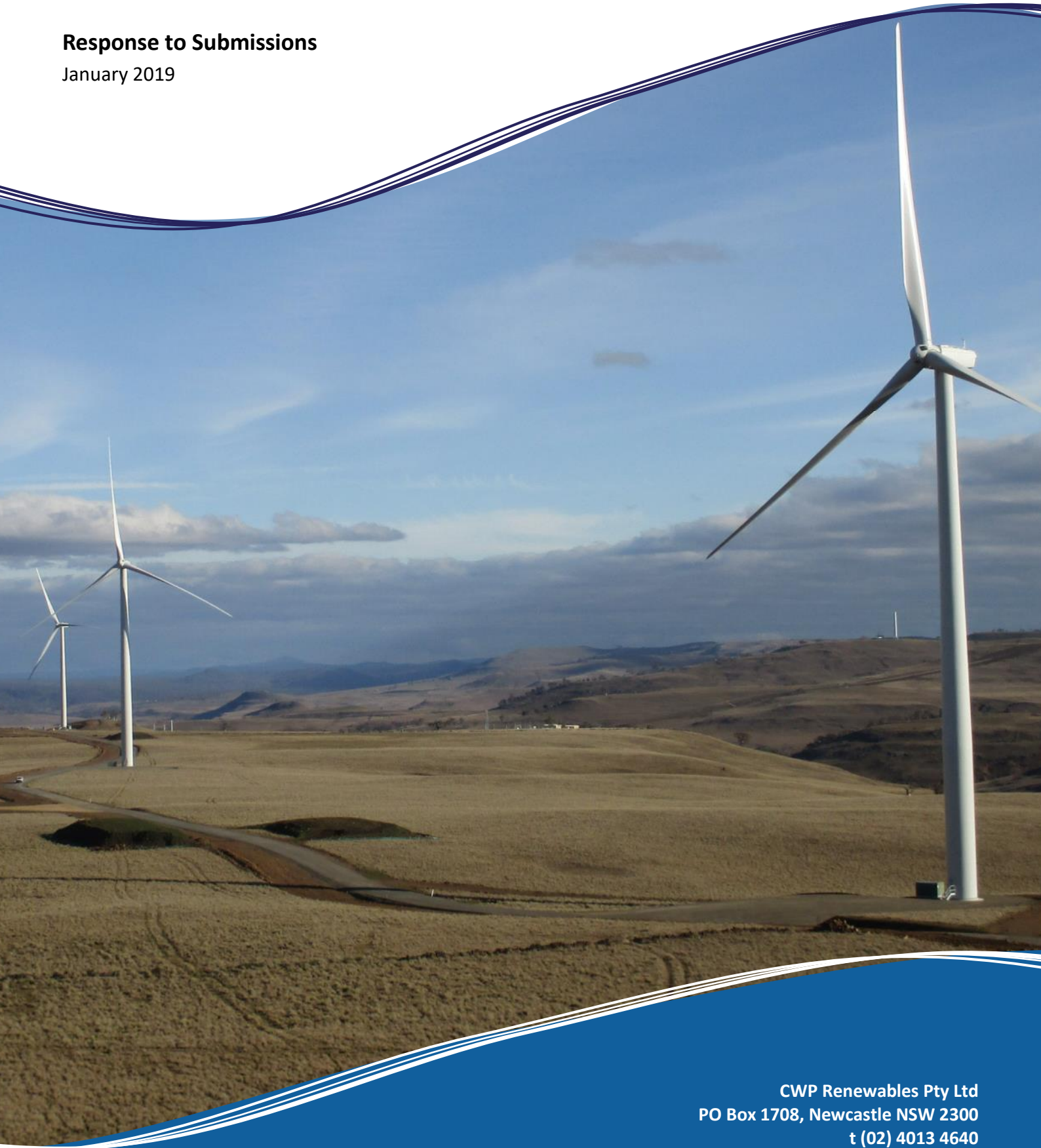


Crudine Ridge Wind Farm

Application for Modification 1

Response to Submissions

January 2019



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Acronyms

AHMP	Aboriginal heritage management plan
APR	Aarons Pass Road
AWA	Australian Wind Alliance
BAM	Biodiversity assessment method
BC Act	<i>Biodiversity Conservation Act, 2016</i>
BDAR	Biodiversity development assessment report
BMP	Biodiversity management plan
BRC	Bathurst Regional Council
CREPG	Crudine Ridge Environment Protection Group
CCC	Community consultative committee
CWP	CWP Renewables
DEE	Department of Environment and Energy
DPE	Department of Planning and Environment
EA	Environmental Assessment
EMS	Environmental management strategy
EPA	Environment Protection Authority
ERP	Emergency response plan
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act, 1999</i>
Ha	Hectare
IPC	Independent planning commission
LGA	Local government area
LEMC	Local emergency management committee
Km	Kilometre
MW	megawatt
MWRC	Mid-Western Regional Council
NSW	New South Wales
OEH	Office of environment and heritage
OSOM	over-size over-mass
PPR	Preferred project report

RMS	Roads and Maritime Services
RTS	Response to submissions
SEPP 44	<i>State Environmental Planning Policy No. 44 Koala Habitat Protection</i>
SSD	State Significant Development
TSC Act	<i>Threatened Species Conservation Act, 1995</i>
TMP	Traffic management plan
WTG	Wind turbine generator

Executive Summary

This response to submissions has been prepared to address agency and public comments received during exhibition of the proposed Modification to Crudine Ridge Wind Farm. CRWF Nominees Pty Ltd (the Proponent) proposes to modify State Significant Development Consent (SSD-6697) to address two key issues:

- Reduction in the number of wind turbine generators (WTGs) approved under the Development Consent from 77 to 37.
- Revision to the design of upgrades to Aarons Pass Road to facilitate Project transport.

The request to modify the Project was publicly exhibited for 14 days between 5 – 19 December 2019.

A total of 245 submissions were received consisting of 233 individual submissions, seven organisation submissions and five government agency submissions. Approximately 56% were in support of the Modification, 41% opposed the Modification and 3% provided comment.

The submissions indicated broad support for the proposed Modification, particularly from local residents on Aarons Pass Road and from the two local government areas affected by the Project: Mid-Western Regional Council (MWRC) and Bathurst Regional Council (BRC). Of the 10 submissions from owners of residences on Aarons Pass Road, 80% supported the proposed Modification on the basis of improved road safety. One comment and one objection were received citing the need for improved Project communications and dust management.

75% of individual submissions from MWRC and BRC wrote in support of the Modification. In contrast, 23% of individual submissions from MWRC and BRC opposed the Modification. The majority of objections received (75%) were from outside the two affected local government areas.

All issues raised in individual submissions were grouped into seven key themes for the consolidation of issues. The themes, ranked according to the number of submissions, are:

1. Road safety of APR;
2. Socio-economic benefits;
3. Environmental impacts of the Modification;
4. Project Description (including how the proposed works are described);
5. Process (including the approval and compliance process);
6. Consultation (in relation to wind farm impacts); and
7. Development Consent (matters which have already been assessed and approved).

The most common issue raised was road safety (80 submissions) with 77 (96%) providing support for the Modification. Socio-economic benefits were also commonly raised in submissions with 113 submissions received supporting the Modification.

Environmental impact associated with the Modification was the most common objection received with submissions referencing issues associated with vegetation clearing and ecological impact, dust and general environmental impact. Other objections were received on issues relating to the approved wind farm, environmental planning processes and the modified project description detailed in the Modification environmental assessment.

The reduction in WTGs will result in a net decrease in impacts to vegetation and habitat of approximately 31 ha, as well as reducing heritage, visual, noise (construction and operational) and traffic impacts compared to those approved under the Development Consent. This reduction has been achieved not only through the removal of WTGs, but also the associated infrastructure including hardstand areas, roads and cabling and a switching station for example.

Roadworks required for the revised design of Aarons Pass Road involve adjustments to the horizontal and vertical alignment, localised widening, and installation of culvert and drainage structures (the Works). The Works will enhance visibility, increase safe passing opportunities, improve the overall road alignment and condition, and provide a safer roadway for all users during Project construction and beyond. The Works will require additional localised clearing of approximately 5.05 ha and are within proximity to two threatened flora species, *Acacia meiantha* and *Pomaderris reperta*. Additional ecological assessment has been undertaken in this Response to Submissions to assess the impact of the clearing and provide offsets in addition to the 674 ha Biodiversity Stewardship Agreement site which will be established, despite the overall 31 ha reduction in vegetation impacts.

1 Introduction

1.1 Background

Crudine Ridge Wind Farm (the Project) is located approximately 45 kilometres (km) south of Mudgee in New South Wales (NSW) within the Mid-Western Regional Council (MWRC) and Bathurst Regional Council (BRC) local government areas (LGAs). State Significant Development Consent (SSD-6697) was issued on 10 May 2016 for the construction and operation of up to 77 WTGs (Development Consent). The conditions of consent were developed based on the impacts of the 77 approved WTGs and all associated infrastructure. The approved Project is shown in Figure 1.

EPBC Act Approval (EPBC 2011/6206) was issued on 4 April 2017 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) permitting up to 37 WTGs. However, those WTGs can be constructed at locations to be selected, at the Proponent's discretion, from 57 WTG sites which form a subset of the 77 WTG sites approved under the Development Consent.

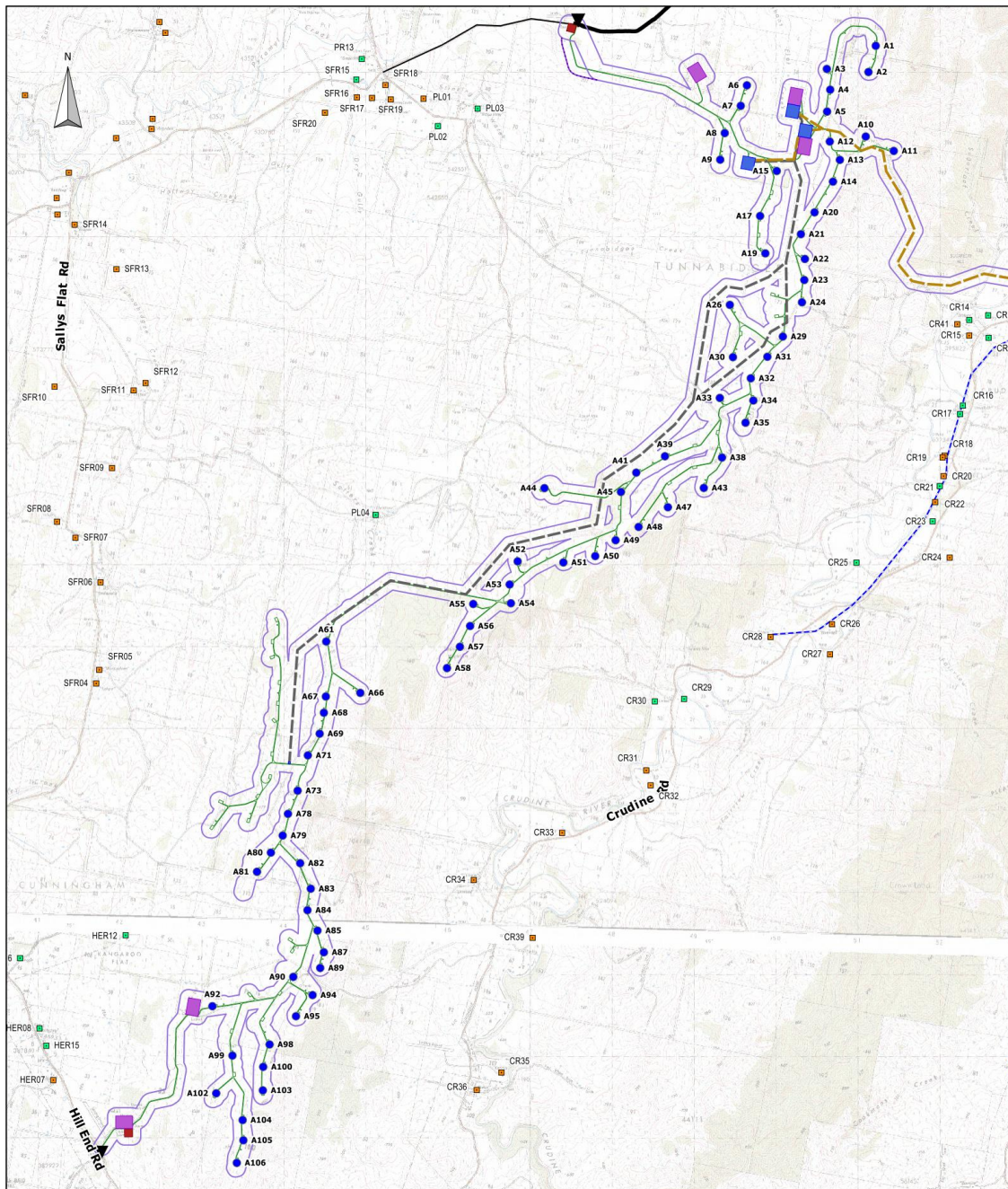
The Development Consent stipulates that no WTGs may be greater than 160 m in height in schedule 2 condition 6. The EA prepared for the Project evaluated WTGs up to 160 m to blade tip and noted that final WTG selection would be undertaken following Project approval under competitive tender. In May 2018 the Project completed a tender and financing process and after final grid studies the Project was revised to comprise 37 WTGs each with a generating capacity of 3.63 MW and a total height of 160 m (from ground to blade tip). The WTGs are in accordance with the Development Consent, and generally in accordance with the EA, as required in schedule 2, condition 2.

The Proponent has applied to modify the Development Consent, reducing not only the number of WTGs permitted to be installed, but firmly identifying the sites on which the 37 WTGs will be constructed. The Modification also seeks to remove associated infrastructure including hard stands, access roads, cabling, the switching station and other infrastructure, to revise down the anticipated impacts, thereby more accurately reflecting the scope of the Project to be constructed.

The Development Consent permits all over-size over-mass (OSOM) equipment to be transported to the site via the northern site entrance, using Castlereagh Highway and Aarons Pass Road. A detailed design process for Aarons Pass Road (APR) undertaken in close consultation with MWRC (the relevant roads authority) has identified the need for increased vegetation clearance to allow for an improved road alignment. As a result, the Modification proposes to amend the approved design for APR to facilitate the safe delivery of OSOM components to the Project site using the Revised Design.

The proposed Modification to the Project is shown in Figure 2.

Figure 1: Crudine Ridge Wind Farm as approved by the Development Consent (1 of 3)



LEGEND <ul style="list-style-type: none"> ● 77 WTG Approved Layout — Approved Layout - Internal Roads ■ Involved Residence ■ Non-involved Residence — Aarons Pass Rd — Aarons Pass Rd Upgrade — Bombandi Rd — Bombandi Rd Upgrade — Internal Overhead Transmission Line — External Overhead Transmission Line — 132 kV Transmission Line — 11 kV Distribution Line — Approved Development Corridor Switching Station Options Site Compound Options Secondary Collector Substation Rock Crushing & Batching Plant Options 		COMPANY CRWF NOMINEES PTY LTD		
TITLE FIGURE 1: EXISTING APPROVAL				
DATE	SCALE	DWG NO	REV	VER
24 JAN 2019	1:46000	CRU307	A	1
DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE
B KRONENBERG	M BRANSON	1 OF 3	080401	A3

Figure 1: Crudine Ridge Wind Farm as approved by the Development Consent (2 of 3)

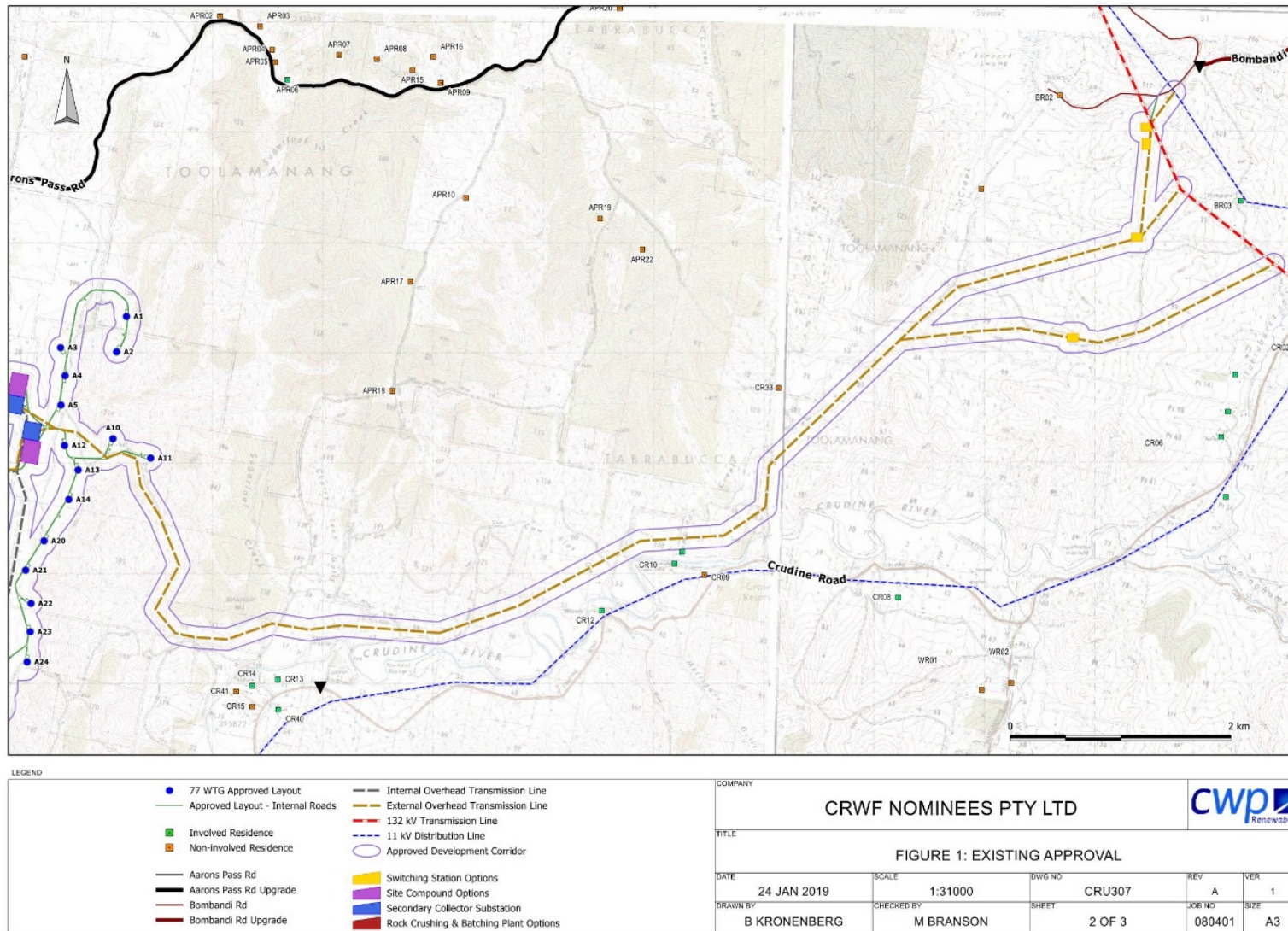


Figure 1: Crudine Ridge Wind Farm as approved by the Development Consent (3 of 3)

