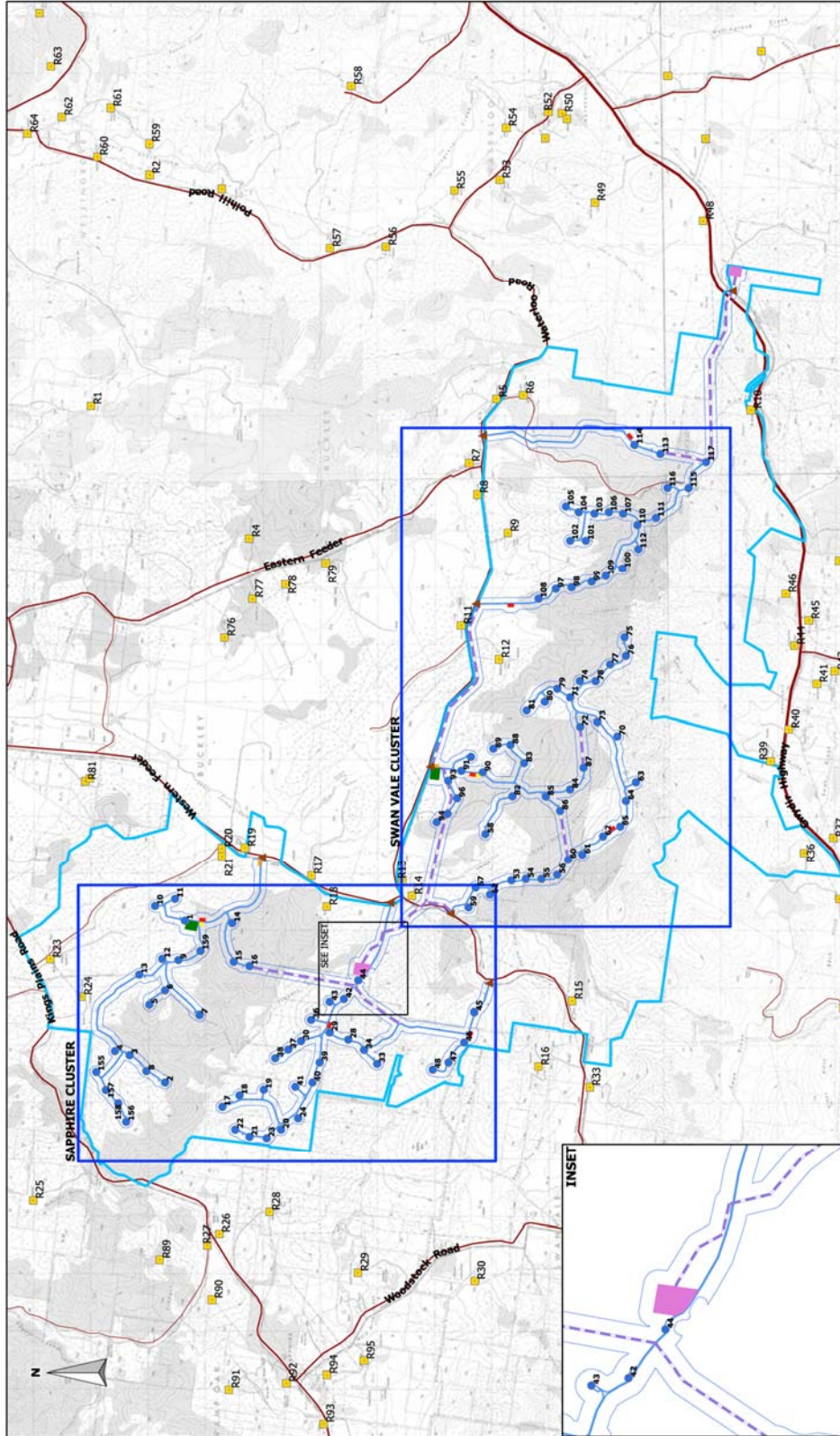
G13. Prior to the commencement of decommissioning, or as otherwise agreed by the **Secretary**, the Proponent shall prepare and implement (following approval) a **Decommissioning Environmental Management Plan** for the project. The Plan shall outline the environmental management practices and procedures that are to be followed during decommissioning, and shall be prepared in consultation with the relevant agencies and in accordance with the *Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:

- a description of activities to be undertaken during decommissioning of the project (including staging and scheduling);
- statutory and other obligations the Proponent is required to fulfil during decommissioning, including approval/consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;
- a description of the roles and responsibilities for relevant employees involved in the decommissioning of the project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
- an environmental risk analysis to identify the key environmental performance issues associated with the decommissioning phase; and
- details of how environmental performance will be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the decommissioning of the project). In particular, the following environmental performance issues shall be addressed in the Plan:
 - (i) compounds and ancillary facilities management;
 - (ii) noise and vibration;
 - (iii) traffic and access;
 - (iv) soil and water quality and spoil management;
 - (v) air quality and dust management;
 - (vi) hazardous material and waste management; and
 - (vii) hazard and risk management, including bushfire risk.

The Plan shall be submitted for the approval of the **Secretary** no later than one month prior to the commencement of decommissioning, or as otherwise agreed by the **Secretary**. The Plan may be prepared in stages, however, decommissioning works shall not commence until written approval has been received from the **Secretary**.

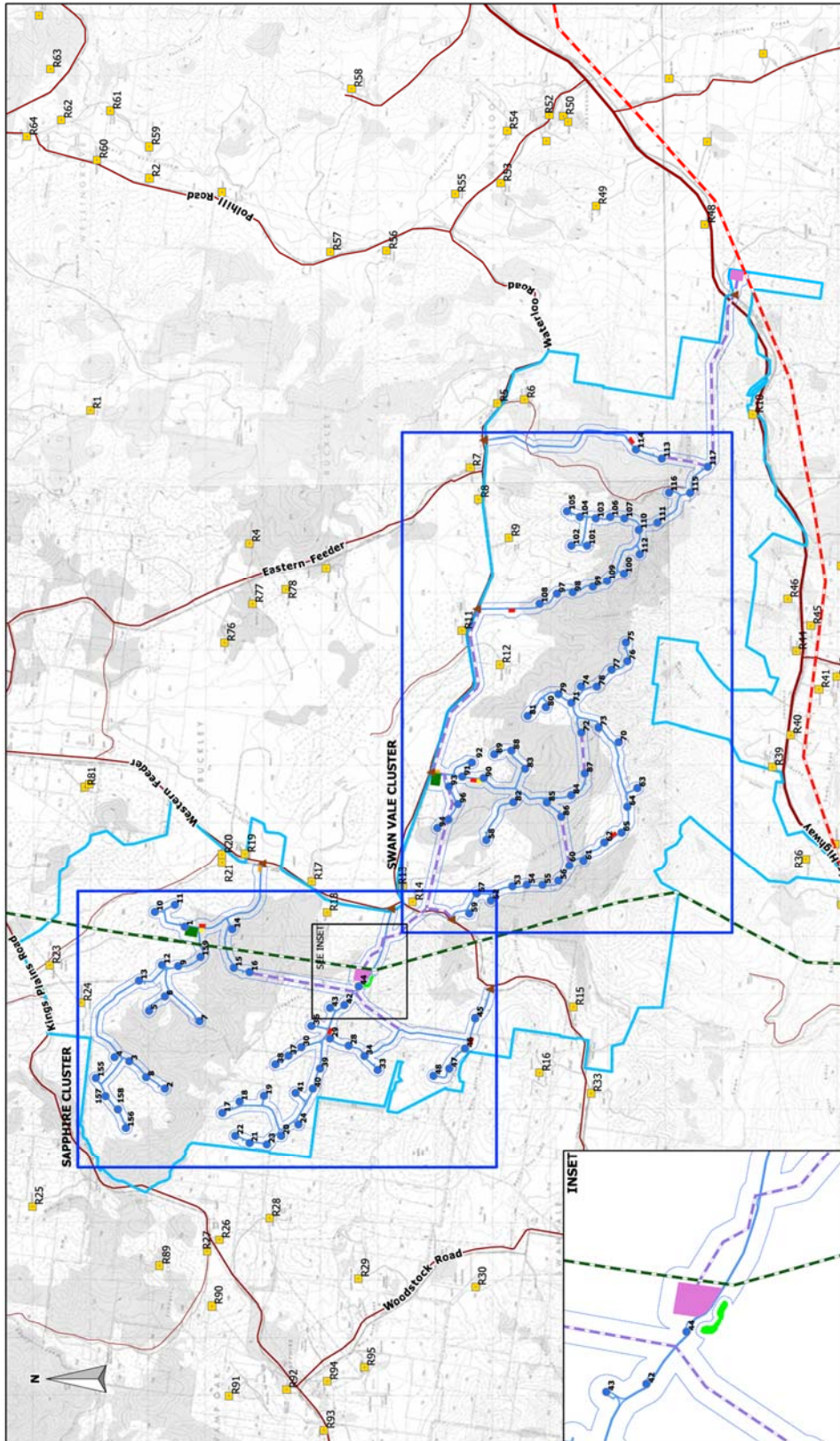
**APPENDIX 1
RESIDENCE LOCATIONS**

Location	Name	Easting (m)	Northing (m)
R7	Kings Land	355281	6711556
R10	Mt Buckley	356198	6706640
R17	Stratham	348058	6714317
R25	Coleraine	342378	6719178
R27	Frasers Creek	341601	6716137
R29	Krystal Blue	341123	6713504
R30	Argyle	340979	6711465
R32	Swan Peak	341074	6709238
R35	Golden Grove	347645	6705095
R39	Taveuni	350062	6706296
R40	Hillview	350617	6705977
R41	Glynmarwen	351407	6705486
R42	Ashgrove	351629	6705174
R44	Mindora	352071	6705883
R45	Glen Idle	352517	6705629
R46	Alkoomie	352981	6706029
R47	Pieta	353569	6705096
R48	Adavale	359518	6707474
R58	Pitlochry	361863	6713619
R78	Pine Grove Park	353148	6714764
R84	Glenidle	350098	6719960
R86	Millie	346918	6720977
R87	Croye	345670	6720193
R89	Tomali Park	341348	6716963
R90	Wirra Willa	340648	6716052