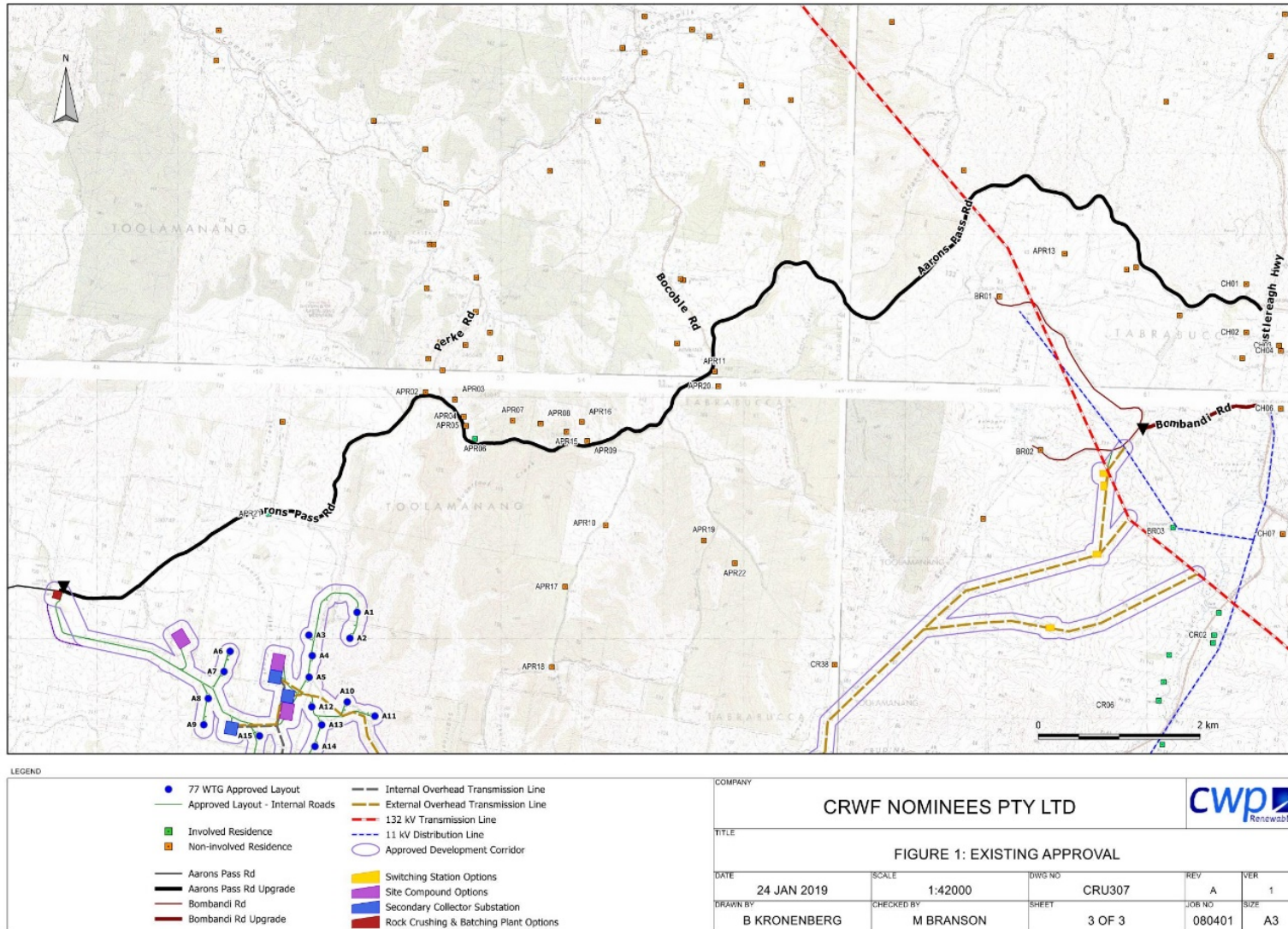
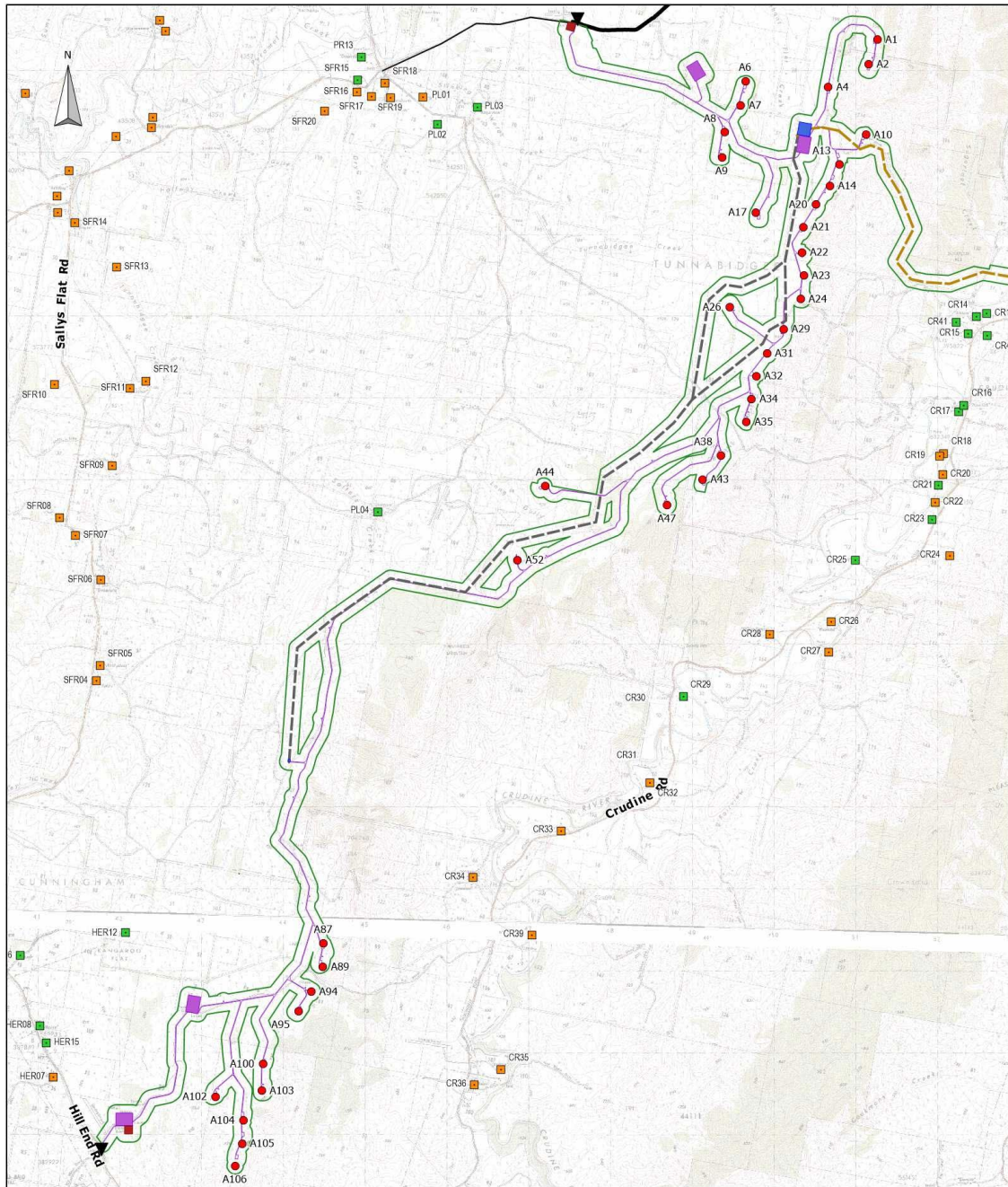
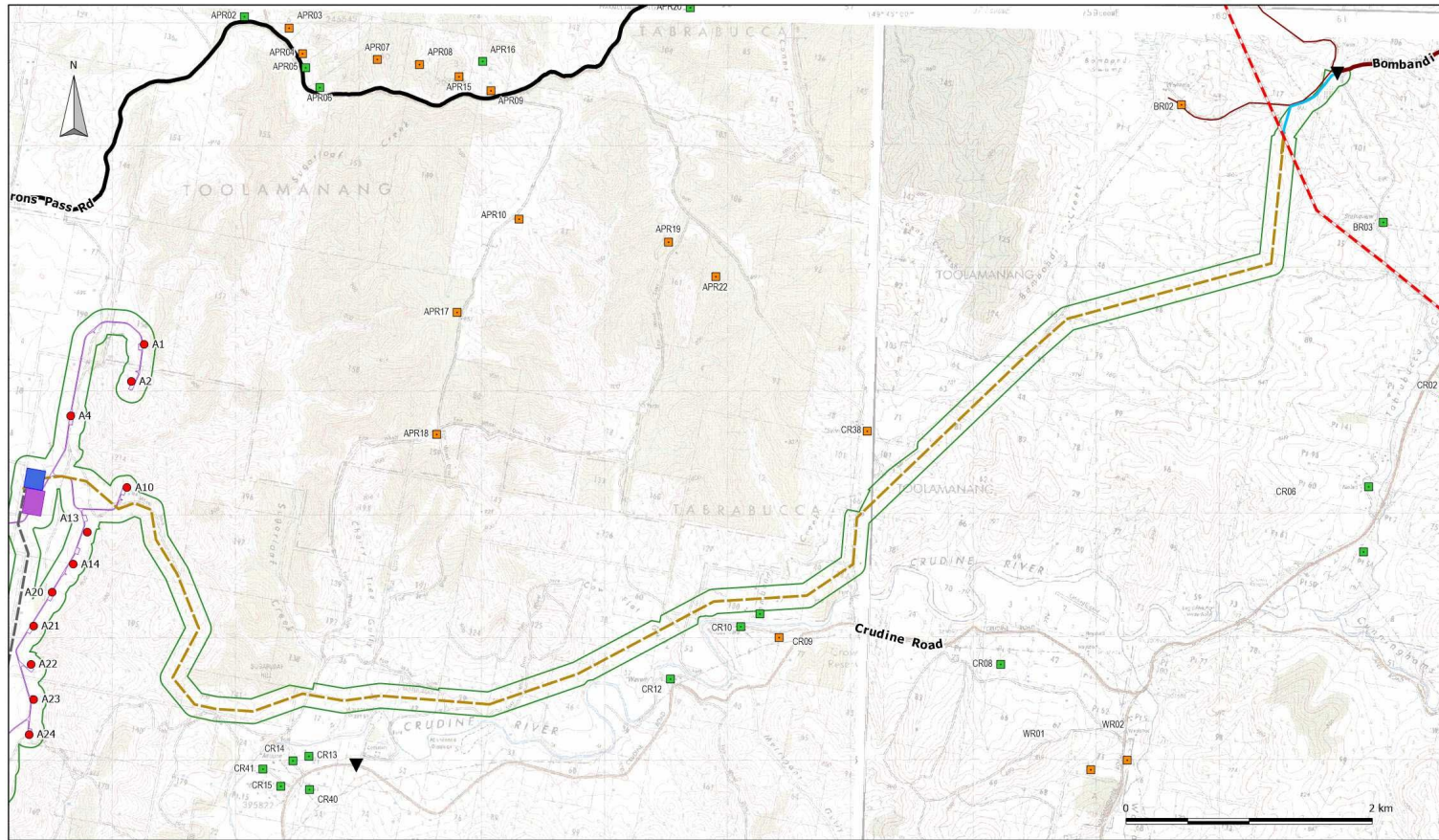


Figure 2: Proposed Modification to Crudine Ridge Wind Farm (1 of 3)



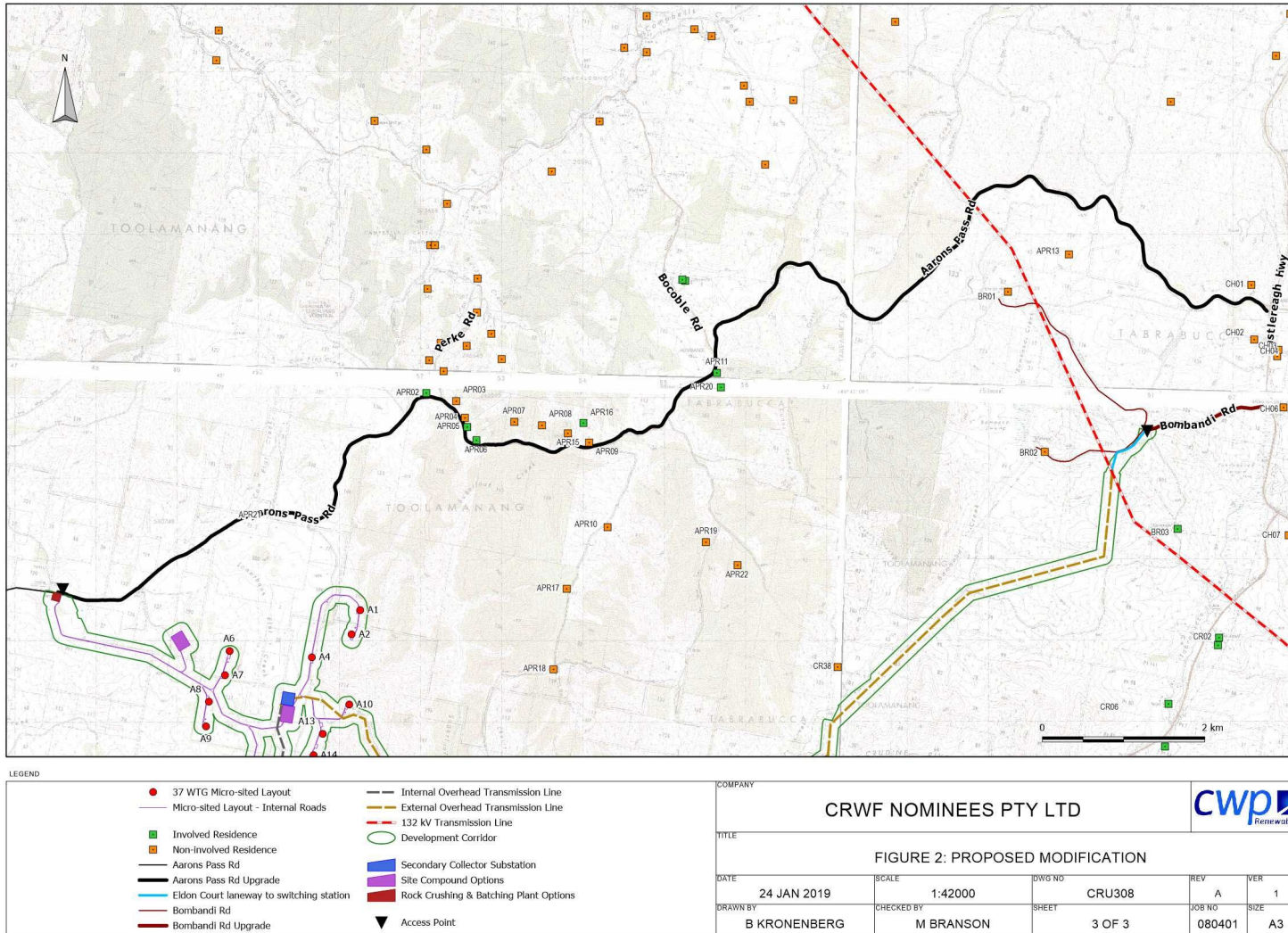
LEGEND		COMPANY				
● 37 WTG Micro-sited Layout	— Internal Overhead Transmission Line	CRWF NOMINEES PTY LTD				
— Micro-sited Layout - Internal Roads	— External Overhead Transmission Line					
■ Involved Residence	— 132 kV Transmission Line					
■ Non-involved Residence	○ Development Corridor	TITLE				
— Aarons Pass Rd	■ Secondary Collector Substation	FIGURE 2: PROPOSED MODIFICATION				
— Aarons Pass Rd Upgrade	■ Site Compound Options					
— Eldon Court laneway to switching station	■ Rock Crushing & Batching Plant Options	DATE	SCALE	DWG NO	REV	VER
— Bombandi Rd	▼ Access Point	24 JAN 2019	1:46000	CRU308	A	1
— Bombandi Rd Upgrade		DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE
		B KRONENBERG	M BRANSON	1 OF 3	080401	A3
SCALE BAR						

Figure 2: Proposed Modification to Crudine Ridge Wind Farm (2 of 3)



LEGEND		COMPANY	
● 37 WTG Micro-sited Layout	— Internal Overhead Transmission Line	CRWF NOMINEES PTY LTD	
— Micro-sited Layout - Internal Roads	— External Overhead Transmission Line		
■ Involved Residence	— 132 kV Transmission Line		
■ Non-involved Residence	○ Development Corridor	TITLE	
— Aarons Pass Rd	■ Secondary Collector Substation	FIGURE 2: PROPOSED MODIFICATION	
— Aarons Pass Rd Upgrade	■ Site Compound Options	DATE	SCALE
— Eldon Court laneway to switching station	■ Rock Crushing & Batching Plant Options	24 JAN 2019	1:31000
— Bombandi Rd	▼ Access Point	DRAWN BY	DWG NO
— Bombandi Rd Upgrade		B KRONENBERG	CRU308
		CHECKED BY	REV
		M BRANSON	A
		SHEET	VER
		2 OF 3	1
		JOB NO	SIZE
		080401	A3

Figure 2: Proposed Modification to Crudine Ridge Wind Farm (3 of 3)



1.2 Current Situation

On 15 December 2017 the NSW Department of Planning and Environment (DPE) approved the Project Environmental Management Strategy (EMS), Biodiversity Management Plan (BMP), Bird and Bat Adaptive Management Plan (BBAMP), Aboriginal Heritage Management Plan (AHMP) and Traffic Management Plan (TMP). In May 2018 the Project was financed and a detailed design process commenced with pre-construction minor works also underway. Construction of the Project (as defined in the Development Consent) commenced on 2 August 2018.

CWP Renewables Pty Ltd (CWP), on behalf of CRWF Nominees Pty Ltd (the Proponent), lodged an application to modify the Development Consent in December 2018 under section 4.55(1A) of the EPA Act as detailed in *Crudine Ridge Wind Farm: Project Modification 2018*, prepared by CWP (the Modification).

Due to the scope of the proposed changes to APR and the requirement to upgrade APR to the satisfaction of MWRC prior to the commencement of construction, all construction works are currently on hold until there is clarity on the determination of the Modification.

1.3 Public Exhibition

The request for Modification and Environmental Assessment (Modification EA) was publicly exhibited by DPE over a period of 14 days from 5-19 December, 2018. The Modification was available online through the DPE Major Projects website, and in hard copy at the MWRC Mudgee office and BRC Bathurst Office. Submissions were made publicly available on the DPE Major Projects website on 21 December, 2018.

233 individual submissions were received along with seven organisation submissions and five government agency submissions. Of the total 245 submissions, approximately 56% were in support, 41% in opposition, and 3% provided comment.

10 submissions from residences along APR were received, eight of which (80%) are directly in support of the proposed Modification. One submission supported the Modification but indicated a need for better ongoing communication from the Proponent. One submission indicated support for the road upgrades but was opposed to dust impacts from traffic along APR. All 10 submissions unanimously identified road safety as their key concern.

110 submissions were received from within the two affected LGAs, MWRC and BRC, comprising 47% of the total individual submission. Of these local submissions, 82 (75%) were in support of the

proposed Modification citing benefits related to improved road safety, economic opportunities and an overall reduction in environmental impact.

Of the 99 individual objections received (out of the total 233 individual submissions), approximately 25% were from the MWRC and BRC LGAs. The remaining 75% of objectors were from outside the LGAs impacted by the Project, with notable clusters around Queanbeyan, Goulburn, southern Sydney and more broadly throughout Australia. These objections largely reference the environmental impact of vegetation clearing on APR, the environmental assessment process and the impacts of wind farms in general as their key concerns.

Further analysis of the submissions by locality and issue is provided in Section 3.

1.4 Purpose of the Report

This Response to Submissions (RTS) has been prepared to document how the issues raised in the submissions have been considered and, where relevant, what actions have been taken. The RTS has been prepared in accordance with DPE (2017) *Responding to Submissions: Draft Environmental Impact Assessment Guidance Series* (DPE (2017)).

All issues raised in the submissions have been acknowledged and a response provided proportionate to the relevance of the issue. Statistical analysis of the submissions is presented in Section 3 using tables, figures and graphs to clearly identify the origins of the submissions, proximity to the Project, support for the Project and types of issues raised.

Section 4 provides an evaluation of the Project, a summary of actions taken to address the submissions including ongoing consultation, environmental assessment, changes to the proposal, performance criteria and mitigation measures.

Submissions have been categorised as government submission (section 6.1), organisation submission (section 6.2) and or individual submission (section 6.3). Separate and detailed responses have been provided for each of the government and organisation submissions. Due to the volume of individual submissions received, these have been categorised by issue type and a response provided on this basis to avoid repetition and allow a holistic response, in accordance with DPE (2017).

Where submissions have raised issues that have already been assessed in the EA and approved under the Development Consent, this is stated in the response and a reference to the relevant section of the EA provided. Similarly, where an issue has been raised that is unrelated to the proposed Modification, it is stated in the response.

Submissions are referred to by their Submission Statement Number (SSN) (a six-digit number, assigned to by the DPE) and listed in the Submissions Matrix located in Appendix A. A Submissions Register located in Appendix B provides a cross reference to each submission made and issue addressed in this RTS for easy reference.

2 Overview of the Exhibited Project

2.1 Key Themes

The two primary themes of the Modification are:

- Reduction in the number of WTGs approved under the Development Consent from 77 to 37.
- Revision to the design of upgrades to APR to facilitate Project transport.

2.1.1 Reduction in WTGs

The Modification proposes to remove 40 WTG locations and associated hardstands, foundations, access tracks and cabling, as well as removing the Project switching station which will be replaced by a switchyard within the approved Project substation footprint. The total number of approved WTGs would be reduced from 77 to 37. The reduction in WTGs and ancillary infrastructure would have an overall reduction in impacts to biodiversity, heritage, visual, noise (construction and operational) and traffic impacts compared to those assessed in the EA (including the Preferred Project Report (PPR)). The proposed removal of WTGs and ancillary infrastructure is to provide certainty to stakeholders regarding the extent of the Project, including those in the community whom are affected by the development.

2.1.2 APR Revised Design

The Modification proposes to amend the approved design for APR to facilitate the safe delivery of OSOM components to the Project site using the Revised Design. The assessment of OSOM transport options in Section 1.2 of the Modification describes the process and chronology of the OSOM options evaluated during preparation of the EA, the PPR, during pre-construction in consultation with the relevant road authorities, and following the selection of the WTG to be installed for the Project.

Roadworks required for the Revised Design (the Works) involve adjustments to the horizontal and vertical alignment, localised widening, and installation of culvert and drainage structures. The Works will enhance visibility, increase safe passing opportunities, improve the overall road alignment and condition, and provide a safer roadway for all users during Project construction and beyond.

The proposed changes increase the area of vegetation to be impacted along APR by approximately 5.05 ha.

2.2 Environmental Impacts of the Modification

The reduction in WTGs will result in a net decrease in impacts to vegetation and habitat of approximately 31 ha. This substantial, overall decrease is despite the localised increase of approximately 5.05 ha of combined permanent and temporary impacts on APR for the Revised Design. This reduction has been achieved not only through the removal of WTGs, but also the associated infrastructure including hardstands, roads and cabling, switching station and implementation of the detailed design measures described in the approved BMP.

Two threatened flora species, *Acacia meiantha* and *Pomaderris reperta* have been identified along APR. The Biodiversity Development Assessment Report (BDAR) undertaken in accordance with the *Biodiversity Conservation Act 2016* (BC Act), identified that these two flora species may be impacted by the proposed Works. Further design and micro-siting will be undertaken in accordance with section 4.3 of the approved BMP to avoid and minimise impacts to *P. reperta* and *A. meiantha* prior to the commencement of the Works.

Following the exhibition period, targeted fauna surveys were undertaken for seven of the 10 threatened species-credit species identified as potentially occurring in habitat adjacent to APR, as the appropriate seasonal window became available. Six of the species were confirmed not to occur and the targeted surveys are described in Section 4.3.1. The updated BDAR included in Appendix C identifies the offset requirements for the Revised Design. The proposed Modification would result in the Project having reduced impact on Aboriginal heritage sites identified in the EA, with the implementation of the measures already described within the approved AHMP. The Project is not expected to impact any European heritage items.

The proposed Modification will also result in a reduction of construction related impacts including the duration and magnitude of construction traffic associated with the Project, directly reducing traffic noise and delays, collision risks, dust impacts and road degradation. Based on the anticipated reduction in traffic impacts associated with this Modification, previously identified mitigation measures remain applicable, where relevant, to the modified Project.

The reduction in WTGs is expected to provide a marked improvement in visual amenity for most residences surrounding the Project. This is particularly true for those residences to the west of the Project in the Sallys Flat areas where a large number of the WTGs have been removed, and distances between residences and WTGs have increased. Improvements in visual amenity will also be experienced by a number of the residences listed as high, moderate and low in the Development Consent.

The proposed Works to facilitate the Revised Design would alter the visibility of APR from some selected viewpoints, however this is considered to be a negligible impact given that there is dense vegetation surrounding much of the roadway and the receptors in the region.

The reduction in WTGs will decrease the construction and operational noise for surrounding receptors, and the Project, as modified, is forecast to meet the criteria within the Development Consent.

3 Analysis of Submissions

3.1 Submissions Received

A total of 245 submissions were received during the public exhibition period as shown in Table 1. Five submissions were received from government agencies, seven submissions were received from organisations and special interest groups, and 233 submissions were received from individuals.

Table 1: Submissions by group

Group	Type	Number
Government Agency	Comment	5
Organisation or Special Interest Group	Support	5
	Objection	2
Individuals	Support	131
	Objection	99
	Comment	3
Total		245

Of the 233 individual submissions approximately 56% were in support, 42% objected and 1% provided comment.

110 Individual submissions were received from the two affected LGAs, MWRC and BRC, comprising 47% of the total. Of these local submissions, 82 (75%) were in support, 25 (23%) in opposition, and three (3%) provided comment.

Submissions were analysed by the LGA from which they were received to provide an analysis from a local government perspective. Figure 3 identifies the source LGA for each of the 233 individual submissions. Figure 4 illustrates the level of support from submissions received from within the two affected LGAs and submissions received from all other LGAs as a group. Table 2 provides the results for all LGAs. These results are further graphically presented in Figure 5 and Figure 6.

Figure 3: Number of Submissions by Locality (grouped by LGA)

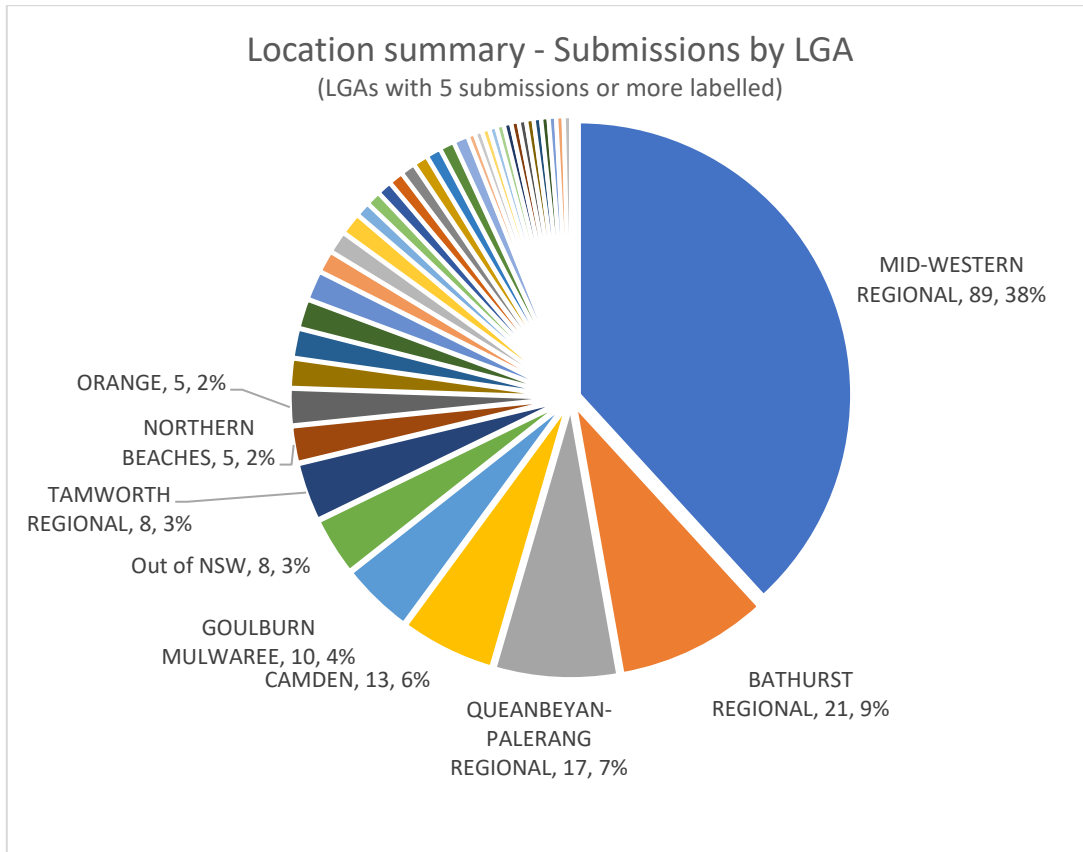
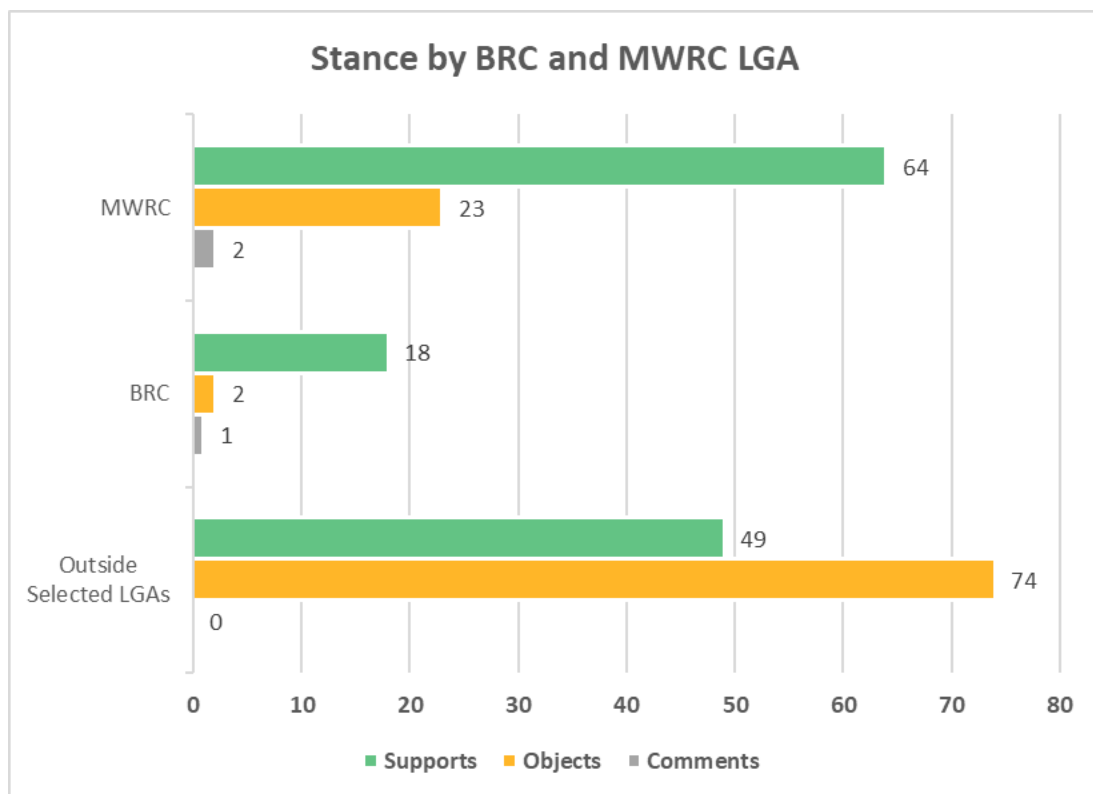


Figure 4: Submission type by MWRC and BRC LGA

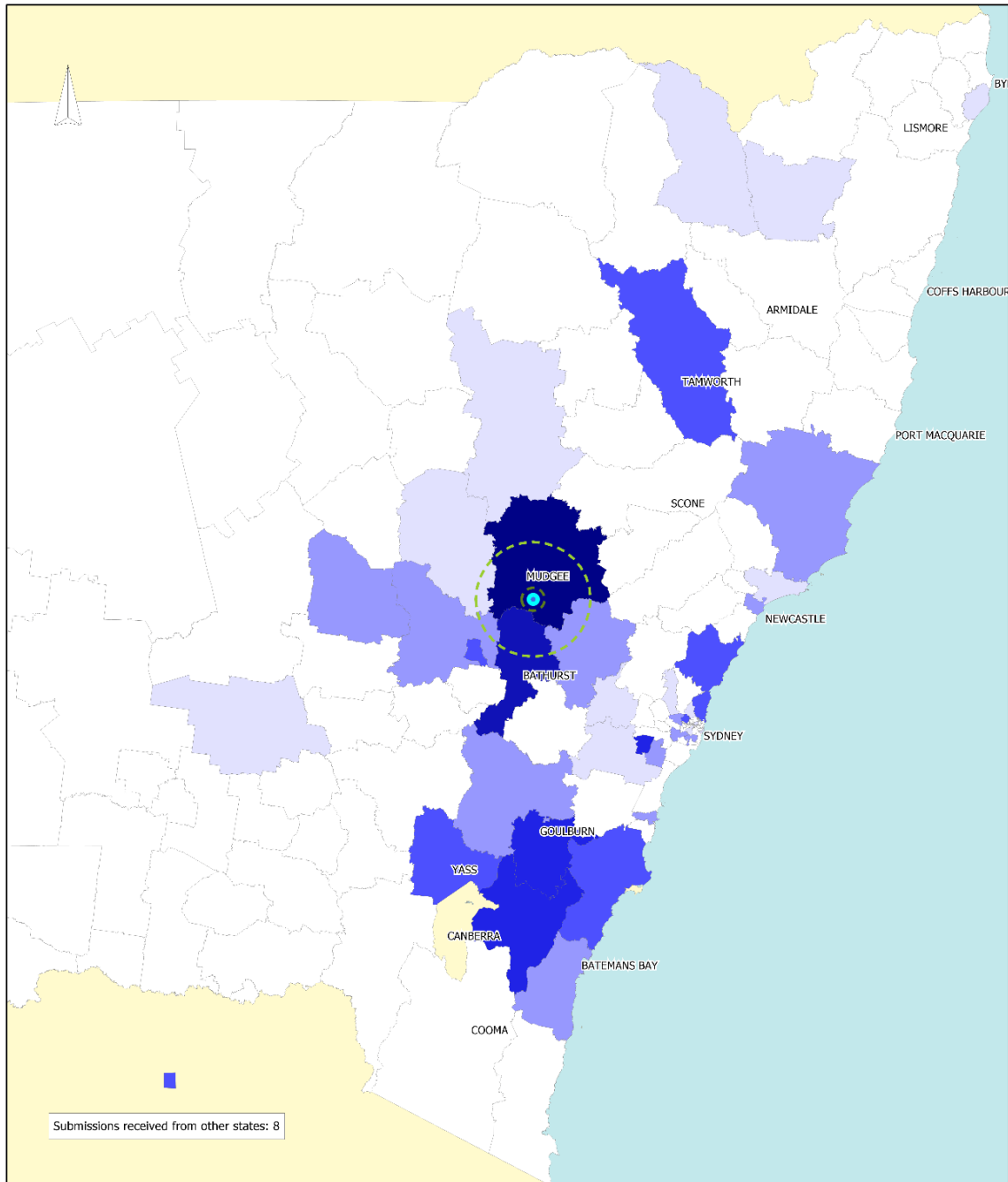


For each LGA, the breakdown of support, objection and comment is provided in Table 2 below.

Table 2: Submissions by LGA

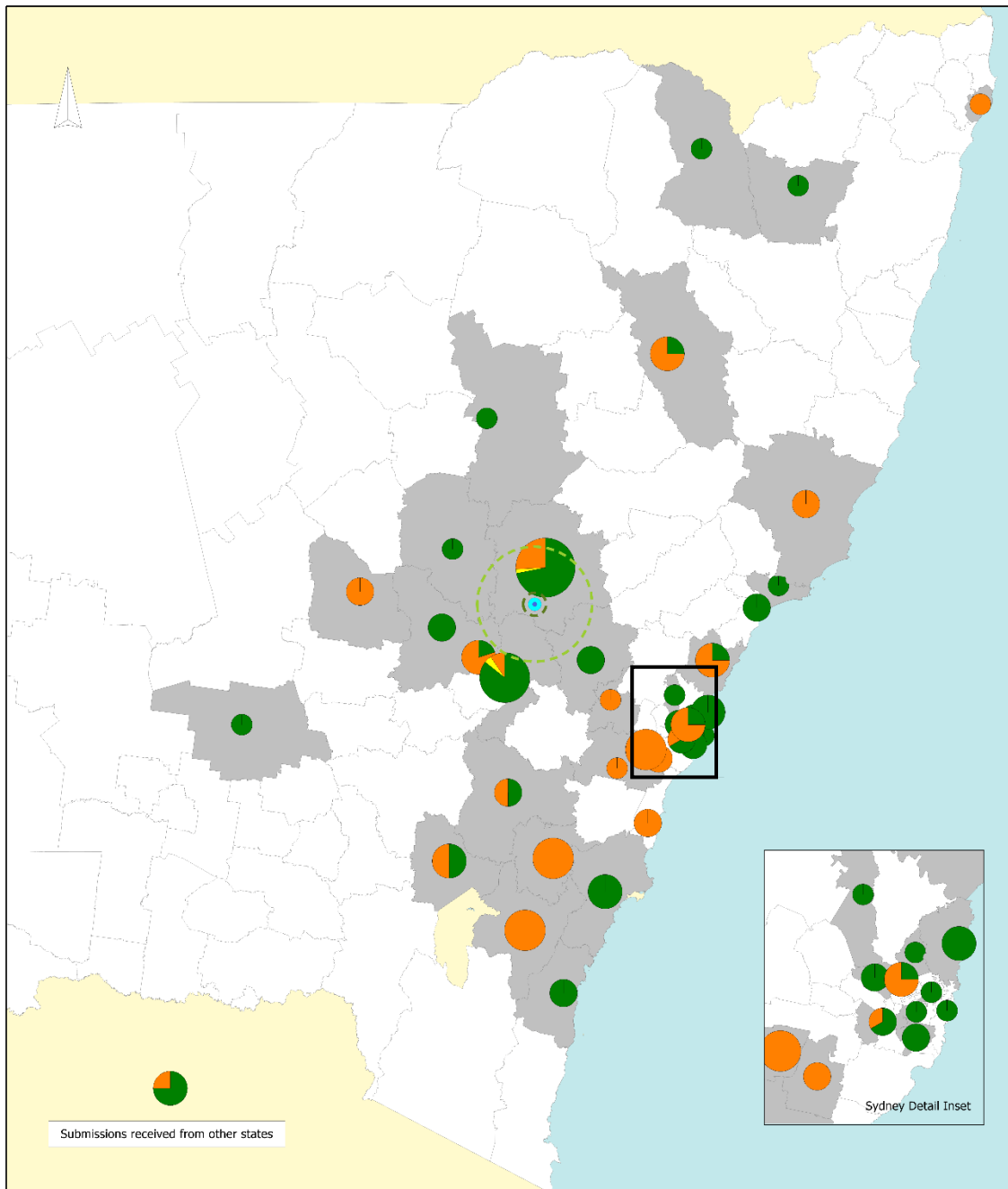
Location summary - Sorted by number of submissions		Stance by location			
LGA	Submissions	Supports	Objects	Comments	% Support
MID-WESTERN REGIONAL	89	64	23	2	72%
BATHURST REGIONAL	21	18	2	1	86%
QUEANBEYAN-PALERANG REGIONAL	17	0	17	0	0%
CAMDEN	13	0	13	0	0%
GOULBURN MULWAREE	10	0	10	0	0%
Out of NSW	8	6	2	0	75%
TAMWORTH REGIONAL	8	2	6	0	25%
NORTHERN BEACHES	5	5	0	0	100%
ORANGE	5	1	4	0	20%
CENTRAL COAST	4	1	3	0	25%
RYDE	4	1	3	0	25%
YASS VALLEY	4	2	2	0	50%
SHOALHAVEN	4	4	0	0	100%
CAMPBELLTOWN	3	0	3	0	0%
CANTERBURY-BANKSTOWN	3	2	1	0	67%
LITHGOW	3	3	0	0	100%
UPPER LACHLAN SHIRE	2	1	1	0	50%
PARKES	2	0	2	0	0%
SHELLHARBOUR	2	0	2	0	0%
NEWCASTLE	2	2	0	0	100%
MID-COAST	2	0	2	0	0%
PARRAMATTA	2	2	0	0	100%
EUROBODALLA	2	2	0	0	100%
CABONNE	2	2	0	0	100%
BAYSIDE	2	2	0	0	100%
WARRUMBUNGLE	1	1	0	0	100%
WOLLONDILLY	1	0	1	0	0%
WAVERLEY	1	1	0	0	100%
INNER WEST	1	1	0	0	100%
KU-RING-GAI	1	1	0	0	100%
BALLINA	1	0	1	0	0%
THE HILLS SHIRE	1	1	0	0	100%
INVERELL	1	1	0	0	100%
DUBBO REGIONAL	1	1	0	0	100%
PORT STEPHENS	1	1	0	0	100%
GLEN INNES SEVERN SHIRE	1	1	0	0	100%
BLAND	1	1	0	0	100%
NORTH SYDNEY	1	1	0	0	100%
BLUE MOUNTAINS	1	0	1	0	0%
total	233	131	99	3	

Figure 5: Heat map of submissions by LGA



LEGEND 		Number of submissions received by Locality 		COMPANY CRWF NOMINEES PTY LTD			
SCALE BAR 0 200 km				TITLE NUMBER OF PUBLIC SUBMISSIONS BY LGA			
DATE 09 JAN 2019		SCALE 1:3300000		DWG NO CRU301		REV B	
DRAWN BY T BEHRENDT		CHECKED BY M BRANSON		SHEET 1 OF 1		VER 1	
				JOB NO 080401		SIZE A3	

Figure 6: Submissions showing level of support by LGA



LEGEND 		Submissions by stance per LGA 		COMPANY CRWF NOMINEES PTY LTD	
SCALE BAR 0 200 km		Pie-chart showing stance of submissions: Objection Comment Support Number of Submissions by Size of Pie Chart >2...4...10...20...75<		TITLE SUMMARY OF PUBLIC SUBMISSIONS STANCE BY LGA	
DATE 09 JAN 2019		SCALE 1:3300000		DWG NO CRU302	
DRAWN BY T BEHRENDT		CHECKED BY M BRANSON		REV B	
		SHEET 1 OF 1		JOB NO 080401	
				VER 1	
				SIZE A3	

Submissions received from individuals have been further analysed by proximity of the submitter’s locality to the Project, using the northern site entrance as the Project location. The locality of each submission was referenced to its associated centroid coordinates. Distance to the site from each locality was calculated from these coordinates using a direct line to the northern site entrance.

Table 3 shows the number of individual submissions received from localities in three distance bands of 1 - 10km, 10 – 50km and greater than 50km from the Project. This is also shown graphically in Figure 7, Figure 8 and Figure 9 below.

Table 3: Submissions by proximity to the Project

Distance to the Project	Individual Submissions		
	Comment	Support	Objection
Within 10km	1	25	16
10-50km	1	48	5
Greater than 50km	1	58	78
Total	3	131	99

Figure 7: Support from submissions by proximity to the Project

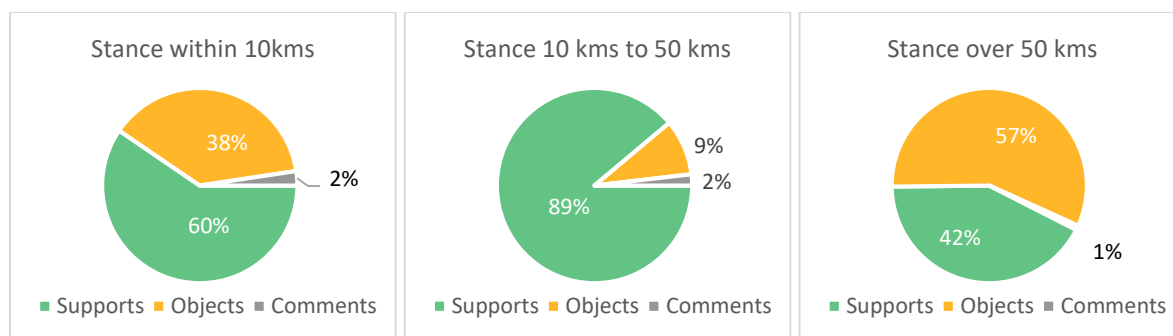
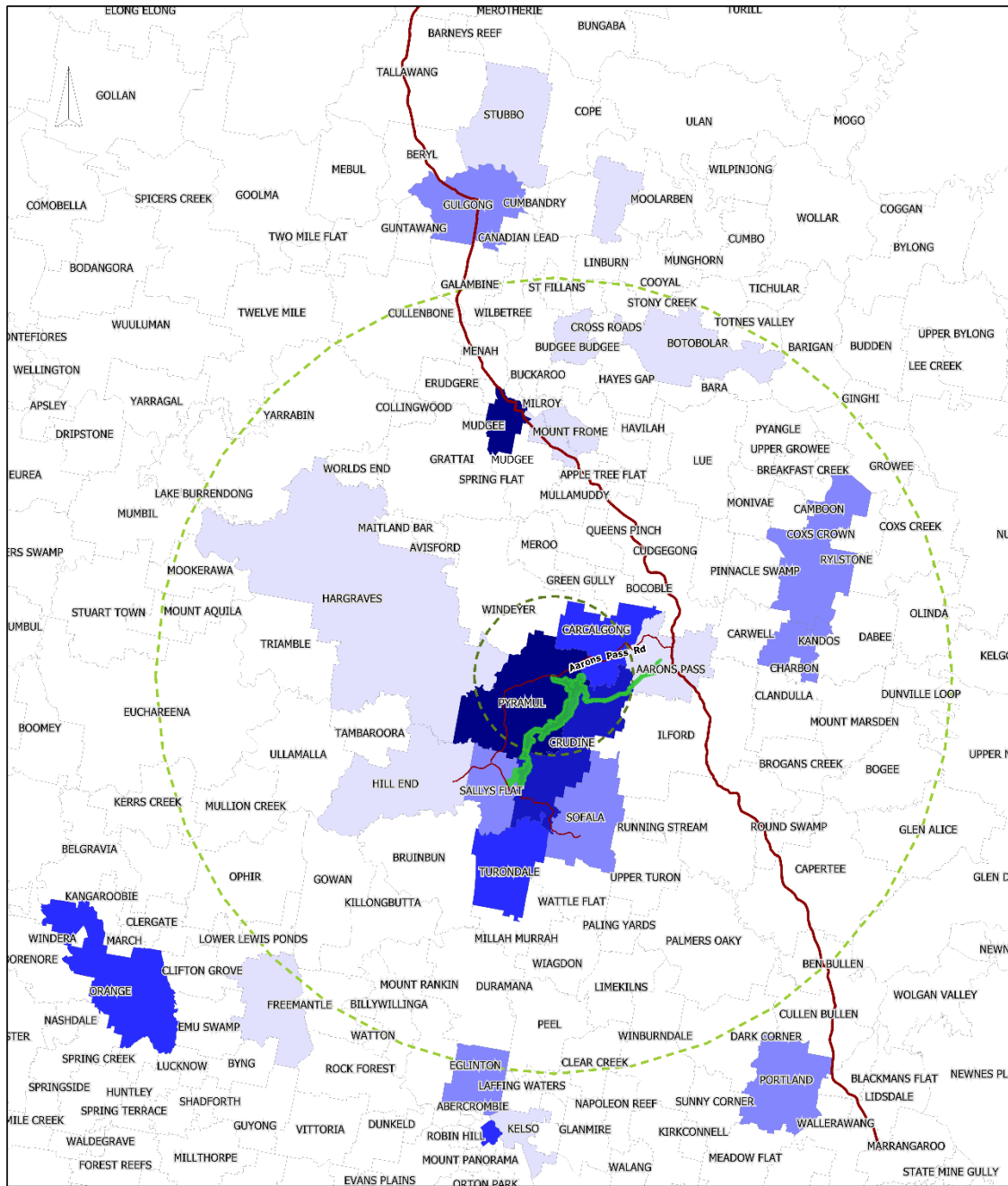
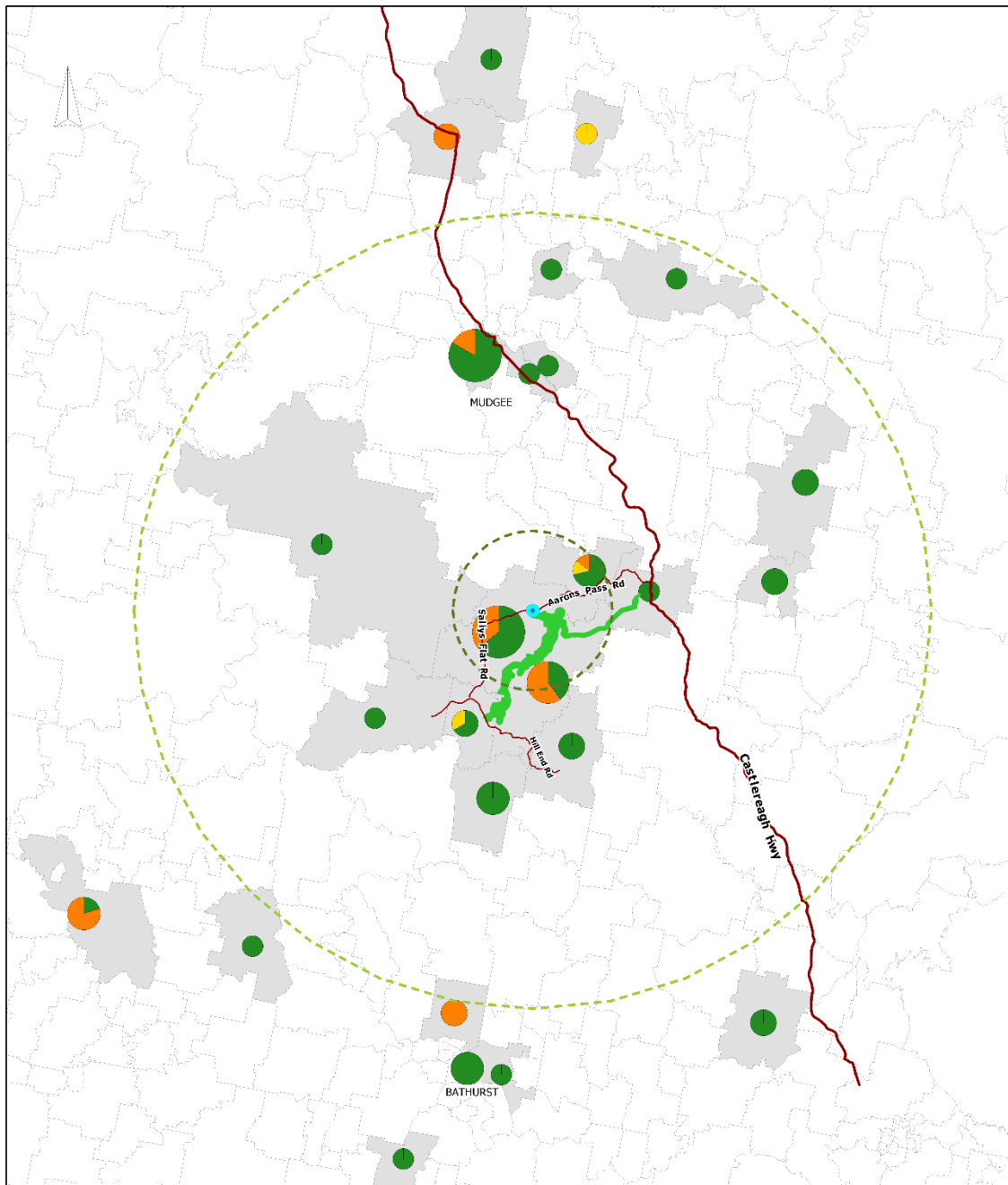