LEGEND	Turbine (109) Access Tracks Project Access Points Easement Options		Substation Concrete Batching Construction Compound Rock Crusher Site Office		Development Corridor Project Site Building				
	<p>SCALE BAR 0 5 km</p>								
COMPANY		SAPPHIRE WIND FARM PTY LTD							
TITLE		OVERVIEW MAP							
DATE	16 DEC 2015	SCALE	1:64000	DWG NO	SAP-084	REV	A	VER	1
DRAWN BY	S ISHERWOOD	CHECKED BY	E MOUNSEY	SHEET	1 OF 1	JOB NO	080602	SIZE	A3

APPENDIX 2 PROJECT LAYOUT



	SAPPHIRE WIND FARM PTY LTD	OVERVIEW MAP	
COMPANY		TITLE	
DATE	SCALE	DWG NO	REV
31 MAR 2016	1:64000	SAP-084	A 3
DRAWN BY	CHECKED BY	SHEET	JOB NO / SIZE
B KRONENBERG	E MOUNSEY	1 OF 1	080602 / A3

<p>Auxiliary Infrastructure Options</p> <ul style="list-style-type: none"> ● Turbine (109) — Access Tracks ▲ Project Access Points — Easement Options — 132kV Transmission Line — 330kV Transmission Line 	<p>Thesium australe Identified</p> <ul style="list-style-type: none"> ■ Thesium australe Identified — Development Corridor — Project Site ■ Building
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SCALE BAR
0 ————— 5 km

APPENDIX 3 NOISE COMPLIANCE ASSESSMENT

PART A: SOUTH AUSTRALIAN WIND FARMS: ENVIRONMENTAL NOISE GUIDELINES 2009 (MODIFIED)

South Australian *Wind Farms: Environmental Noise Guidelines 2009 (Modified)* refers to the South Australian EPA document modified for use in NSW. The modifications are as follows:

Tonality

The presence of excessive tonality (a special noise characteristic) is consistent with that described in *ISO 1996.2: 2007 Acoustics — Description, measurement and assessment of environmental noise – Determination of environmental noise levels* and is defined as when the level of one-third octave band measured in the equivalent noise level $L_{eq(10\text{minute})}$ exceeds the level of the adjacent bands on both sides by:

- 5dB or more if the centre frequency of the band containing the tone is in the range 500Hz to 10,000Hz;
- 8dB or more if the centre frequency of the band containing the tone is in the range 160 to 400Hz; and/or
- 15dB or more if the centre frequency of the band containing the tone is in the range 25Hz to 125Hz.

If tonality is found to be a repeated characteristic of the wind turbine noise, 5 dB(A) should be added to measured noise levels from the wind farm. If tonality is only identified for certain wind directions and speeds, the penalty is only applicable under these conditions. The tonal characteristic penalty applies only if the tone from the wind turbine is audible at the relevant receiver. Absence of tone in noise emissions measured at an intermediate location is sufficient proof that the tone at the receiver is not associated with the wind farm's operation. The assessment for tonality should only be made for frequencies of concern from 25 Hz to 10 KHz and for sound pressure levels above the threshold of hearing (as defined in *ISO 389.7: 2005 Acoustics - Reference zero for the calibration of audiometric equipment - Part 7: Reference threshold of hearing under free-field and diffuse-field listening conditions*).

Low Frequency Noise

The presence of excessive low frequency noise (a special noise characteristic) [i.e. noise from the wind farm that is repeatedly greater than 65 dB(C) during the day time or 60 dB(C) during the night time at any relevant receiver] will incur a 5 dB(A) penalty, to be added to the measured noise level for the wind farm, unless a detailed internal low frequency noise assessment demonstrates compliance with the proposed criteria for the assessment of low frequency noise disturbance (UK Department for Environment, Food and Rural Affairs (DEFRA, 2005)) for a steady state noise source.

Notes:

- *For the purposes of these conditions, a special noise characteristic is defined as a repeated characteristic if it occurs for more than 10% of an assessment period. This equates to being identified for more than 144 minutes during any 24 hour period. This definition refers to verified wind farm noise only.*
- *The maximum penalty to be added to the measured noise level from the wind farm for any special noise characteristic individually or cumulatively is 5 dB(A).*

PART B: NOISE COMPLIANCE ASSESSMENT

Applicable Meteorological Conditions – Wind Turbines

1. The noise criteria in Table 3 of the conditions are to apply under all meteorological conditions.

Applicable Meteorological Conditions – Other Facilities

2. The noise criteria in Condition F11 are to apply under all meteorological conditions except the following:

- a) wind speeds greater than 3 m/s at 10 m above ground level; or
- b) temperature inversion conditions between 1.5 °C and 3°C/100m and wind speeds greater than 2 m/s at 10 m above ground level; or
- c) temperature inversion conditions greater than 3°C/100m.