Figure 8: Heat map of submissions in the Project locality



LEGEND		COMPANY	
	Crudine Ridge Wind Farm Site	CRWF NOMINEES PTY LTD	
	10 km Buffer from Site Entrance	TITLE	
	50 km Buffer from Site Entrance	NUMBER OF PUBLIC SUBMISSIONS BY LOCALITY	
	Locality Areas	DATE	SCALE
	Minor road relevant to project	09 JAN 2019	1:470000
	Castlereagh Hwy	DWG NO	REV
		CRU303	B
		VER	1
		DRAWN BY	CHECKED BY
		T BREHNDT	M BRANSON
		SHEET	JOB NO
		1 OF 1	080401
		SIZE	A3

Figure 9: Submissions showing support from the Project locality



LEGEND CRWF Site Entrance Crudine Ridge Wind Farm Site 10 km Buffer from Site Entrance 50 km Buffer from Site Entrance Locality areas Minor roads relevant to project Castlereagh Hwy Submission from Locality received	Submissions by stance per Locality Pie-chart showing stance of submissions: Objection Comment Support Number of Submissions by Size of Pie Chart >2...4...8...24<	COMPANY CRWF NOMINEES PTY LTD				
		TITLE SUMMARY OF PUBLIC SUBMISSIONS - STANCE BY LOCALITY				
SCALE BAR 0 50 km		DATE 09 JAN 2019	SCALE 1:470000	DWG NO CRU304	REV B	VER 1
		DRAWN BY T BEHRENDT	CHECKED BY M BRANSON	SHEET 1 OF 1	JOB NO 080401	SIZE A3

3.2 Summary of Issues Raised in Submissions

Five government/agency submissions were received each of which contained comments only. Each of the agency submissions are included and addressed in detail in Section 6.1.

Seven organisation / special interest group submissions were received of which five showed support and two objected to the Modification. Each of the organisation submissions are provided in full and addressed in detail in Section 6.2.

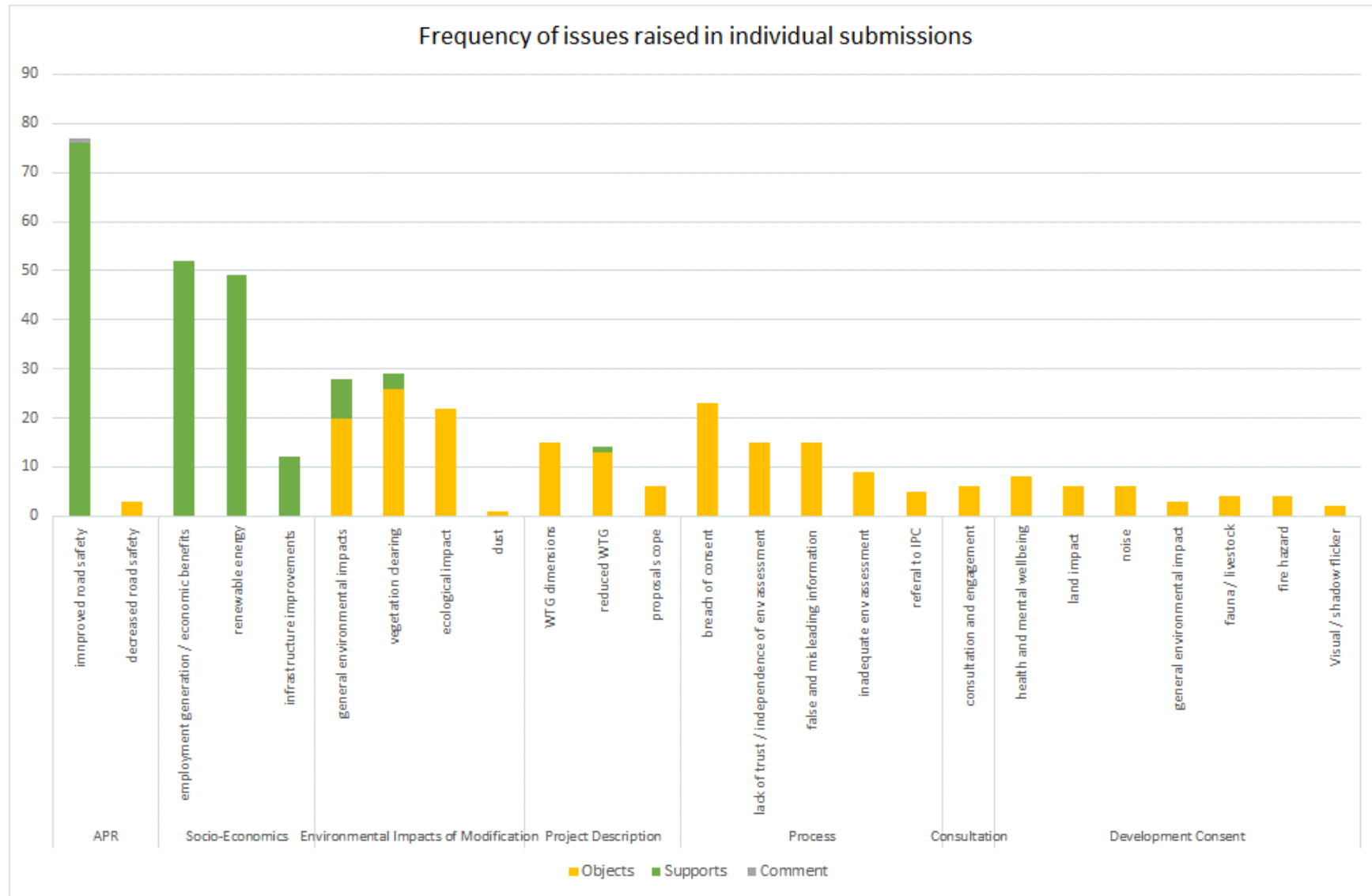
The 233 individual submissions were each reviewed and analysed to identify key themes, with an aim to understand the underlying interest in the issue for each individual community member or stakeholder. The issues were then further reviewed and grouped according to the theme for analysis in accordance with DPE (2017).

Seven themes were identified from individual submissions for grouping and consolidation of issues. The themes, ranked according to the number of submissions received, are:

1. Road safety of APR.
2. Socio-economic benefits.
3. Environmental impacts of the Modification.
4. Project Description (including how the proposed works are described).
5. Process (including the approval and compliance process).
6. Consultation (in relation to wind farm impacts).
7. Development Consent (matters which have already been assessed and approved).

Figure 10 illustrates the number of individual responses according to issues raised, as grouped by themes and the stance of the submitter in relation to the Modification (support/object).

Figure 10: Frequency of issues and themes raised in individual submissions



Road safety along APR is considered to be the most relevant theme given the largest number of submissions received and the direct relationship with the proposed Revised Design for APR. Road safety was also unanimously identified as the key issue in each of the 10 submissions received from owners of residences along APR.

Socio-economic benefits were widely referenced in submissions, with many community members and local business referencing the direct economic benefits, employment and flow on effects for the local community. There were no objections to the Modification on the basis of socio-economic benefits.

Thirdly, the theme of Environmental Impacts of the Modification includes issues directly related to environmental impacts of either the proposed Works on APR or the removal of WTGs and ancillary infrastructure from the wind farm. Additional ecological assessment has been undertaken to address the ecological impacts as detailed in Section 4.

Issues grouped in Project Description and Process largely relate to how the proposal has been described in the modification report and the approval and compliance processes. The issues raised generally relate to a perceived error and / or misunderstanding. Sections 6.3.4 and 6.3.5 summarise the issues and provide responses.

The theme of Consultation has been separately identified to address perceived lack of consultation and engagement referenced in six individual submissions. Most of the submissions refer to lack of consultation with regard to the impacts of the approved wind farm on neighbouring residences, which is a matter related to the Development Consent granted in 2016.

Issues grouped into Development Consent are considered less relevant to the key themes of the proposed Modification identified in Section 2.1. These issues relate to the approved wind farm and the effects thereof and matters which were addressed as part of the original project application as approved under the Development Consent. These issues are beyond the scope of the Modification and broadly represent personal views and opinions on the approved Project and wind farms in general.

A summary of each theme and its relationship to the proposed Modification is discussed below. Each of the identified issues have been paraphrased and addressed in Section 6.3.

3.2.1 Road Safety of APR

The highest-ranking issue raised in individual submissions was the road safety of APR. This issue appeared in 80 submissions with 77 (96%) of those submitters in support of the proposed upgrades to the road. Given the number of submissions received and the relevance of the theme to the proposed Modification, this theme is considered to be the most important issue raised in submissions.

As such, statistical analysis of submissions from residents along APR was also undertaken to identify localised issues of those residents directly affected. Results showed that 10 owners of residences along APR made submissions and all referenced safety of APR as the key concern. One of the landowners cited the need for improvements but objected unless dust could be managed and one provided comment, referencing the need for increased communication over the proposed Works. These issues are addressed in Section 6.3.1. The remaining eight residences (80%) on APR all showed very strong support for the Modification on the basis of road safety. The submissions also included many from long-term landowners and businesses in the region describing the poor historical condition of the road and the need for safety improvements for the benefit of the region.

Overall two submissions from landowners not living along APR were received objecting to the proposed works to APR, disputing the need for safety improvements on APR or that the works would result in a safer road for users.

3.2.2 Socio-economic Benefits

The second and third most frequently raised issues were socio-economic benefits from employment generation and the provision of renewable energy. 113 submissions referenced socio-economic benefits in support of the Project, including infrastructure improvements in the way of local road upgrades. Of note, 61 submissions (54%) supporting the socio-economic benefits of the Project were from the MWRC and BRC LGAs. This indicates the strong support for the Project from local residents, businesses and suppliers and the importance of the Modification to the local economy.

There were no objections to the Modification on the basis of socio-economic benefits.

Despite the large number of submissions referring to socio-economic benefits of the proposed Modification, the Proponent's response to the issues (Section 6.3.2) has been minimal given the issues raised largely relate to the approved Project. Notwithstanding the importance of the issues in the event that the proposed Modification isn't approved, and the socio-economic benefits potentially lost if the works were not to proceed.

3.2.3 Environmental Impacts of the Modification

There were four issues raised in the Environmental Impacts of the Modification theme. Issues categorised in this theme have a close relationship and direct link with the proposed Modification. Accordingly, responses to these issues are more detailed and additional specialist assessment has been carried out to further assess the issues.

The issues identified are general environmental impact, vegetation clearing, ecological impact (including impact to koala populations and threatened flora species) and dust. 68 of the 80 (86%) references to issues in this theme were objections to the Modification.

3.2.4 Project Description

34 objections were received in relation to the theme of Project Description. Issues in this theme relate to the scope of the environmental assessment provided in the EA with regard to elements of WTGs, the number of WTGs and detail of the modification sought.

This theme is closely aligned to and often overlaps with the Process and Development Consent themes (see below). Generally, the issues raised in this theme have also been categorised in the other two overlapping themes. This theme is considered to have lesser relevance to the proposed Modification as it generally relates to a misunderstanding of the approved Project and / or planning approval requirements.

Additional information to clarify the issues raised is provided in Section 6.3.4.

3.2.5 Process

A number of submissions either in large part or as a side note made reference to the planning and approvals process and/or the compliance process. 23 submissions referred to a breach of consent as grounds for objection to the proposed Modification and almost all were directed toward DPE compliance processes. 15 submissions referenced a lack of reliability and/or trust in the Proponent and alleged that false or misleading information had been provided. Nine submissions suggest inadequate environmental assessment has been undertaken and five submissions seek for assessment of the Modification to be undertaken by the Independent Planning Commission (IPC).

Although not directly related to the proposed Modification, factual information has been provided in Section 6.3.5 to clarify and resolve misinformation relating to the planning and approvals process and compliance.

3.2.6 Consultation

Of the 233 public submissions, six commented that the consultation and engagement efforts were inadequate in the lead up to the lodgement of the Modification. In particular there were concerns about how the wind farm and the proposed changes to the Project would impact on neighbours to the Project, and whether there would be any on the basis of increased noise and visual impacts from WTGs.

The Proponent takes its relationship with the community very seriously and seeks to regularly engage and provide timely and updated information. In relation to the submissions the Proponent is undertaking further actions to inform the community as detailed in Section 4.2. Overall the importance of this theme is considered low given the small number submissions received and the relevance of the issue to the proposed Modification. This theme is addressed in Section 6.3.6.

3.2.7 Development Consent

Objections to the Modification were received in relation to the existing Development Consent and wind farms in general. Issues raised include, for example, health and mental wellbeing, infrastructure land impact, noise from turbines and impacts to fauna and livestock. Many issues relate to matters which have already been assessed in the original EA and approved under the Development Consent and/or are unrelated to the proposed Modification. These matters are identified in Section 6.3.7 and a response provided identifying where those issues were initially addressed and approved.

4 Consideration of Submissions

4.1 Actions taken during and after exhibition

The following actions have been undertaken by the Proponent during and after the public exhibition process in response to submissions received:

- Engagement activities as described in Section 4.2;
- Updates to the BDAR (Appendix C) including targeted surveys for fauna species which were assumed to occur in the BDAR appended to the Modification EA;
- Preparation of a Translocation Plan for *A. meiantha* in consultation with Office of Environment and Heritage (OEH); and,
- Progress with the Detailed Design of APR.

These actions are described further below.

4.2 Engagement activities

4.2.1 Agency Consultation

Office of Environment and Heritage

Following review of the OEH submission (addressed in Section 6.1.4) the Proponent engaged with OEH to address the content of their submission with particular focus on the two threatened species identified on APR: *Acacia meiantha* and *Pomaderris reperta*.

A Translocation Plan was prepared for *A. meiantha* based on the comments within the OEH submission and provided to OEH for review. Comments were received and addressed. The Translocation Plan is included as Appendix D.

A determination of formal identification made by the National Herbarium of New South Wales for *P. reperta* was provided to OEH as per their request.

A site visit was arranged and undertaken on 22 January 2019 with the Director and Senior Conservation Officer from OEH North West Region, as well as two OEH botanists. The extent and condition of the threatened flora populations were inspected and design options discussed. OEH advised that if the design could not be further improved to avoid impacts, that the anticipated impacts to both *P.reperta* and *A. meiantha* would be manageable and could be offset. It was discussed that

this approach may be a better conservation outcome than removing additional woodland to avoid individual plants. The outcomes of this engagement are addressed in Section 6.1.4.

Council Engagement

The Proponent has provided written updates to both MWRC and BRC in relation to the Modification including an analysis and discussion of the key issues raised in submissions.

4.2.2 Community Consultation

Community Consultative Committee

The Community Consultative Committee (CCC) is currently in the process of being re-established by DPE including installing a new independent chairperson and renewing the community representatives. The Proponent has prepared a brief for the CCC including analysis of the submissions received on the Modification, a summary of the key issues raised and an overview of the proposed responses to address key issues. The brief will be provided to the CCC once the Proponent has been advised of the new representatives by DPE.

Business Community

Letters were sent to all businesses who made submissions to the Modification providing information on the status of the Project, the outcomes of the public exhibition period and the timeline for works to proceed on the Project. This step was taken in response to many submissions which indicated concern over the certainty of works proceeding at the Project site given their investment in either local staff or equipment to deliver works under contract to the Project.

Landowners and Neighbours

Following receipt of all submissions the Proponent has undertaken face to face consultation with residents of APR to discuss their concerns with particular attention to dust control and mitigation. Two key measures were discussed being:

- Dust suppression activities during construction particularly during periods of prolonged dry weather; and,
- Use of mitigations to limit dust impacts on residents with water tank systems close to the road.

The feedback received during these conversations has directly informed the response to submissions on the topic of dust impacts and road safety as a result of dust and poor road visibility.

Newsletters

The Proponent has also prepared a newsletter for circulation to the community regarding the status of wind farm construction and the outcomes of the public exhibition process. The newsletter includes:

- An outline of the works undertaken to date
- An explanation for the cessation of works on the wind farm site
- A description of the proposed Modification
- A summary of the submissions received including analysis and key themes
- An outline of the approvals process to enable works to commence
- An anticipated timeline for the works.

The newsletter will be circulated to the local community via email and hard copy, and made available on the Project website www.crudineridgewindfarm.com.au/community.

4.3 Further environmental / technical assessment

The following activities have been undertaken to address issues raised in submissions as well as to further mitigate the impacts of the proposed Modification on matters identified in the EA.

4.3.1 Design Options for APR

The detailed design of APR was revisited with the objective of avoiding and minimising impacts to threatened flora identified along the road. Two concepts have been developed to avoid impacts to *P. reperta* which involve varying the alignment of the road around the single corner where the shrub occurs. Due to the narrow winding road alignment in this area, both options to avoid *P. reperta* would require additional removal of PCT 290, expected to be less than 0.1 ha (Red Stringybark Red Box Long-leaved Box Inland Scribbly Gum tussock grass shrub low open forest). The options may also affect other *P. reperta* seedlings adjacent to the proposed road alignment. For this reason, further investigations to avoid impacts will be undertaken with a detailed design process, in accordance with the BMP, prior to the final plans being approved by MWRC.

The Proponent has engaged with OEH to discuss the preferred options to avoid and minimise impacts, including a meeting on site on 22 January 2019 as described in Section 4.2.1. Mitigation measures as described in Section 4 of the BMP will need to be adopted to minimise indirect impacts and offsetting will be required to address the impacts to *P. reperta*. Impacts to this species are therefore assumed to occur as described in the BDAR.

A. meiantha occurs along the side of APR and in adjoining bushland including within drainage swales, soil mounds and graded debris adjacent to the road. The species' germination from seed can be

stimulated by disturbance which explains its occurrence within the graded soil banks on the roadside. *A. meiantha* occurs on both sides of the existing road, very close to the road surface and there are therefore few options available to avoid impacts to this species. However, mitigation measures will be implemented in accordance with section 4 of the approved BMP, including minimisation of impacts, pre-clearance protocols, dust mitigation and weed management. The Translocation Plan (Appendix D) will also be adopted and offsetting measures will be put in place in accordance with the Biodiversity Development Assessment Report (BDAR).

The BDAR has been revised to incorporate additional fauna surveys that were undertaken in December 2018 and January 2019 to validate assumptions initially made regarding the presence of threatened fauna species. The updated BDAR is provided in Appendix C, with a brief description of the outcomes of the updated assessment provided below.

The original BDAR made the assumption that 10 species-credit species would occur in habitat along APR because surveys were not able to be undertaken in the appropriate seasonal window prior to public exhibition. Since exhibition, targeted fauna surveys for seven of the 10 threatened species credit species were conducted during 17th – 22nd December 2018 and 7th January 2019. The surveys targeted: Bush stone curlew, Gang-gang Cockatoo, Eastern Pygmy Possum, Squirrel Glider, Brush tailed Phascogale, Barking Owl, and Koala. Due to the presence of suitable habitat on site, three threatened fauna species were presumed to be present because the appropriate survey period could not be met: Powerful Owl, Masked Owl and Glossy Black Cockatoo.

The targeted surveys were undertaken using spotlighting, baited camera traps, active searches and transects, the results of the field survey did not reveal any individuals of these species. However, scratches on tree trunks and a possible Koala scat was found indicating that Koalas are likely to utilise habitat within the development area.

As a result the BDAR was updated to reflect that six species are confirmed not to occur in habitat along APR and would therefore not be impacted (Bush stone curlew, Gang-gang Cockatoo, Eastern Pygmy Possum, Squirrel Glider, Brush tailed Phascogale, Barking Owl). The impact assessments were further updated to reflect the findings that Koala may occur within the study area, albeit in low numbers.

The results of the BDAR indicate that a total of five species credits are required to offset the impact on *A. meiantha* and one species credit is required to offset the impact on *Pomaderris reperta*. 154 species credits are required to offset each of the Glossy Black-Cockatoo, Powerful Owl, and Masked Owl which are assumed to occur in the habitat along APR. Due to the presence of scratches and one possible scat identified in surveys, Koalas were also assumed to be present across the entire

development site requiring 156 species credits to offset any potential impacts. Full results are presented in the updated BDAR in Appendix C.

4.3.2 Translocation Plan

A Translocation Plan has been prepared in consultation with OEH to address a key comment in their submission in relation to *A. meiantha*. Translocation of the species has been recommended, not as a mitigation measure, but purely as an opportunity to potentially reduce the loss of individuals by increasing knowledge and to directly support the conservation of the species. The proposed method is to translocate plants that have been identified within the impact zone during the proposed road upgrade, to a nursery to be grown in pots until they are showing signs of recovery and an appropriate field site has been secured.

Feedback from OEH recommended that propagation through cuttings should also be used to increase opportunity of success for the translocation. It was also noted in correspondence that a seed collection program is already underway, being led by the Royal Botanic Gardens Sydney to conserve the wild genetic stock. The Translocation Plan has been updated to reflect OEH comments and the procedures in the plan follow the “Guidelines for the translocation of threatened plants in Australia” (Commander et al. 2018). The proposed Translocation Plan, developed in consultation with OEH, is included as Appendix D and will be appended to the BMP following the approval of the Modification. The translocation actions will be undertaken by a suitably qualified specialist experienced in native plant propagation. The plants will be relocated in suitable areas to be determined in consultation with OEH.

4.4 Changes to the Project

4.4.1 Detailed Design of APR

In further refining the detailed design of APR to avoid impacts to *P. reperta* and *A. meiantha* micro-siting of the APR alignment may be required due to the narrow nature of the road corridor in the area of the proposed Works. The objective of the further detailed design will be to avoid impacts to the two threatened flora and species as far as practical, to mitigate indirect impacts on the species and the surrounding vegetation community. Due to the narrow and confined road corridor in this area it is likely that realignment to avoid the threatened flora would require additional vegetation to be removed, which is expected to be less than 0.1 ha. All works will be undertaken in accordance with the processes in the approved BMP and generally in accordance with the Revised Design plans included in the BDAR.

4.4.2 Biodiversity Offsets

Existing Offset Requirements

The Proponent is currently making arrangements for the establishment of the biodiversity offsets required under the Development Consent: Schedule 3 Condition 20, by establishing a biodiversity stewardship site through a Biodiversity Stewardship Agreement over the 674 ha property “Glen Maye” identified in Appendix 5 of the Development Consent (the Offset Property).

The enactment of the *Biodiversity Conservation Act 2016* (BC Act), which occurred after the granting of the Development Consent on 10 May 2016 and prior to the commencement of construction on 2 August 2018, means that the Project is no longer able to establish a biobanking site through a biobanking agreement under the repealed *Threatened Species Conservation Act 1995* (TSC Act). However, Clause 22 of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* provides that obligations to retire credits under the TSC Act become obligations to retire credits under the BC Act (where those TSC Act credits have not been retired by 25 August 2017).

Due to the enactment of the BC Act and repeal of the TSC Act, and on the basis of the transitional provisions, it is considered that:

- a separate Biodiversity Offset Management Plan is not required under Schedule 3 Condition 22; and,
- a Conservation Bond is not required to be lodged under Schedule 3 Condition 24;

If the offset area is secured by a Biobanking Agreement, which is intended to take the form of a Biodiversity Stewardship Agreement.

The Offset Property is in the process of being registered as a Biodiversity Stewardship Site under the BC Act. The Proponent expects that registration of the Biodiversity Stewardship Agreement will be completed by 2 August 2019 (12 months following commencement of construction) in accordance with Schedule 3, Condition 21.

DPE has confirmed that the delivery of biodiversity offsets for this project through a Biodiversity Stewardship Agreement is supported by the DPE. However, the conditions in the Development Consent (Schedule 3, Condition 20-24) would need to be updated to reflect the current legislation.

Due to the changes in biodiversity legislation between the granting of the Development Consent and the commencement of construction, the Proponent asks that DPE review the language in Schedule 3, Condition 20 - 24, in relation to the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* to ensure that the Stewardship Agreement mechanism satisfies the intent of these conditions as

drafted under the TSC Act and if considered appropriate to provide greater clarity, amend the conditions to expressly state that:

- The execution of a Biodiversity Stewardship Agreement under Division 2 of Part 5 of the BC Act satisfies the requirement to secure the Biodiversity Offset Area for the purposes of Schedule 3, Conditions 20 - 21 of the Development Consent; and,
- If entered into, neither of the below are required:
 - a separate Biodiversity Offset Management Plan under Schedule 3 Condition 22; and
 - a Conservation Bond under Schedule 3 Condition 24.

Revised Design Offset Requirements

Subject to approval of the Modification, the additional offset requirements to address the impacts of the APR Revised Design would be additional to the existing offset requirements in Schedule 3, Condition 20. The Proponent asks that DPE review the requirements in the updated BDAR included as Appendix C to determine the required offsets for the APR Revised Design.

4.4.3 Management Plans

Schedule 5, Condition 4 of the Development Consent requires (in part) that *Within 3 months of the submission of...any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant shall review and, if necessary, revise the strategies, plans, and programs required under this consent to the satisfaction of the Secretary...*

The RTS identifies a number of additional measures required to manage impacts to biodiversity and other values. However, the adoption of these measures (for instance, the adoption of a Translocation Plan) is contingent on the Modification being approved. Due to the likely assessment timeframes of both DPE and IPC it is unlikely that the approval would be granted within 3 months of submission of the Modification.

For clarity, the Proponent asks that DPE review the language in this condition such that review and update of management plans is required to occur following *approval* of an application for modification, as opposed to following submission of a Modification.

5 Updated Project Description

The modified Project consists of the installation, operation, maintenance and decommissioning of up to 37 WTGs and ancillary infrastructure approximately 45 km south of Mudgee, NSW. Ancillary infrastructure includes a collector substation containing a switchyard, permanent offices and site compounds, underground and overhead electricity transmission lines and internal roads, crane hardstand areas, construction compounds, rock crushing and concrete batching facilities, up to 6 permanent wind monitoring masts, and appropriate site signs. The components of the Project are shown in Figure 2.

Over-dimensional transport to the Project site will utilise the southern and northern routes developed in consultation with and approved by the relevant roads authority (RMS), as described in the approved TMP. The site includes primary entrances at the northern and southern end of the modified Project and includes upgrades to Aarons Pass Road and Bombandi Road to enable construction of the Project. Upgrades to Bombandi Road will be undertaken in accordance with the Development Consent Appendix 6 to the satisfaction of MWRC. The extent of upgrades to APR and Bombandi Road are shown in Figure 2.

Roadworks for Aarons Pass Road will involve adjustments to the horizontal and vertical alignment, localised widening, and installation of culvert and drainage structures. The Works will be delivered generally in accordance with the Revised Design proposed in the Modification, to the satisfaction of MWRC. Prior to commencing the Works, a detailed design process will be undertaken in consultation with MWRC, followed by pre-clearance works in accordance with the approved BMP.

The WTGs used for the Project will be three-bladed, semi-variable speed, pitch regulated machines with the rotor and nacelle mounted on a reducing cylindrical steel tower. Each WTG will reach up to 160 m in height from the ground to the tip of the blades. Up to six permanent wind monitoring masts, up to 100 m in height, will be installed on-site. The purpose of the masts is to provide necessary information for the performance monitoring of the WTGs. The wind monitoring masts would be of a guyed, narrow lattice or tubular steel design.

The Project is to have an installed capacity of approximately 135 MW. Operation of the wind farm is to be carried out by a combination of remote computer control, local operations and maintenance staff. The electricity produced by each wind turbine generator would be transformed from low voltage up to 33 kilovolts (kV) by a transformer generally located within or adjacent to each WTG. Underground electrical cables will be installed at a depth of approximately 0.8 to 1 m below the

ground surface to conduct the electricity from the WTGs to the collector substation. The underground electrical cables will follow site access tracks where practical.

An overhead transmission line will extend from the collector substation and switchyard to the 132 kV TransGrid transmission line 15 km east of the Crudine ridgeline. When it is not generating, the Project will draw a minor amount of electricity from the local transmission network.

6 Response to submissions

6.1 Government Submissions

6.1.1 Environment Protection Authority

Reference	301016
Issue	The EPA notes the following in their submission: <i>'the current conditions on the environment protection licence for the Crudine Ridge Wind Farm premises are appropriate to control potential impacts associated with the proposed modifications and as such does not have any recommended conditions of consent'</i> .
Response	The Proponent thanks the EPA for their comment.

6.1.2 Mid-Western Regional Council

Reference	301757
Issue	<p>Aarons Pass Road</p> <p>Council's submission notes that APR is currently inadequate and incapable of having the traffic on it that is proposed by the Project. Council supports the upgrade of APR as it is necessary to manage road safety issues associated with the increased traffic due to the Project.</p> <p>Council's support is subject to the following considerations noted in the submission:</p> <ol style="list-style-type: none"> 1. <i>The revised road design for Aarons Pass Road must be approved by Council prior to any works being undertaken;</i> 2. <i>A key component of the design and upgrade of Aarons Pass Road should include passing bays in locations to ensure safety and reduce undue delays to the travelling public. A maximum distance of 1 kilometer between passing bays is recommended;</i> 3. <i>Construction of Aarons Pass Road must meet Austroad standards (which is the standard for all new roads constructed in the Mid-Western Region);</i> 4. <i>The cost of undertaking the upgrade works is the responsibility of the proponent.</i> <p>Council requires that the upgrade work is undertaken prior to the commencement of construction of the wind farm site, to ensure the safety of all road users.</p>
Response	<p>The Proponent thanks MWRC for their submission and for their ongoing support of the road works. In response, the Proponent commits to the following:</p> <ul style="list-style-type: none"> • The Revised Design has been prepared in accordance with the Austroads Standards and any further iterations will adhere to these standards. • The Revised Design will be provided to Council for comment and approval prior to re-commencement of the road works. • The Revised Design includes adjustments to the alignment and width of APR to enable safe transport and safe passing of vehicles. A number of passing opportunities are available where the roadway itself is designed to be widened to

approximately 6 m. Where road widening is not achievable, passing bays will be identified and constructed to ensure that safe passing opportunities are available at intervals of approximately one kilometre (km).

- The Proponent will continue to bear the cost of designing and undertaking the road works and maintaining the road to the satisfaction of MWRC throughout the construction phase of the Project.
- The APR upgrades will be undertaken prior to the re-commencement of construction on the wind farm site.

The Proponent proposes that construction of the transmission line, accessed by Bombandi Road and Crudine Road, should be permitted to proceed in parallel with the works on APR. There will be no interaction between the transmission line works and the road upgrades on APR. The upgrades required for Bombandi Road, including the Bombandi Road / Castlereagh Highway intersection will be completed prior to any further works on the transmission line in accordance with schedule 3, condition 29 of the Development Consent. The extent of the Bombandi Road upgrades, including the Eldon Court to Switching Station Laneway, has been identified on the mapping Figure 2.

Additionally, minor works on site, including the pre-construction minor works defined in the consent, should be permitted to proceed as accessed by the southern site entrance on Hill End Road.

In accordance with MWRC request, it is proposed that condition 28 is amended to allow the Proponent to undertake the road upgrades in accordance with the description provided in the Modification, to the satisfaction of MWRC.

Issue	<p>Council notes there will be an overall net decrease in vegetation clearing however additional clearing along Aarons Pass Road will be required.</p> <p>Council does not object to the additional clearing along Aarons Pass Road and supports that clearing will be undertaken in accordance with the BMP and that appropriately qualified personnel be available at the site of any clearing along Aarons Pass Road to ensure it is consistently implemented and adhered to.</p>
Response	<p>The Proponent confirms that clearing along APR will be undertaken in accordance with the approved BMP including the detailed pre-clearance measures in Section 4.1 and 4.2. These include the requirement for the EPC Environmental Officer to undertake a pre-clearance inspection to evaluate the potential for threatened flora, fauna or their habitat. If potential exists, further pre-clearance surveys will be undertaken by a qualified ecologist to assess risks and inform the management measures to be implemented during clearance.</p>
Issue	<p>Council requests the Proponent continue to work in close consultation with the community during all phases of the project and acknowledges the Proponent have already established the Crudine Ridge Community Hotline.</p>
Response	<p>The Proponent confirms its ongoing commitment to work closely with the community during all phases of the development, including through the Community Consultative Committee, the Crudine Ridge Community Hotline, newsletters and media releases to ensure the community is informed of progress and upcoming construction plans at the Project site.</p>

6.1.3 Fire and Rescue

Reference	301908
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Issue	<p>Fire and Rescue recommend that the following matters be addressed:</p> <ol style="list-style-type: none"> 1. That a comprehensive emergency response plan (ERP) is developed for the site. 2. That the ERP specifically addressed foreseeable on-site and off-site events and other emergency incidents (such as fires involving wind turbines, bushfires in the immediate vicinity) or potential hazmat incidents. 3. That the ERP details the appropriate risk control measures that would need to be implemented to safely mitigate potential risks to the health and safety of firefighters and other first responders (including electrical hazards). <p>Such measures will include the level of personal protective clothing required to be worn, the minimum level of respiratory protection required, decontamination procedures to be instigated, minimum evacuation zone distances and a safe method of shutting down and isolating systems (either in their entirety or partially, as determined by risk assessment).</p> <ol style="list-style-type: none"> 4. Other risk control measures that may need to be implemented in a fire emergency (due to any unique hazards specific to the site) should also be included in the ERP. 5. That two copies of the ERP (detailed in recommendation 1 above) be stored in a prominent 'Emergency Information Cabinet' located in a position directly adjacent to the site's main entry point/s. 6. Once constructed and prior to operation, that the operator of the facility contacts the relevant local emergency management committee (LEMC).
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Response	<p>Whilst the recommendations made by Fire and Rescue relate to the approved Project as opposed to the proposed Modification, the Proponent appreciates the importance of emergency response and hazard risk management.</p> <p>In response the existing ERP developed for the Project will be amended to specifically address the requirements stated above in item 2, 3 and 4, the ERP will be stored in a prominently located 'emergency information cabinet' during construction and LEMC notified prior to operation of the development.</p>
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6.1.4 Office of Environment and Heritage

Reference	302718
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Issue	<p>OEH advise they have not had the opportunity to assess the biodiversity and Aboriginal heritage values of any alternate routes in comparison to the proposed Aarons Pass Road route and are therefore unable to comment on the potential merits of other routes to further avoid or minimise biodiversity impacts.</p>
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Response	<p>Three route options were considered in the Modification, section 1.2.4. Options 1 and 2 utilise the same route along APR but would involve different levels of vegetation clearing with the Javelin Trailer option requiring the removal or nearly all canopy vegetation overhanging the roadway. Option 3 would utilise the same route which was assessed within the original EA submitted in 2013, but was discarded due to the objections received from the community and MWRC at the time.</p> <p>The Modification describes the evolution of the Revised Design for the Project which requires 6.59 ha of vegetation to be removed from APR. Earlier iterations of this design, including the Improved Design which was developed in consultation with MWRC, would involve over 11 ha of vegetation removal. Prior iterations of this design would have involved greater vegetation</p>
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	clearance still, demonstrating the efforts undertaken to avoid and minimise biodiversity impacts. Additionally, the BMP developed in consultation with OEH and approved by DPE includes pre-clearance procedures, the first of which is to avoid and minimise vegetation clearance through detailed design. This process has and will continue to be implemented throughout project construction on APR and the wind farm site.
Issue	OEH advised that they are: <i>“satisfied that the biodiversity development assessment report (BDAR) has adequately assessed the biodiversity impacts of the modification as required by the Biodiversity Assessment Method (BAM).”</i>
Response	The Proponent thanks OEH for its review and endorsement of the BDAR. Subsequent to submission of the Modification, further field surveys were undertaken in December 2018 and January 2019 to address seasonal survey requirements for fauna species in accordance with the BAM. This process was undertaken to validate species credit fauna which were assumed to occur in habitat along APR within the BDAR. The results of the BDAR have been updated, with a revised assessment included as Appendix C.
Issue	OEH notes that <i>“the existing offset commitments for the development will not be reduced in response to the reduced total area of clearing resulting from fewer turbines. The increase in clearing along Aarons Pass Road will however be offset in accordance with the NSW Biodiversity Offsets Scheme and the BAM resulting in an additional offset liability.”</i>
Response	The Proponent confirms its commitment to establish a Biodiversity Stewardship Site, the Glen Maye offset site identified in schedule 3, condition 20, in addition to procuring offsets to address the impacts of the proposed works on APR in accordance with the NSW Biodiversity Offsets Scheme and the BAM. Due to changes in legislation and the transitional provisions described in Section 4.4.2, the Proponent asks that DPE review the language in Schedule 3, condition 20-24 of the Development Consent to ensure that the establishment of a Stewardship Site in accordance with the BC Act will satisfy the intent of the consent conditions.
Issue	OEH note the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval (EPBC Act approval number 2011/6206) does not address the additional impact of the modification on affected species and communities listed under the EPBC Act. Of concern are <i>Acacia meiantha</i> and <i>Pomaderris reperta</i> and recommends discussing the need for an EPBC referral with the Commonwealth Department of the Environment and Energy (DEE).
Response	The Proponent has formally notified DEE of the proposed Modification to the Project and provided an assessment of impacts to matters of national environmental significance (MNES) within the BDAR. The Proponent has been in correspondence with DEE to ensure that the proposed Project changes meet all requirements under the EPBC Act.
Issue	OEH requested to be consulted during the development of the Biodiversity Management Plan (BMP) to establish the most appropriate methods to maintain <i>A. meiantha</i> and <i>P. reperta</i> prior to and during the road upgrade works.
Response	The Proponent engaged with OEH in the development of the BMP which was approved by DPE on 15 December 2017. Since receiving OEH’s submission the Proponent has again engaged with OEH to discuss and address comments. An accredited person under the BC Act was then engaged to develop a translocation plan for <i>A. meiantha</i> , in consultation with OEH, and a meeting was held on site on 22 January to discuss the plan. Comments on the plan were received and adopted, including further use of cuttings and propagation to bolster stock for translocation. The Translocation Plan is included as Appendix D. Should the proposed

	Modification be approved, the BMP will be reviewed and revised in accordance with Schedule 5 condition 4, and the translocation plan will be appended to the BMP. All changes to the BMP will be undertaken in consultation with OEH and DEE, to the satisfaction of the Secretary in accordance with Schedule 3, Condition 22
Issue	OEH request a copy of the determination of formal identification of the <i>P. reperta</i> , if available, and indicated that OEH will initiate further investigation into the population including considering actions to secure it in situ.
Response	A determination of formal identification has been provided by the National Herbarium of New South Wales for <i>P. reperta</i> . A copy of this determination has been provided to OEH (email dated 19/12/18) per their request. The Proponent also arranged a visit to the site by OEH and their consulting botanists on 22 January 2018 to visually identify the population for their investigations. It was noted at the onsite meeting that OEH would correspond with the National Herbarium to seek further confirmation of the species identification.

6.1.5 Roads and Maritime Services

Reference	302000
Issue	<p>RMS advise that any proposed change to the Aarons Pass Road intersection with the Castlereagh Highway (HW18) will need to be designed in accordance with Austroads Guide to Road Design and in consultation with RMS.</p> <p>Further RMS do not object to the proposed modification application, subject to the recommendations made in their previous submission dated 13/11/15 being incorporated in the modified determination.</p>
Response	<p>The Revised Design does not currently involve any alterations to the intersection of Aarons Pass Road and Castlereagh Highway. However, once the final design plans are completed, the throat design will be provided to RMS for review to ensure that the interface between the Council and RMS roads is designed to the satisfaction of both road authorities.</p> <p>RMS have confirmed in correspondence during preparation of the TMP that an upgrade to the intersection of Castlereagh Highway and APR is not required. It is therefore requested that Schedule 3, Condition 28 b) be updated to reflect this advice.</p>

6.2 Organisation Submissions

Seven submissions were received from organisations and special interest groups. Five of the submissions are in support of the Modification. Two of the submissions object to the Modification. Issues raised in each of the organisation submissions are provided below with corresponding responses to each issue.

6.2.1 Rylstone Kandos Chamber of Commerce

Rylstone Kandos Chamber of Commerce represents over 19 businesses across Rylstone and Kandos, approximate 20 km east of the intersection of Castlereagh Highway and Aarons Pass Road.

Reference	302315
Issue	Rylstone Kandos Chamber of Commerce wrote in support of the proposed Modification to upgrade Aarons Pass Road. The chamber supports the Modification on the basis of the expected socioeconomic benefits including employment, improved infrastructure and economic growth at Kandos and Rylstone, and the opportunity for additional business to establish in the area.
Response	The Proponent thanks Rylstone Kandos Chamber of Commerce, and its member businesses, for its submission in support of the Modification. We acknowledge the importance of improved road access to the twin towns which serve as the closest commercial centre to the Project site, and the value of local supply chains involving businesses and contractors from Rylstone and Kandos. We look forward to working with the chamber to maximise opportunities throughout the Project construction and operations phases.

6.2.2 Australian Wind Alliance

Australian Wind Alliance (AWA) is a community-based organisation with over 700 financial members including landowners, businesses and community members.

Reference	302548
Issue	The Australian Wind Alliance provides support for the Modification due to reduced impact to visual and noise amenity, and a reduced disturbance footprint. The submission notes the community enhancement fund contribution, significant community consultation undertaken and states the Aarons Pass Road upgrade will 'leave a much-improved road for the local community and meet Council's standards'.
Response	The Proponent thanks the Australian Wind Alliance for their informed submission, and their efforts in promoting best practice community engagement across the wind energy industry.

6.2.3 Wellington Valley Wiradjuri Aboriginal Corporation

Wellington Valley Wiradjuri Aboriginal Corporation represents 14 Traditional Owner families on Cultural Heritage Issues within their Traditional Lands.

Reference	302049
Issue	Wellington Valley Wiradjuri Aboriginal Corporation supports the proposed Modification on the basis that there is an overall reduced footprint and associated environmental and cultural heritage impact. WVVAC notes that updates to the approved Aboriginal Heritage Management Plan should not be required.
Response	The Proponent thanks WVVAC for their ongoing involvement in the Project, including their contribution to cultural heritage surveys and salvage activities over the years. We acknowledge their support for the Modification on the basis of an overall reduction in cultural heritage and environmental impacts as a result of the removal of 40 WTGs and associated infrastructure.

6.2.4 Crudine Ridge Environment Protection Group (CREPG)

The Crudine Ridge Environment Protection Group submission objects to the proposed Modification identifying nine issues which are directly transposed below. Corresponding responses are provided to each issue.

Reference	301359
Issue	<p>(A) WTG Reduction of numbers</p> <p>1. Turbine characteristics will alter due to increased blade length</p> <p>Visually: No montages, wire frames, blade flicker presented to indicate expected changes.</p> <p>Environmentally: Lower blade tip down to mid /upper tree canopy height, increased blade tip speed in increased blade area zone</p> <p>* noise/health: Low Frequency noise, infrasound, changed tonal characteristics due to significant blade change</p>
Response	<p>The reduction in WTG numbers is described in the Modification which articulates that the selection of the 37 WTG locations to be installed with the GE 137, 3.63 MW generator, is consistent with the Development Consent and generally in accordance with the EA.</p> <p>An assessment of visual impacts was included in the Modification EA which evaluated the impact of the change on all residences listed in the Development Consent, and those within 4 km of the 77 WTG layout. The assessment compares impacts of the 77 approved WTGs to the 37 WTGs to be constructed, all using the approved maximum 160 m tip height Zone of theoretical visual influence (ZTVI) assessment was used which demonstrates that the proposed changes will result in reduced impacts compared to those under the Development Consent. Accordingly, no additional wire frames, montages or shadow flicker assessments have been undertaken. However, wireframes have been provided to many affected residences upon request during consultation and discussions related to visual mitigation entitlements since the Development Consent was granted.</p> <p>An assessment of the reduction in biodiversity impacts across the wind farm site has been undertaken indicating a net reduction in over 31 ha of impacts. Despite this, the Proponent does not seek to alter the 674 ha biodiversity offset which was secured to offset the impacts of the originally proposed 106 WTG layout. The WTG characteristics comply with the conditions of the Development Consent and are generally in accordance with the EA. A Supplementary Environmental Noise Assessment was undertaken following the selection of the WTG model and the WTG locations to be constructed, which is included in the</p>

	Modification as Appendix F. The report indicates that the modified Project will comply with the noise conditions of the Development Consent at all receptors.
Issue	2. Economic viability of the project has to be questioned when considered relative to the "must have" model presented and assessed by the PAC. Public money (CEFC) is now involved in this project.
Response	The proposed Modification, that being the upgrades to APR and the removal of 40 WTGs, does not jeopardise the economic viability of the Project. The CEFC's (Clean Energy Finance Corporation) involvement as one of three lending institutions providing finance to the Project is common for renewable energy projects and part of the institution's mandate.
Issue	3. No consideration has been given to water requirements as a result of changes in the project.
Response	<p>The Development Consent requires the following in Schedule 3, condition 16:</p> <p>The Applicant shall ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.</p> <p>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</p> <p>The Proponent was granted a New water access licence – zero share component (s61) under the Water Management Act 2000, on 13 August 2018.</p> <p>Under the Water Management Act, a water access licence holder may wish to sell all or part of their share component (their share or entitlement of the available water under the licence) to another licence holder. The zero-share component licence permits the Proponent to purchase water from existing licence holders within their existing allocations as may be needed for the Project. The Proponent will comply with all conditions of the Water Access Licence.</p>
Issue	4. Concerns that the developer continues to use the same consultants as for the original EA and PPR. The quality of various aspects of the work of those consultants was questioned and considered to be inadequately addressed or not at all.
Response	<p>The Proponent engaged the following independent consultants in the preparation of technical reports and content of the Modification:</p> <ul style="list-style-type: none"> • Eco Logical Australia Pty Ltd (Biodiversity Development Assessment Report) • Sonus Pty Ltd (Supplementary Environmental Noise Assessment) • Moir Landscape Architecture (Landscape and Visual Impact Assessment) • NSW Archaeology Pty Ltd (Heritage Assessment) <p>These consultants each prepared technical reports for the original EA (including the PPR), which was assessed by DPE and subsequently approved by the Planning Assessment Commission. Their engagement for the Modification was based on their knowledge of the existing approved Project and their ability to independently assess the impacts of the proposed Modification.</p>
Issue	5. As a result of the changes proposed the project no longer adheres to the consent condition 2.2 "generally in accordance with the EA " and has not been dealt with when brought to the Secretary's attention.
Response	This issue has been addressed in the Modification and in Section 1.1 of this RTS.

Issue	6. Other issues relating to the project including the suitability of the noise officer to assess this application (if the same person who assessed the original project).
Response	This issue is directed to DPE in relation to their assessment of the application, as opposed to the Proponent.
Issue	<p>B Aarons Pass Rd (APR)</p> <p>1 CWP has been granted approval to use APR for OS/OM vehicles/components. Consent conditions (App6) resulting from road change requirements presented by the developer were accepted and granted by PAC and confirmed by the DoE. As such there is no need for any change.</p>
Response	<p>Following selection of the WTG to be installed for the Project, and once the component specifications and engineered transport requirements were available, further detailed design of APR was undertaken (including horizontal and vertical land survey) to generate a 3D model of the design. Some route constraints were identified along APR for blades due to the turning radius and vertical clearance requirements identified by the Project contractor.</p> <p>A range of alternate OSOM transport options were assessed to enable safe delivery of the WTG components to the Project site, as described in Section 1.2.4 of the Modification. The Extendable Trailer option was selected as the preferred OSOM transport option as it would involve fewer logistical complications causing less traffic and transport impacts for the local community, would be a faster vehicle traversing APR (thereby reducing traffic complications) and would require substantially less trimming of overhead vegetation along the length of APR. This option forms the basis of the Revised Design.</p> <p>The proposed Modification therefore seeks to alter the consent conditions, including Appendix 6, to facilitate the upgrade of APR as described in the Modification.</p>
Issue	2 The `argument' put forward that these intended massive earthworks are needed to make APR "usable" and safe is spurious. Normal MWRC maintenance is sufficient and more than adequate if carried out as per App 6.
Response	<p>Consultation with the local community undertaken by the Proponent in the period between 2013 and 2018 indicated a high level of dissatisfaction with the existing road conditions and existing level of safety of APR. This matter was raised on a number of occasions at CCC meetings between 2016 and 2018 in particular. The poor condition of the road is further enforced by the high level of response to the Modification from owners of residences along APR, of which 80% are strongly in favour of the road upgrades on the basis of improved road safety, during the construction of the Project but also in the long term for those owners. Road safety was also the highest-ranking submission of all submissions received for the Modification, and MWRC noted in their submission that the road is currently unfit for Project traffic.</p> <p>Two owners of residences raised concerns over the level of dust being generated by traffic on the road. During development of the Revised Design it was determined by the contractor that the current road base sourced from Greenhills quarry on APR did not meet functional specifications and had very high dust emissivity. Consequently, the contractor has sourced material from Glenroy quarry, also on APR, which has a higher strength and lower dust emissivity (now granted approval under a separate development consent). The result will be a more durable road base with lower dust generation than the current road design.</p> <p>Prior to the preparation of the Revised Design, an Improved Design was prepared for consideration and approval of MWRC which included a widening of the entire roadway to 6 m, enabling two b-doubles to safely pass along the road, as well as numerous additional</p>

improvements to alignment, crests, drainage and surface. The Improved Design would involve more than 11.5 ha of vegetation clearing along the roadway. In response to concerns regarding biodiversity impacts the Proponent and contractor have worked to develop a Revised Design which balances the safety of the community, staff and contractors during OSOM transport with predicted impacts to biodiversity.

The Revised Design is considered to be the minimum safe level of works which would enable safe transport of all OSOM equipment to the Project site.

Issue	3 The reliability of the ecological consultant (same as for the EA and PPR) needs querying since two highly endangered flora species (one extending 1.5 km along both sides of APR) have gone unrecorded during the extensive 2013 APR ecological survey and did not form part of the assessment.
Response	<p>Eco Logical Australia prepared the Biodiversity Development Assessment Report (BDAR) for the proposed Modification. The BDAR was prepared by Dr. Cheryl O’Dwyer who is an Accredited Person under the NSW <i>Biodiversity Conservation Act 2016</i> (BC Act) with support from Vivian Hamilton and Martin Stuart.</p> <p>The areas of road upgrades and passing bay opportunities were identified in the Downer (2013) report based on the WTG specifications and transport engineering available at that time (Refer to PPR Appendix 4, <i>Crudine Ridge Wind Farm Route Survey and Upgrade Assessment</i>). Ecological surveys undertaken along APR for the PPR in 2013 focused only on “the locations identified for road upgrades and potential passing bays along Aarons Pass Rd”. The ecological surveys were undertaken by the respected senior botanist Elizabeth Norris (Refer to PPR Appendix 8, <i>Addendum – Crudine Ridge Wind Farm, Part 3A Ecological Assessment</i>).</p>

6.2.5 Ryde Gladesville Climate Change Action Group

Ryde Gladesville Climate Change Action Group is a community group of over 620 individuals concerned about climate change.

Reference	301482
Issue	Ryde Gladesville Climate Change Action Group is a community group of over 620 individuals concerned about climate change. The group’s submission supports the Modification on the basis of improved community and environmental benefit including overall reduction of vegetation clearing, environmental impact, community economic benefits, contributions towards a community fund and support for a transition to renewable energy.
Response	The Proponent thanks Ryde Gladesville Climate Change Action Group for their informed submission in support of the Modification, including the acknowledgement of reduced environmental impacts, economic benefits and the community enhancement funds.

6.2.6 No Wind Farms Near Homes

The No Wind Farms Near Homes group has provided a submission objecting to the proposed Modification citing issues which are transcribed directly below. Responses are provided to each issue.

Reference	302111
Issue	<p>I OBJECT to the Crudine Ridge Wind Farm Modification 1</p> <p>There has NOT been any honesty or transparency by CWP Renewables with this project.</p> <p>There has been a blatant and complete disregard to the consent conditions for which they were given.</p> <p>They would have most certainly bulldozed everything to the ground on Aarons Pass road, if it wasn't for the intervention of locals and them contacting NSW compliance. I can read the consent conditions and I don't do this for a living. CWP are meant to be experts. It is obvious that CWP renewables were trying to get all vegetation cleared and turn around and say sorry and pay the fine. Dishonest</p> <p>The DPE are very reluctant to give this company a non-compliance on this clearance at the start of Aarons Pass Road and that brings into question the DPEs impartiality.</p> <p>Media releases done by CWP renewables have been false with locals having documentation from the DPE that directly contradicts what CWP Renewables have stated publicly. On the 11/12/18 Mr McAvoy CWP Renewables project manager said that he could start work on Aarons Pass road the very next day, BUT I had a letter from Mr Marcus Ray, Assistant Secretary of the DPE stating that CWP had to supply a detailed plan prior to recommencing work. We spoke to Mike Young DPE on the 12/12/18 who stated that CWP Renewables had not put any such documentation in to the DPE. Dishonest</p>
Response	<p>As mentioned below, the Proponent has at all times sought to carry out the approved Project in compliance with its conditions, and in consultation with the relevant agencies, including DPE, RMS and MWRC. The Proponent has not intentionally been dishonest, and wishes to have an open and transparent relationship with members of the community.</p> <p>Since receiving advice from DPE that the proposed Improved Design works along APR may not be compliant, construction teams were stood down on APR immediately. The Project has not breached the Development Consent in relation to clearing of vegetation along APR. The Proponent has been cooperating with all requests from DPE in relation to the Project, including works on the wind farm site.</p>
Issue	<p>The underhanded public statement that CWP renewables were dropping Turbine Numbers from 77 to 37 was a direct attempt to try and "hoodwink" the public and make themselves look more favourable in the public's eyes. They were allowed only to build 37 that's it. Again dishonest.</p> <p>Stating that there would be a reduction in clearance by 31 hectares because of the fictional reduction of 77 to 37 turbines....Dishonest... the fact is there will be an increase of 325% in vegetation clearance along Aarons Pass Road ... TSC and EPBC fauna and Flora Species . CWP Renewables didn't mention these facts...dishonest.</p>
Response	<p>The NSW Development Consent granted on 10 May 2016 provides conditional approval for 77 WTGs. The conditions of consent were prepared on the basis of the impacts of the 77 approved WTGs and associated infrastructure.</p> <p>The proposed change in Project scope has a direct influence on the approved Project impacts under the Development Consent. The proposed changes require consideration by the consent authority to ensure that the all conditions remain relevant and appropriate to the modified Project. The Modification identifies the revised Project impacts for that purpose.</p> <p>Since receiving EPBC Act Approval on 4 April 2017, a number of CCC members have raised concern that the Proponent will seek to increase the number of WTGs to be installed by</p>

varying the Commonwealth approval under a change of government. The proposed Modification seeks to assure the community that this is not the Proponent's intention, by reducing the number of approved WTGs to 37 under the NSW Development Consent.

The biodiversity impacts of the proposed upgrade to APR have been fully considered, honestly presented and independently assessed in the BDAR prepared by Eco Logical Australia, included as Appendix H of the Modification. Additionally the Proponent has committed to establish the 674 ha offset site required under the Development Consent, despite the reduction in impacts, as well as undertaking an additional offset to address the requirements of the updated BDAR included in Appendix C of this RTS.

Issue	<p>CWP Renewables is a Wind Farm Company, this is not their first wind Farm and they want us to believe that the made a mistake on clearance required on Aarons Pass road!!!</p> <p>There was NO Mistake they underestimated to get their approval, their foot in the door and then they had every intention of doing whatever they wanted and that is shown in their wholesale clearance of the first 3 kms on the Aarons Pass Road (off the Castlereagh Highway) their starting major work which got them their Second Non-compliance.</p> <p>By all means upgrade this road for local use, but it is a whole different thing clearing to get a 75m truck down this road.</p> <p>The NSW DPE must reject this modification or be complicit in the dishonesty that surrounds this project.</p>
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Response	<p>The evaluation of transport options leading to the decision to apply for a modification to the Development Consent, is described in Section 1.2 of the Modification.</p> <p>Of note is that the Proponent engaged with MWRC over approximately 18 months to develop the scope and costing for the APR upgrades, including a detailed survey and design process to accommodate the OSOM equipment specifications being offered in the market. The "Improved Design" for APR was developed in consultation with MWRC incorporating the upgrades required in Appendix 6 of the Development Consent. In parallel the Proponent engaged with all applicable roads authorities including NSW Roads and Maritime Services (RMS) to prepare the Traffic Management Plan (TMP) in accordance with schedule 3, condition 32.</p> <p>The TMP, which included the Improved Design, was subsequently approved by DPE on 15 December 2017. This enforced the Proponent's understanding that the works were permissible under the Development Consent. Since receiving advice from DPE that the intended works may not be compliant, construction teams were stood down on APR and works have subsequently ceased on the wind farm site. The Project has not breached the Development Consent in relation to clearing of vegetation along APR.</p> <p>As mentioned above, the Proponent sought to carry out the approved Project in compliance with its conditions, and in consultation with the relevant agencies and has not intentionally been dishonest. The Proponent wishes to have an open and transparent relationship with members of the community.</p>
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6.2.7 Central West Environment Council

Central West Environment Council is an umbrella network of district environment groups in the Central West of NSW. Member groups are based in Orange, Bathurst, Dubbo, Lithgow, Mudgee, Rylstone and other parts of the region.

Reference	302401
Issue	Central West Environment Council support the proposed Modification on the basis of reduced environmental impacts including noise, visual and traffic movements, and support for transition from fossil fuels to renewable energy.
Response	The Proponent thanks the Central West Environment Council, and their member organisations, for their informed submission in support of the Modification, including the acknowledgement of reduced environmental impacts as a result of the reduction in number of WTGs to be installed under the Development Consent.

6.3 Individual Submissions

Individual submissions are grouped by themes described and analysed in sections 2 and 3, with a response provided for each issue raised in the submissions. The submissions relating to each issue and response are identified in the table and further referenced in the matrix and register in Appendix A and Appendix B.

6.3.1 Road Safety of APR

SSN	Issue and response
300984, 299745, 299965, 300139, 300103, 299751, 300398, 300394, 300858, 300035, 300059, 300884, 300269, 300267, 300484, 300561, 301269, 300621, 301299, 301307, 300412, 301301, 301147, 300960, 300989, 301034, 301473, 301455, 301475, 301486, 301467, 301447, 301490, 301526, 301488, 301631, 301922, 301795, 301824, 301967, 302029, 302027, 302031, 302035, 301975, 302016, 301973, 301971, 301969, 301977, 302066, 302105, 302074, 302072, 302070, 302068, 302064, 302058, 302158, 302148, 302170, 302140, 302185, 302187, 302272, 302154, 302121, 302391, 302339, 302389, 302370, 302348, 302313, 302457, 302522, 302530, 302610	<p><u>Issue: Improved Road Safety.</u></p> <p>Improved road safety associated with the upgrading of APR.</p> <hr/> <p><u>Proponent Response:</u></p> <p>The issue of improved road safety was the largest single issue raised in the public submissions. 33% of all submissions referenced road safety and of those, 96% were in support of the road safety improvements.</p> <p>The purpose of the Revised Design is to improve the condition of APR and improve road safety for all users. Construction will be scheduled to minimise disruption to, and ensure the safety of, the wide range of stakeholders potentially affected by the Project works. The design has been developed over time in consultation with MWRC Works Department to ensure that the proposed works can satisfy Council’s expectations for road safety, quality and maintenance needs.</p> <p>Once the Modification is approved the Proponent will continue to engage with Council, RMS and DPE and update the TMP to ensure that the existing traffic control measures reflect the scope and risks associated with the Works, to ensure safe road usage during the Works and throughout Project construction.</p>
301654, 301665, 302541	<p><u>Issue: Decreased Road Safety.</u></p> <p>Decreased road safety associated with the upgrading of APR.</p>

SSN	Issue and response
	<p><u>Proponent Response:</u></p> <p>Three submissions (1% of all submissions) objected to the road upgrade on the basis of decreased road safety. Two submissions from over 50 km away state that the road is already unsafe but suggest that the works would make APR less safe to travel.</p> <p>One key submission from a landowner on APR indicates concern regarding dust and the impacts dust has on visibility for road users and the potential for incidents and near misses.</p> <p>The Proponent takes the matter of safety very seriously and for that reason has focused and campaigned heavily for significant improvements to the road design on the basis of safety for all road users. The TMP includes a Driver’s Code of Conduct for all Project related traffic, which requires that:</p> <p style="padding-left: 40px;"><i>All vehicles associated with the Project are required to travel within the posted speed limits on public roads. In situations where driver’s visibility and traffic safety on public roads is affected by weather related conditions such as heavy rainfall or fog, construction vehicles should reduce their speed limit until visibility and traffic safety has improved.</i></p> <p>The Proponent has engaged with MWRC since mid 2016 to design the proposed works to ensure that they meet Austroads standards and MWRC satisfaction. This includes the provision of passing opportunities for Project and public traffic as described in Section 6.1.2.</p> <p>Traffic speed on APR is set by MWRC and regulated by NSW Police. The Proponent will continue to work with MWRC to assist them place traffic speed restrictions on APR, in an aim to lower the risk of traffic incidents.</p> <p>Additionally, during development of the Revised Design it was determined by the contractor that the current road base sourced from Greenhills quarry on APR did not meet functional specifications and had very high dust emissivity. Consequently, the contractor has sourced material from Glenroy quarry, also on APR, which has a higher strength and lower dust emissivity (now approved under a separate development consent). The result will be a more durable road base with lower dust generation than the current road design, leading to an overall reduction in dust emissions, reducing dust emissions and safety hazards from lower visibility along the length of APR.</p> <p>Following the concerns raised in this submission the Proponent has engaged with the contractor to increase dust suppression activities on APR during Project construction, either through the use of water carts, chemical treatments or other measures.</p>

6.3.2 Socio-economic Benefits

SSN	Issue and response
300984, 299955, 299751, 300255, 300035, 300269, 300267, 301269, 301307, 301301, 301245, 301473, 301475, 301480, 301477, 301463,	<p><u>Issue: Employment Generation / Economic Benefit.</u></p> <p>General support for the project and proposed modification subject to employment generation, local and regional growth and economic flow on effects.</p> <p><u>Proponent Response:</u></p> <p>A socio-economic assessment is included in Chapter 19 of the EA stating that local businesses and people in MWRC and BRC LGA will receive greatest benefit from</p>

SSN	Issue and response
301471, 301467, 301518, 301795, 301991, 302029, 302027, 302031, 302035, 302041, 301983, 301981, 302107, 302074, 302072, 302191, 302195, 302175, 302172, 302272, 302154, 302309, 302431, 302368, 302319, 302370, 302313, 302356, 302443, 302463, 302533, 302610	<p>employment and contracting opportunities, indirect employment including food, fuel and accommodation services and more broadly the Project could inject up to \$151 million into the Australian economy.</p> <p>Although the proposed Modification will see a reduction in the number of WTGs constructed and construction duration, employment generation and broader economic benefits remain consistent with the EA predictions with over \$168,000 contributed annually to community benefits.</p>
300984, 301301, 301477, 301467, 301950, 302189, 302154, 302415, 302431, 302368, 302443, 302500	<p><u>Issue: Employment Generation / Economic Benefit.</u></p> <p>Support for the proposed modification and urgent recommencement of construction activities to ensure the financial viability of contractors and small businesses currently involved in the delivery of the project.</p> <p><u>Proponent Response:</u></p> <p>Over \$3 million of contracts have been awarded to local businesses to date, as well as 45 employees working on the project, contributing to the local economy. Over 50 % of the employees are from the local region and it is expected that up to 240 people will be directly employed during construction, once fully underway. A number of roles and contracts are currently being advertised targeted at the local community. The Proponent is working towards recommencing construction activities on site as soon as possible.</p>
300984, 299965, 299955, 299751, 300255, 300035, 300059, 300884, 300267, 301245, 301473, 301376, 301475, 301480, 301477, 301471, 301514, 301552, 301522, 301518, 301544, 301524, 301601, 301554, 301631, 301773, 301824, 301967, 301945, 301973, 301971, 301969, 301977, 302107, 302060, 302058, 302195, 302175, 302172, 302268, 302290, 302272, 302309, 302319, 302441, 302421, 302294, 302356,	<p><u>Issue: Renewable Energy.</u></p> <p>Support for renewable energy.</p> <p><u>Proponent Response:</u></p> <p>The contributions that CRWF will provide in the development of clean and sustainable renewable energy at a local and global scale is addressed in section 4 of the EA.</p> <p>Overall the operation of 37 WTGs is anticipated to provide enough power for around 55,000 homes and an estimated annual greenhouse gas saving of an estimated 357,954 tonnes of CO² equivalent.</p>

SSN	Issue and response
302443	
300984, 299745, 300484, 301473, 301475, 301477, 301471, 301518, 301795, 302370, 302313, 302533	<p><u>Issue: Infrastructure Improvements.</u></p> <p>Improvements to local infrastructure including roads, drainage and access as a result of the APR upgrade.</p> <hr/> <p><u>Proponent Response:</u></p> <p>The Proponent supports that the proposed Modification to APR will enhance access for road users and anticipates improvement to existing road surfaces, road side verges, line of sight, drainage and road defects.</p>

6.3.3 Environmental Impact of the Modification

SSN	Issue and response
299462, 299971, 299973, 300023, 300621, 301305, 301469, 301455, 301480, 301477, 301463, 301471, 301532, 301550, 301518, 301494, 301492, 301767, 301771, 301753, 301569, 301769, 301765, 301761, 301556, 301665, 302119, 302062	<p><u>Issue: General Environmental Impact</u></p> <p>Objection to the proposed modification was received on the grounds of additional environmental impact, environmental harm and further destruction of the environment.</p> <p>Support for the proposed modification was received on the grounds of overall environmental benefit including for example reduced impact to visual amenity, heritage, noise and traffic and total vegetation clearing resulting from a reduced development footprint.</p> <hr/> <p><u>Proponent Response:</u></p> <p>The proposed Modification, because of the significant reduction in WTGs, will result in less ground disturbance and vegetation clearing, and construction will occur over a shorter duration. Overall the associated environmental impacts will be less.</p> <p>Notwithstanding there will be additional localised vegetation clearing and ecological impact along APR. Both these issues have been identified separately from the submissions received and are addressed in more detail below.</p>
299751, 300121, 300237, 301465, 301477, 301532, 301528, 301569, 301556, 301763, 301645, 301789, 301843, 301815, 301793, 301829, 301791, 301900, 301931, 302039, 302023, 302051, 302087, 302119, 302154, 302364, 302335, 302317, 302751	<p><u>Issue: Vegetation Clearing</u></p> <p>Objections were received in relation to additional vegetation clearing / removal of trees / old and mature trees along APR.</p> <hr/> <p><u>Proponent Response:</u></p> <p>In preparation of the Modification the Proponent engaged an accredited person under the BC Act to undertake a BDAR which assessed the vegetation type and extent along the length of APR to determine the potential impacts of the Revised Design. The works were undertaken in accordance with the Biodiversity Assessment Methodology and were included in the Modification in Appendix H.</p> <p>Additionally, the Proponent has a comprehensive BMP which was prepared in close consultation with OEH Dubbo office to ensure that all avoidance, mitigation and monitoring measures were adopted in construction of the Project.</p> <p>Should the proposed Modification be approved, the BMP will be reviewed and revised in accordance with Schedule 5 condition 4, in consultation with OEH.</p>

SSN	Issue and response
	<p>The proposed changes to the Project result in an overall reduction in vegetation clearance of 31 ha despite the 5.05 ha increase in vegetation clearance along APR.</p>
<p>299510, 299569, 301453, 301451, 301530, 301520, 301534, 301494, 301538, 301492, 301569, 301843, 301815, 301793, 301829, 302051, 302099, 302364, 302751</p>	<p><u>Issue: Ecological Impact</u></p> <p>Objections to the proposed vegetation clearing along APR were received on the grounds of additional ecological harm, impact to critically endangered species and that this habitat cannot be replaced with offsets and planting tube stock.</p> <hr/> <p><u>Proponent Response:</u></p> <p>The BDAR provided in Appendix H of the Modification was prepared by an accredited person under the BC Act in accordance with the BAM. On the basis of the ecological impacts identified in the BDAR the Proponent has undertaken further works to assess potential for ecological harm on species assumed to occur as discussed in Section 4.3. Additionally the Proponent has engaged with OEH to further consider and address impacts to ecological values on APR including avoidance and mitigation of impacts to threatened flora species. Detailed design will be undertaken to ensure that these measures are implemented wherever practical. Additionally the Proponent has developed a Translocation Plan as discussed in Section 4.3.2 and 6.1.4.</p> <p>Despite the overall 31 ha reduction in vegetation clearance under the proposed Modification, the Proponent does not intend to reduce the size of the 674 ha approved offset site which is currently being established with a Biodiversity Stewardship Agreement under the BC Act. Rather, the Proponent will secure and retire additional credits required to offset the additional impacts to be experienced on APR, as identified in the updated BDAR included as Appendix C, as described in Section 4.4.2.</p>
<p>299569 299983 300237 301538 302091 302115 302125 302364</p>	<p><u>Issue: Ecological Impact – Koala</u></p> <p>Objections to the proposed vegetation clearing along APR were received on the grounds of impact to Koalas and koala habitat.</p> <hr/> <p><u>Proponent Response:</u></p> <p>There have been only five registered historical records of Koalas being found within 10 km of APR between 1980 to 2011 (OEH 2018). In order to assess impacts to Koala, potential Koala habitat in the Modification study area along APR was assessed in accordance with the State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP 44). The impact area was not determined to be either potential or core Koala habitat under SEPP 44, due to the lack of confirmed breeding females, recent sightings and low number of historical records.</p> <p>Vegetation surveys identified only three individual key feed trees, Eucalyptus albens (White Box), which did not meet the 15 % threshold test to constitute potential habitat. There are however, secondary feed trees on site, E. melliodora, E. polyanthemos, and E. bridgesiana (DIPNR 2004) and it is possible that Koalas move through the area. Further assessment using the ‘EPBC Act referral guidelines for the vulnerable Koala’ (Department of the Environment [DoE], 2014) was undertaken. The Koala is considered as a species with the potential to occur in the impact area, in low numbers.</p> <p>Application of the Koala habitat assessment tool from the proposed impact area was undertaken, resulting in a score of 5/10. A score of five or greater means that an assessment of significance is required. The assessment of significance included in the</p>

SSN	Issue and response
	BDAR (Appendix C) concluded that impacts to Koala from the proposed road upgrade will not be significant.
302541	<p><u>Issue: Dust</u></p> <p>Generation of dust from APR will put dust in drinking water, coat the grass / food source and dust plumes from traffic reduces visibility for road users.</p> <p><u>Proponent Response:</u></p> <p>During development of the Revised Design it was determined by the contractor that the current road base sourced from Greenhills quarry on APR did not meet functional specifications and had very high dust emissivity. Consequently, the contractor has sourced material from Glenroy quarry, also on APR, which has a higher strength and lower dust emissivity. The result will be a more durable road base with lower dust generation than the current road design, leading to an overall reduction in dust emissions, reducing dust emissions and safety hazards from lower visibility along the length of APR.</p>

6.3.4 Project Description

SSN	Issue and response
299462, 299510, 301654, 300324, 301305, 301449, 301534, 301538, 301789, 301815, 302045, 302047, 302113, 302335, 302317	<p><u>Issue: WTG Dimensions</u></p> <p>The modification application omits various changes to elements of the WTGs including increases to blade length, turbine height, turbine power / size and blade sweep.</p> <p><u>Proponent Response:</u></p> <p>This matter is addressed in section 1 of the Modification and section 2.1 above. Development Consent (SSD-6697) was issued for the construction and operation of up to 77 WTGs. The Development Consent stipulates that no WTGs may be greater than 160 m in height in schedule 2 condition 6. The EA prepared for the Project evaluated WTGs up to 160 m to tip and noted that final WTG selection would be undertaken following Project approval under competitive tender.</p> <p>The Project now comprises 37 WTGs, each with a generating capacity of 3.63 MW, a 91.5 m hub height and 137 m diameter rotor, and a total height of 160 m (from ground to blade tip). The selected WTGs are in accordance with the conditions of the Development Consent, and generally in accordance with the EA, as required in schedule 2, condition 2. The Modification does not propose any alteration to these conditions.</p>
300324, 301333, 301305, 301235, 301516, 301532, 301528, 301538, 301789, 302113, 302062, 302268, 302331, 302335	<p><u>Issue: Reduced WTGs Numbers</u></p> <p>The Proponent claim that there will be a lesser overall environmental impact given the reduction of WTGs from 77 to 37. Submissions say that the Proponent is providing misleading information as WTGs were previously limited to 37 under EPBC Act approval, therefore cannot be used as an offset for clearing on APR.</p> <p><u>Proponent Response:</u></p> <p>This matter is addressed in section 1 of the Modification and section 2.1 above.</p>

SSN	Issue and response
	<p>The NSW Development Consent was issued on 10 May 2016 for the construction and operation of up to 77 WTGs. The conditions of consent were developed based on the impacts of the 77 approved WTGs and all associated infrastructure.</p> <p>EPBC Act Approval (EPBC 2011/6206) was issued on 4 April 2017 under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) permitting up to 37 WTGs. However, those WTGs can be constructed at locations to be selected, at the Proponent’s discretion, from 57 WTG sites which form a subset of the 77 WTG sites approved under the Development Consent.</p> <p>The two approvals were granted under separate legislation and were approved under different jurisdictions.</p> <p>Following approval under the EPA Act further consultation, ecological assessment and wind farm feasibility studies were undertaken to refine the number and location of WTGs and reduce the overall environmental impact of the development.</p> <p>Furthermore, throughout consultation prior to construction, a number of Community Consultative Committee members raised concerns that the Proponent may seek to increase the number of WTGs to be installed by varying the Commonwealth approval. The proposed Modification seeks to assure the community that this is not the Proponent’s intention, by reducing the number of approved WTGs to 37 under the NSW Development Consent.</p> <p>The proposed modification to reduce the number of turbines to 37 is sought for the following reasons:</p> <ul style="list-style-type: none"> • to provide clarity over the total Project impacts, including visual, noise, cultural heritage and biodiversity impacts; • to quantify the vegetation clearing and offsets in accordance with the Biodiversity Conservation Act, 2016; • to provide certainty to the community and government agencies of which WTGs will be installed now, and in the future, by rescinding approval for 40 approved WTG locations; and • to enable the DPE to evaluate the relevance of all consent conditions on the basis of the 37 WTGs which will be constructed.
<p>300324, 301548, 301800, 302023, 302113, 302751</p>	<p><u>Issue: Proposal Scope</u></p> <p>Vegetation clearing along APR as the scope of clearing has not been well defined. It is stated that the modification application is too broad / undefined and allows the Proponent to clear whatever vegetation it wants.</p> <hr/> <p><u>Proponent Response:</u></p> <p>The Proponent understands that some submitters are concerned that the scope of vegetation removal for the revised design has not been well described or presented within the body of the Modification report.</p> <p>However, we note that over 974 pages of mapping are included in the BDAR in Appendix H of the Modification, identifying the likely extent and impacts of the Revised Design.</p> <p>Noting that the Development Consent requires works to APR be undertaken to the satisfaction of MWRC, and further noting the submission from MWRC in Section 6.1.2 that the final Revised Design will need to be reviewed and approved by MWRC prior to</p>

SSN	Issue and response
	<p>works, some flexibility in the plans presented in the Modification is required. Additionally, the Modification proposes that the Works be delivered in accordance with the BMP, which requires in Section 4.1 that detailed design be undertaken in an effort to further avoid and minimise impacts to biodiversity values, before implementing pre-clearance measures.</p> <p>The Development Consent permits the micrositing of WTGs and ancillary infrastructure up to 100 m from the locations identified on the plans. Despite APR not being described as ancillary infrastructure, the ability for plans to be micro-adjusted to avoid and minimise impacts, as well as respond to conditions encountered during construction, is an important aspect of construction management.</p> <p>The Proponent has committed to work with MWRC to prepare a road design to their satisfaction, and will undertake a review process to avoid and minimise impacts in accordance with the BMP, to achieve micro-siting of the road works in accordance with the Development Consent.</p>

6.3.5 Process

SSN	Issue and response
299969, 299571, 299971, 300322, 299977, 301289, 301305, 301251, 301361, 301357, 301538, 301571, 301565, 301815, 301829, 302081, 302091, 302085, 302093, 302331, 302317, 302751, 302558	<p><u>Issue: Breach of Consent</u></p> <p>It is alleged that there has been a breach of the Conditions of Consent in relation to the timing of construction and upgrading of APR. Specifically Condition 3.28, which states:</p> <p>Prior to the commencement of construction (other than pre-construction minor works), the Applicant shall:</p> <ol style="list-style-type: none"> (a) Undertake the road upgrades and other traffic management measures (including the construction of passing bays) identified in Appendix 6 to the satisfaction of MWRC; (b) Upgrading the existing intersection between Aarons Pass Road and the Castlereagh Highway to the satisfaction of the RMS; and (c) Construct the new intersection between Aarons Pass Road and the northern site access road to the satisfaction of MWRC. The intersection design must include: <ul style="list-style-type: none"> • A widened shoulder prior to the intersection to assist turning vehicles; and/or • A widened intersection to facilitate the flow of entering traffic off the road; and/or • Placing site entrance gates back from the road so that they do not create a hold point for entering vehicles prior to their egress from Aarons Pass Road. <p>An objection to the proposed modification is made on the grounds that construction commenced earlier than the date provided by the Proponent (ie 2/8/2018).</p> <p>It is stated that the Proponent have no respect for the consent conditions and that no construction should be permitted until upgrade of APR is complete.</p> <p><u>Proponent Response</u></p>

SSN	Issue and response
	<p>The Project was financed in May 2018, after which detailed design ensued and pre-construction minor works commenced, as described in Section 1.3 of the Modification. The Development Consent defines Pre-construction Minor Works as:</p> <p><i>Includes the following activities:</i></p> <ul style="list-style-type: none"> • <i>building/road dilapidation surveys;</i> • <i>investigative drilling, excavation or salvage;</i> • <i>minor clearing or translocation of native vegetation;</i> • <i>establishing temporary site office (in locations meeting the criteria identified in the conditions of this approval);</i> • <i>installation of environmental impact mitigation measures, fencing, enabling works; and</i> • <i>minor access roads and minor adjustments to services/utilities, etc.</i> <p>Construction of APR commenced on August 2, 2018 as notified to DPE, landowners and neighbours to the Project. Construction is defined in the Development Consent as: <i>The construction of the development, including but not limited to the construction of wind turbines, ancillary infrastructure and road upgrades (excludes geotechnical drilling and surveying).</i></p> <p>Consultation with RMS in the development of the TMP confirmed that upgrades to the intersection of Castlereagh Highway and Aarons Pass Road, as identified in Schedule 3, Condition 28 b) are no longer required. This is owing to the upgrade of this intersection by RMS in the period post the Development Consent being granted and Project construction commencing. This position is further enforced by RMS' submission in section 6.1.5 of this document stating that any upgrades proposed by the Proponent to that intersection will need to be undertaken to the Austroads Guidelines. It is therefore requested that Schedule 3, Condition 28 b) be updated to reflect this advice.</p> <p>The TMP included the design for APR which was developed to the satisfaction of MWRC, as well as a description of the following in Section 5.1:</p> <p><i>MWRC and the Proponent have discussed that a staged road works program will be considered to limit the impact of wind farm construction on road upgrades, and minimise traffic disruption on Aarons Pass Road. The road would be made fit for purpose for each stage of construction, in accordance with MWRC standards. An initial delivery of plant and equipment to site prior to the road works would facilitate pre-construction minor works in accordance with the Development Consent, to prevent ongoing disruption to the road works. Road re-sheeting would commence along the length of Aarons Pass Road to make it fit for standard heavy vehicles. Construction activities on site would commence in parallel with re-sheeting works and a Communication Plan will be established to limit the impact on road re-sheeting activities. The early utilisation of the southern site entry for construction activities will also reduce traffic movements and interfaces on Aarons Pass Road during the road upgrade activities.</i></p> <p>Since receiving advice from DPE that the proposed Improved Design works along APR may not be compliant, construction teams were stood down on APR immediately. The Proponent has been cooperating with all requests from DPE in relation to the Project, including works on the wind farm site. Works have since stopped on the wind farm site, with the exception of environmental works, until the Modification is resolved.</p>

SSN	Issue and response
	<p><u>Issue: Breach of Consent</u></p> <p>It is alleged that there has been a breach of condition 3.28 (as reproduced above) in relation to vegetation clearing undertaken / proposed to be undertaken on APR.</p> <p>It is stated that more detailed plans should be provided to clearly indicate what vegetation is required to be cleared as part of the modification application and that it should not be left to a matter of trust. Furthermore, if the works are to proceed stricter supervision and accountability of the developer is required.</p> <p><u>Proponent Response:</u></p> <p>The Proponent sought to carry out the approved Project in compliance with its conditions, and in consultation with the relevant agencies, including DPE, RMS and MWRC. The description of the process including consultation and approval from MWRC to undertake the works, and approval of the TMP identifying staging of works on the road, is described in Section 1.3 of the Modification, Section 5.1 of the TMP and in the issue above.</p> <p>Following the commencement of construction on APR on 2 August 2018, a complaint was received by DPE from the community in relation to clearing of vegetation on APR. Since receiving advice from DPE that the proposed Improved Design works along APR may not be compliant, construction teams were stood down on APR immediately. The Project has not breached the Development Consent in relation to clearing of vegetation along APR. The Proponent has been cooperating with all requests from DPE in relation to the Project, including works on the wind farm site.</p> <p>In relation to the description of proposed works to be undertaken along Aarons Pass Road as part of the Revised Design, 974 pages of mapping are included in the BDAR in Appendix H of the Modification, identifying the anticipated extent and impacts of the Revised Design. The Proponent has committed to undertake additional detailed design works following approval of the Modification to avoid and minimise impacts in accordance with the BMP, by micro-siting the road works in consultation with MWRC, in accordance with the Development Consent.</p>
<p>299502, 299510, 299571, 299977, 301484, 301361, 301532, 301571, 301561, 302081, 302085, 302062, 302317, 302751, 302558</p>	<p><u>Issue: Lack of Trust / Independence of Environmental Assessment</u></p> <p>Lack of trust as a result of the alleged compliance breach. Recommendations are made that the modification should not be approved, the modification should not be approved on trust, environmental assessments should be carried out by consultants with no financial or supervisory relationship, the application is to be fully scrutinised and there should be full accountability and transparency.</p> <p><u>Proponent Response:</u></p> <p>The Proponent considers its compliance and community obligations to be integral to the successful delivery of the Project. The Proponent wishes to have an open and transparent relationship with members of the community.</p> <p>The Proponent has cooperated with DPE at all times and has increased internal compliance processes as described in the two responses above.</p> <p>Systems and processes put in place to manage compliance requirements include a compliance register, inspection and audit program, incident investigation process, an environmental management strategy and associated management plans and an established community consultative committee. A public website where all</p>

SSN	Issue and response
	<p>environmental approvals, environmental assessments and details of the development are available and regularly updated is also maintained.</p> <p>Environmental assessment of the development has been undertaken by independent consultants at all stages. The assessments are publicly exhibited for comment, technically reviewed by relevant government agencies and in many cases third party reviewed by consultants engaged by DPE.</p>
<p>301333, 301305, 301484, 301361, 301516, 301538, 301571, 301561, 301789, 301817, 301815, 301793, 302119, 302317, 302564</p>	<p><u>Issue: False and Misleading Information</u></p> <p>the Proponent has provided false and misleading information, including for example:</p> <ul style="list-style-type: none"> • Claiming a reduced environmental impact in the modification report when seeking a reduction in WTGs from 77 to 37, when only approval for 37 was granted under the EPBC approval; • Inconsistent reports of the amount of vegetation clearing that has occurred along APR; • The true intent of the modification is to increase blade length, rather than vegetation clearing; • Advice from the Proponent that the wind farm would not be viable if significant number of turbines were removed from the 77 proposed; • Turbine specifications and associated environmental assessment; and • The amount of vegetation clearing required along APR. <p><u>Proponent Response:</u></p> <p>As mentioned above, the Proponent has always sought to provide accurate and factual information in its dealings with the community and government agencies and has not intentionally provided false or misleading information. The Proponent wishes to have an open and transparent relationship with members of the community.</p> <p>The reduction in WTG numbers under the Development Consent is addressed in Section 6.3.4.</p> <p>The WTG dimensions are not a matter for this Modification as discussed in Section 2.1 and 6.3.4.</p> <p>Submissions referenced the previous EA which was undertaken in 2013 using the WTG technology at the time. The EA considered a range of WTG machines, varying in the range upwards from 1.5MW. In determining the capacity of the wind farm a number of grid studies have been undertaken and updated over time using specification of WTGs in the market. As the market has advanced since the EA was prepared in 2013, WTG capacity has advanced significantly with the project now being constructed using 37 WTGs each of 3.63 MW. As a result the Project is able to produce more energy with fewer WTGs and a lower capital cost, reducing the levelized cost of energy.</p> <p>The Modification references the amount of vegetation which is proposed to be cleared from APR under the Revised Design. As described in Section 1 of the Modification there have been multiple designs for APR, with varying levels of detail, at various stages in the development of the Project. It is proposed that the Modification be approved on the basis of the Revised Design which identified 6.59 ha of vegetation to be removed.</p>
<p>300147, 300155,</p>	<p><u>Issue: Inadequate Environmental Assessment</u></p>

SSN	Issue and response
300149, 300324, 301305, 301538, 301789, 301815, 302025, 302317	<p>The environmental assessment for the modification is inadequate (particularly noise and visual impact) given the increase in blade length, blade sweep and turbine size has not been addressed.</p> <p><i>Proponent Response:</i></p> <p>Additional environmental assessment to support the proposed Modification has been undertaken where there has been a change to the approved Project. Where a change to the project is not proposed additional environmental assessment has not been undertaken. For example, further ecological and archaeological impact has been undertaken in relation to the change in works on APR. A supplementary environmental noise assessment was undertaken by Sonus in Appendix F to summarise the predictions of noise from the final wind farm configuration and compares the predictions with the operational noise criteria of the Development Consent. Moir Landscape Architecture undertook a comparative landscape and visual assessment of the alteration to the approved layout for Crudine Ridge Wind Farm from 77 WTGs to 37 WTGs (Modification EA: Appendix E) based on the WTG models to be installed.</p>
299510, 299571, 300121, 301534, 302023	<p><i>Issue: Referral to Independent Planning Commission (IPC)</i></p> <p>Assessment of the modification application should be undertaken by the IPC.</p> <p><i>Proponent Response:</i></p> <p>Subject to Section 8A(1)(b) of the <i>State Environmental Planning Policy (State and Regional Development) 2011</i>, the proposed Modification application will be referred to the IPC given more than 25 objections were received during public exhibition.</p>

6.3.6 Consultation

SSN	Issue and response
300147, 300155, 300149, 302115, 302127, 302125	<p><i>Issue: consultation and engagement</i></p> <p>Information on the proposed modification had not been provided directly by the Proponent to certain residents.</p> <p><i>Proponent Response:</i></p> <p>A detailed description of the consultation and engagement activities undertaken in the lead up to the preparation of the Modification is included in Section 3 of the Modification.</p> <p>In addition to extensive door knocking, phone calls meetings and emails, the Proponent has posted notifications and advices to all landowners listed in Table 1 and Table 2 of the Development Consent and any other residence within 4 km of the nearest WTG in accordance with Schedule 4, condition 1 of the Development Consent.</p> <p>As mentioned above in Section 1.3, the proposed Modification was publicly exhibited by DPE over a period of 14 days from 5-19 December, 2018 and available in hard copy at various locations. The Modification was advertised by DPE.</p> <p>Further, notifications to individuals and groups who previously made a submissions on the EA for the Project prior to approval in 2016 were sent and a public meeting was held in Pyramul on December 12. The Modification is also referenced on the</p>

SSN	Issue and response
	Proponent’s website and phone calls were made by the Proponent in particular to owners of residences along APR.

6.3.7 Development Consent

This section relates to issues raised which were not directly relevant to the proposed Modification. The issues raised were related to the existing Development Consent of historical issues which were addressed in the assessment of the EA as reviewed by DPE in 2015 and approved by the Planning Assessment Commission in 2016.

SSN	Issue and response
299569, 299983, 301449, 302115, 302136, 302127, 302125, 302337	<p><u>Issue: Health and Mental Wellbeing</u></p> <p>Concern of impact to health (including heart disease) and mental wellbeing associated with approved wind farm.</p> <hr/> <p><u>Proponent Response</u></p> <p>The matter of health and mental wellbeing was considered in the socioeconomic assessment contained in Chapter 19 of the EA. The socio-economic assessment references a review undertaken by the National Health and Medical Research Council stating that ‘the principle effects of wind turbine sound were not physiological but subjective’ and concludes ‘there is no evidence to suggest a direct causal link between wind turbines and deterioration of human health’.</p> <p>The Modification proposes a reduction in the number of approved WTGs, subsequently reducing any perceived risks of health to neighbouring landowners.</p>
300147, 300155, 300149, 301465, 301791, 302127	<p><u>Issue: Land Impact</u></p> <p>Land impact associated with the approved wind farm includes a reduced ability to managed weeds, restricted use of land and inability to subdivide land.</p> <hr/> <p><u>Proponent Response:</u></p> <p>An assessment of impacts to existing and approved dwellings, as well as dwelling entitlements was undertaken in the original EA which was assessed by DPE and approved by the PAC in 2016. Subdivision of land is managed and approved by local council through the relevant planning instrument. The proposed Modification involves a reduction in the number of approved WTGs, reduced extent of roads and cables, as well as reduction in associated ancillary infrastructure. The proposed Modification is therefore expected to reduce any impacts to land, including use and subdivision of land. Additionally, it will reduce any impacts to aerial spraying activities which may be experienced as a result of the approved Project.</p>
302115, 302317	<p><u>Issue: Visual impact / shadow flicker</u></p> <p>Visual impact and shadow flicker from the WTGs.</p> <hr/> <p><u>Proponent Response:</u></p> <p>Visual impact associated with the approved wind farm (including shadow flicker) was assessed in the EA as approved in the Development Consent. With the reduction of</p>

SSN	Issue and response
	<p>WTGs the predicted visual impacts is expected to reduce. Moir Landscape Architecture undertook a comparative landscape and visual assessment of the alteration to the approved layout for Crudine Ridge Wind Farm from 77 WTGs to 37 WTGs (Modification EA: Appendix E), demonstrating the reduction in impacts from the proposed Modification.</p>
<p>299569, 302115, 302127, 302125, 302337, 302317</p>	<p><u>Issue: Noise Impact</u></p> <p>Noise impact from construction activities and operation of WTG.</p> <p><u>Proponent Response:</u></p> <p>Noise impacts associated with the approved wind farm are governed by Schedule 3 Conditions 6 – 12 of the Development Consent. The Modification (Section 4.2) includes a discussion regarding the environmental noise assessment which was undertaken for the EA, including both construction and operational noise modelling.</p> <p>The construction noise assessment in Sonus (2012) is still considered relevant, and in fact conservative for the construction works being undertaken as part of the reduced Project layout and the Revised Design of APR. Whilst there is additional clearing associated with Revised Design of APR, noise emitting machinery and construction operating hours will not change to that previously assessed within the environmental noise assessment.</p> <p>In terms of operational noise, the Modification contains a Supplementary Environmental Noise Assessment in Appendix F which predicts that the Project will comply with the Operational Noise criteria in Schedule 3 Condition 11 and 12. The Modification also includes a Noise Compliance Test Plan in Appendix G outlining the noise monitoring to be undertaken to ensure compliance with the Development Consent. Within three months of the commencement of operations of the Project the Proponent will undertake the noise monitoring and reporting identified in Schedule 3, Condition 13 and any further monitoring required under condition 14.</p>
<p>302134, 302136, 302337</p>	<p><u>Issue: General Environmental Impact.</u></p> <p>General impact to the environment associated with the development.</p> <p><u>Proponent Response:</u></p> <p>The environmental impact of the wind farm was assessed by the DPE in 2015 on the basis of the EA and (including the PPR) and approved by the PAC in 2016. The environmental assessment of the proposed changes is addressed in detail in the Modification, which indicates an overall reduction in environmental impacts associated with the development in Section 4, despite some localised increase in impacts.</p>
<p>299569, 299983, 302127, 302125</p>	<p><u>Issue: Fauna and Livestock.</u></p> <p>Impact to fauna and livestock from wind farm operation.</p> <p><u>Proponent Response:</u></p> <p>The EA evaluated both construction and operational impacts of the wind farm on native flora and fauna as required under the TSC Act and the Director Generals Requirements. Subsequent to approval in 2016, a Bird and Bat Adaptive Management Plan was prepared in consultation with OEH and was approved by DPE on 15 December 2017 to address fauna impacts in relation to the operating wind farm.</p>

SSN	Issue and response
	<p>There is no evidence to suggest that the wind farm would have an impact on livestock or neighbouring livestock operations. In fact, evidence from our operating wind farms indicates that livestock preferentially use land adjacent to WTGs for shade and shelter from the wind in exposed areas. Regardless, this matter is not relevant to the Modification which proposes to reduce the number of WTGs and ancillary infrastructure.</p>
<p>301654, 299569, 301791, 302062</p>	<p><u>Issue: Fire Hazard</u></p> <p>Concerns WTGs will explode, present a fire hazard and will reduce firefighting ability.</p> <p><u>Proponent Response:</u></p> <p>The issues raised in relation to WTGs combusting and presenting fire hazards was a matter addressed in the Development Consent. Useful recommendations have been made by NSW Fire and Rescue in their submission on the Modification, duplicated in Section 6.1.3, including responses from the Proponent in relation to emergency response preparedness and compliance with relevant legislation.</p>

7 Project Evaluation

7.1 Evaluation of the Project

The Proponent has considered all submissions received during the exhibition period in relation to the proposed Modification. Submissions from government agencies and organisations have been addressed individually. Submissions from individuals have been categorised broadly into themes and subcategorised by issue. Issues have been considered and responses provided proportionate to their relevance.

The submissions indicated broad support for the proposed Modification, particularly from local residents on APR and from the two LGAs affected by the Project. 75% of submissions from MWRC and BRC wrote in support of the Modification. The majority of objections received (75%) were from outside the two affected local government areas (LGAs). Road safety was the most commonly cited issue, with over 77 submissions supporting the Modification on the basis of improved road safety.

The proponent has undertaken additional engagement activities as described in Section 4.2, including both agency and community consultation. Newsletters have been provided to the community providing an update on the outcomes of the Modification exhibition period. Direct contact has been made with landowners along APR to discuss key issues arising in the submissions, and the business community has been contacted to provide information relating to the likely schedule for restarting works.

In response to the issues raised in the submissions, the Proponent has sought to minimise ecological impact associated with vegetation clearing along APR and specifically impact to *P. reperta* and *A. meiantha*. The Proponent has met with OEH on site to discuss avoidance and mitigation options for these two species and biodiversity values in general. Further engineering and ecological assessment has been undertaken since exhibition in an effort to further clarify and mitigate impacts to biodiversity values. Additional assessments included:

- targeted fauna surveys for seven of the 10 threatened species-credit species identified as potentially occurring in habitat adjacent to APR, six of which were confirmed not to occur. The targeted surveys are described in Section 4.3.1. The updated BDAR included in Appendix C
- identifies the offset requirements for the Revised Design;
- Two road design options were investigated to minimise impacts to *P. reperta* (refer to Section 4.4.1) which will be further investigated through a detailed design process following

approval of the Modification in accordance with the BMP and in consultation with MWRC;
and,

- A Translocation Plan for *A. meiantha* was developed in consultation with OEH (Appendix D) not as a mitigation measure, but purely as an opportunity to potentially reduce the loss of individuals by increasing knowledge and to directly support the conservation of the species.

The description of the OSOM transport options in the Modification describes the process undertaken to evaluate potential alternative routes to the Project site, and the revisions undertaken to the APR road design in consultation with MWRC over two years. The Revised Design is the culmination of efforts to avoid and minimise impacts to biodiversity values and the community as a result of the road upgrades. However due to the existing road alignment, the fringing vegetation on the roadside and the topography of the land along the route, further avoidance of impacts is unlikely to be achievable. Nonetheless, the Proponent will undertake a detailed design process with the objective of avoiding impacts where possible, and mitigating unavoidable impacts using the measures in the BMP.

In relation to *A. meiantha* and *P. reperta*, further design and micro-siting will be undertaken in accordance with the BMP prior to the commencement of the Works. Mitigation measures will be implemented in accordance with the approved BMP, including minimising impacts, pre-clearance protocols, dust mitigation and weed management. A Translocation Plan will also be adopted and offsetting measures will be put in place in accordance with the BDAR.

The removal of 40 WTGs and associated ancillary infrastructure would have an overall reduction in impacts to biodiversity, heritage, visual, noise (construction and operational) and traffic impacts compared to those assessed in the EA (including the Preferred Project Report (PPR)). This change would result in a net reduction of 31 ha of vegetation clearance despite the localised increase in vegetation clearance on APR. The proposed removal of WTGs and ancillary infrastructure also serves to provide certainty to stakeholders regarding the extent of the Project, including those in the community whom are affected by the development, and confirms the WTGs which are able to be constructed and operated now, and into the future.

Accordingly, it is considered that the proposed Modification should be approved on the basis of:

- support from the local Council and residents along APR for the road upgrade on the basis of improved road safety;
- strong community support for the Project, particularly from those closest to the Project;
- an overall reduction in visual, noise, biodiversity and heritage impacts as a result of the proposed changes;
- preservation of the existing 674 ha biodiversity offset despite the reduced impacts, with

additional biodiversity offsets to be secured to address impacts identified in the updated BDAR; and,

- significant support from the local business community and the importance of the works proceeding for local employment and contracting opportunities.

7.2 Conditions of Consent

Should the Modification be approved, the Proponent seeks that the conditions of consent be reviewed on the basis of the updated Project description provided in Section 5 as well as changes in legislation which have occurred since the Development Consent was granted. The Proponent asks that the consent conditions identified in Table 4 specifically be addressed for the reasons identified in the table.

Table 4: Requested variations to consent conditions

Sched.	Cond.	Condition	Proposed Amendment
Definition		<i>Site</i> <i>The land defined in Appendix 1</i>	Appendix 1 in the Development Consent is to be updated by adding the land identified in Section 2.5 of the Modification, as provided in Appendix E of this RTS.
2	5	<p>Wind Turbines</p> <p><i>The Applicant may construct, operate and replace or upgrade as necessary up to 77 wind turbines.</i></p> <p>Notes:</p> <ul style="list-style-type: none"> • <i>To avoid any doubt, the Applicant does not require additional approval to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent.</i> • <i>To identify the approved wind turbines, see the figures and corresponding GIS coordinates in Appendix 2.</i> 	<p>Replace “77 wind turbines” with “37 wind turbines” to reflect the proposed Modification.</p> <p>The imagery in Appendix 2 is to be replaced with the three images from Figure 2 of this RTS.</p> <p>Coordinates of the WTGs in Appendix 2 are to be replaced with the coordinates from Appendix B of the Modification, as replicated in Appendix F below.</p>
3	19	<p>Operation Condition</p> <p><i>The Applicant shall:</i></p> <p>(a) <i>ensure that no more than 5.7 hectares of Box Gum Woodland EEC is cleared for the development, unless the Secretary agrees otherwise;</i></p> <p>(b) <i>implement all reasonable and feasible measures to:</i></p>	Update condition to include requirement to minimise any impacts on <i>Acacia meiantha</i> and <i>Pomaderris reperta</i> ;

		<ul style="list-style-type: none"> · minimise any impacts on the Small-Purple Pea (<i>Swainsona recta</i>); · minimise impacts on threatened bird and bat populations; · minimise the approved clearing of native woodland vegetation and fauna habitat; and <p>(c) if micro-siting wind turbines, ensure that the revised location of the turbine is at least 30 metres from any existing hollow-bearing trees, and where reasonable and feasible, 50 metres from any existing hollow-bearing tree, unless the Secretary agrees otherwise.</p> <p>Note: In considering a request for micro-siting of turbines within 30 m of existing hollow-bearing trees, the Secretary will consider safety concerns, the constructability of the turbine, and/or whether the micro-siting would materially increase biodiversity impacts.</p>							
3	20	<p>Biodiversity Offset Strategy</p> <p>The Applicant shall implement the biodiversity offset strategy described in the EA, summarised in Table 5 and shown conceptually in the figure in Appendix 5, to the satisfaction of the Secretary.</p> <p>Table 5: Summary of the biodiversity offset strategy</p> <table border="1" data-bbox="437 1160 992 1240"> <thead> <tr> <th>Area</th> <th>Offset Type</th> <th>Size hectares (ha)</th> </tr> </thead> <tbody> <tr> <td>Biodiversity Offset Area</td> <td>Existing vegetation to be enhanced and protected</td> <td>674</td> </tr> </tbody> </table>	Area	Offset Type	Size hectares (ha)	Biodiversity Offset Area	Existing vegetation to be enhanced and protected	674	<p>Revise the Condition to include the requirement to secure required credits as outlined in the updated BDAR.</p> <p>The plan of the offset site has been updated following the subdivision of land and creation of new lots for the purpose of the offset site, as provided in Appendix G of this RTS.</p>
Area	Offset Type	Size hectares (ha)							
Biodiversity Offset Area	Existing vegetation to be enhanced and protected	674							
3	22	<p>Biodiversity Management Plan</p> <p>Prior to the commencement of construction...</p> <ul style="list-style-type: none"> · Biodiversity Offset Management Plan for implementing the biodiversity offset strategy, including detailed performance and completion criteria, unless the offset area is secured via a biobanking agreement under the TSC Act; 	<p>Update in relation to the 2016 BC Act.</p> <p>Replace: <i>unless the offset area is secured via a biobanking agreement under the TSC Act;</i> with: <i>unless the offset area is secured via a Biodiversity Stewardship Agreement under the BC Act;</i></p>						
3	24	<p>Conservation Bond</p> <p>If the offset area is not secured by a biobanking agreement under the TSC Act, then within 3 months of the approval of the Biodiversity Management Plan, unless the Secretary agrees otherwise, the Applicant shall lodge a Conservation Bond with the Department to ensure that the biodiversity offset strategy is implemented in accordance with the</p>	<p>The proponent asks that this requirement be revisited in relation to the 2016 BC Act and the requirement to establish the biodiversity offset within 12 months after commencement of construction.</p>						

		<p><i>performance and completion criteria of the Biodiversity Offset Management Plan...</i></p>	<p>Replace: <i>If the offset area is not secured by a biobanking agreement under the TSC Act If the offset area is not secured by a biobanking agreement under the TSC Act, then within 3 months of the approval of the Biodiversity Management Plan,</i></p> <p>With: <i>If the offset area is not secured by a Biodiversity Stewardship Agreement, under the BC Act, then within 12 months of commencement of construction,</i></p>
3	28	<p>Road Upgrades – Aarons Pass Road</p> <p><i>Prior to the commencement of construction (other than pre-construction minor works), the Applicant shall:</i></p> <p><i>(a) undertake the road upgrades and other traffic management measures (including the construction of passing bays) identified in Appendix 6 to the satisfaction of MWRC;</i></p> <p><i>(b) upgrade the existing intersection between Aarons Pass Road and the Castlereagh Highway to the satisfaction of the RMS; and</i></p> <p><i>(c) construct the new intersection between Aarons Pass Road and the northern site access road to the satisfaction of MWRC. The intersection design must include:</i></p> <ul style="list-style-type: none"> <i>· a widened shoulder prior to the intersection to assist turning vehicles; and/or</i> <i>· a widened intersection to facilitate the flow of entering traffic off the road; and/or</i> <i>· placing site entrance gates back from the road so that they do not create a hold point for entering vehicles prior to their egress from Aarons Pass Road.</i> 	<p>a) An amendment to (a) is required to remove Appendix 6 and refer to the Revised Design described in the Modification, to be constructed to the satisfaction of MWRC;</p> <p>b) RMS have confirmed that an upgrade to the existing intersection is not required as the upgrade was completed by RMS previously. For clarity, this requirement should be removed.</p>
3	32	<p>Restrictions on Transport Routes</p> <p><i>The Applicant shall ensure that all:</i></p> <p><i>(a) over-dimensional vehicle access to and from the site is via the northern route using Castlereagh Highway and Aarons Pass Road;</i></p> <p><i>(b) over-dimensional vehicle access through Mudgee is via:</i></p>	<p>It is proposed that item a) and Appendix 7 are updated to reflect the approved Southern Route for over-dimensional vehicle access approved by RMS (the relevant roads authority) within the TMP.</p>

		<ul style="list-style-type: none"> · <i>Route 1 (using Castlereagh Highway, Market Street, Douro Street and Horatio Street), for vehicles up to 50 metres length; or</i> · <i>Route 2 (using Castlereagh Highway, Market Street, Cox Street, Short Street, Lawson Street, Mortimer Street, Burrundulla Avenue and Horatio Street), for vehicles more than 50 metres length;</i> <p><i>(c) other heavy vehicle access to and from the site is via:</i></p> <ul style="list-style-type: none"> · <i>the northern route using Castlereagh Highway and Aarons Pass Road; or</i> · <i>the southern route using Hill End Road and the Ilford-Sofala Road or Sofala Road; or</i> · <i>the minor access routes using Bombandi Road and/or Crudine Road,</i> <p><i>unless the applicable roads authority approves otherwise.</i></p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> · <i>The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.</i> · <i>Identified over-dimensional vehicle access routes through Mudgee are shown in Appendix 7.</i> 	<p>The updated access routes are provided in Appendix H of the RTS.</p> <p>No other changes are proposed to this condition.</p>
<p>5</p>	<p>4</p>	<p>Revision of Strategies, Plans and Programs</p> <p><i>Within 3 months of the submission of:</i></p> <p><i>(a) the submission of an incident report under condition 6 below;</i></p> <p><i>(b) the submission of an audit under condition 8 below; or</i></p> <p><i>(c) any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant shall review and, if necessary, revise the strategies, plans, and programs required under this consent 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.</i></p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>For clarity, the Proponent asks that DPE review the language in this condition such that review and update of management plans is required to occur following approval of an application for modification, as opposed to following submission of a Modification.</p>

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Appendices

Appendix A

Submissions Matrix

Appendix B

Submissions Register

Appendix C

Biodiversity Development Assessment Report (January 2019)

Appendix D

Translocation Plan

Appendix E

Schedule of land

Tenure	Lot	DP
Freehold	9	246645
Freehold	140	756909
Freehold	144	756909
Freehold	154	756909
Freehold	155	756909
Freehold	1	246645
Freehold	8	246645
Freehold	1	1154792
Freehold	4	563144
Freehold	143	756909
Freehold	1	1101182
Freehold	134	756909
Crown Land	51	1160463
Crown Land	101	1063263

Appendix F

WTG coordinates

X	Y	ID
751340.9	6356501	A1
751252	6356181	A2
750785.3	6355965	A4
749769	6356019	A6
749694	6355769	A7
749498.5	6355437	A8
749443	6355112	A9
751219	6355394	A10
750903.1	6355110	A13
750819	6354844	A14
749929.7	6354425	A17
750594	6354469	A20
750427.5	6354203	A21
750476.4	6353901	A22
750469	6353644	A23
750440.8	6353372	A24
749560.7	6353341	A26
750207.5	6352954	A29

X	Y	ID
750018.6	6352707	A31
749816.3	6352445	A32
749847.4	6352174	A34
749751.9	6351903	A35
749465.2	6351478	A38
749242.9	6351107	A43
747298.4	6351105	A44
748805.1	6350872	A47
746971.7	6350212	A52
744607.1	6345442	A87
744562.6	6345251	A89
744469.3	6344920	A94
744267	6344662	A95
743867	6344045	A100
743293.6	6343722	A102
743862.5	6343758	A103
743615.9	6343396	A104
743624.8	6343149	A105
743544.7	6342873	A106

Appendix G

Biodiversity Offset site

