

Modification of Minister's Consent

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September, 2011, I approve the modification of the development consent referred to in schedule 1, subject to the conditions in schedule 2.



Director
Infrastructure Projects

Sydney

20 June

2014

SCHEDULE 1

Development Consent:

DA 241/04 granted by the Land and Environment Court on 23 February 2007 and modified on 20 April 2009, 18 June 2013 and 6 November 2013.

For the following:

The construction and operation of a wind farm and associated infrastructure known as the Taralga Wind Farm.

Modification (mod 6):

Modification of the proposed heavy vehicle transport route to include a route for oversize heavy construction vehicles, and some other construction vehicles where necessary, that passes through Goulburn via the:

- Hume Highway and right onto Garroorigang Road,
- Garroorigang Road and left onto Sloane Street;
- Sloane Street on to Grafton Street; and
- Grafton Street on to Reynolds Street until the intersection of Lagoon and Union Streets.

SCHEDULE 2

CONDITIONS

1. Insert definition after the definition referring to SCA with the following:

SecretarySecretary of the NSW Department of Planning and Environment, or delegate
2. Insert definition after the definition referring to RFS with the following:

RMSRoads and Maritime Services
3. Delete condition 3 and replace with the following:

SCOPE OF DEVELOPMENT

3. The Applicant must carry out the development generally in accordance with the following documents:
 - (a) Development Application No. DA-241 104; lodged with Upper Lachlan Council on 10 November 2004;
 - (b) *Taralga Wind Farm Environmental Impact Statement* (two volumes) prepared by Geolyse, dated November 2004;
 - (c) *Proposed Taralga Wind Farm: Response to the Department Questions*, RES Southern Cross, dated 28 January 2005, 4 February 2005, 28 February 2005, 11 March 2005;
 - (d) *Proposed Taralga Wind Farm: Response to RTA Questions*, RES Southern Cross, dated 31 January 2005;
 - (e) *Proposed Taralga Wind Farm: Response to Questions from Department of Lands*, RES Southern Cross, dated 25 January 2005;
 - (f) *Proposed Taralga Wind Farm: Response to DEC Questions*, RES Southern Cross, dated 24 January 2005, 17 February 2005, 3 March 2005, 15 March 2005;
 - (g) *Proposed Taralga Wind Farm: Amendment to Development Application*, RES Southern Cross, dated 1 March 2005;
 - (h) *Proposed Taralga Wind Farm: Additional Information on Amendment to Development Application*, RES Southern Cross, dated 15 March 2005, 21 March 2005;
 - (i) Modification Application lodged with the NSW Land and Environment Court on 30 November 2007 and accompanied by a report prepared by the Applicant titled *Taralga Wind Farm Project: Application for Modification of Development Consent DA 241/04 granted by the NSW Land and Environment Court 23rd February 2007 pursuant to section 96(8) of the EP&A Act* and dated 30 November 2007;
 - (j) *Taralga Wind Farm Project: Application for Modification of Development Consent DA 241/04 granted by the NSW Land and Environment Court 23rd February 2007 pursuant to section 96(8) of the EP&A Act, Supporting information for hazard lighting and noise assessment*, RES Southern Cross, dated 13 March 2008;
 - (k) Amended application filed by the Applicant in Court on 7 August 2008;
 - (l) *Taralga Wind Farm Modification Application* dated 7 November 2012;
 - (m) *Application for Modification of Development Consent DA241/04 granted on 23 February 2007 for Taralga Wind Farm pursuant to Section 75W of the Environmental Planning and Assessment Act* dated 30 August 2013;
 - (n) *Application for Modification of Development Consent DA241/04 granted on 23 February 2007 for Taralga Wind Farm pursuant to Section 75W of the Environmental Planning & Assessment Act (Mod 4) Meteorological Masts* dated 30 August 2013;
 - (o) Response to Submissions contained in letter dated 15 October 2013 for Modification 3 Application for Relocation of Construction Compound;
 - (p) Response to Submissions contained in letter dated 21 October 2013 for Modification 4 Meteorological Masts;
 - (q) *Section 75W Application for Modification of Development Consent DA/241/04 Modification 6 – Transport Route through Goulburn* dated February 2014 and

- accompanied by a report titled *Taralga Wind Farm Stage 3 – Traffic and Noise Assessment of New Vehicle Route Through Goulburn* dated March 2014;
- (r) *Taralga Wind Farm: Response to Department's Questions for Modification 6* from Proponent dated 14 May 2014; and
 - (s) the Conditions of this Consent

If there is any inconsistency between the Conditions of this Consent and a document listed above, the Conditions of this Consent must prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the Conditions of this Consent) then the most recent document must prevail to the extent of the inconsistency.

4. Delete Condition 30 and replace with the following:

30. A Community Information Plan must be prepared prior to the commencement of Construction. The CIP must set out the community communications and consultation processes to be undertaken during the construction period of the development. The Plan must include but not be limited to:
- (a) procedures to inform the local community of planned investigations and construction activities, including planned construction activities outside standard construction hours;
 - (b) procedures to inform the relevant community of construction traffic routes and any likely disruptions to traffic flows and amenity impacts;
 - (c) procedures to consult with local landowners in regards to construction traffic to ensure safety of livestock and limited disruption to livestock movements;
 - (d) procedures to inform and consult with impacted residences subject to the Off-Site Landscape Plan;
 - (e) procedures to inform and consult with impacted residences subject to review potential impacts on television and radio transmission; and
 - (f) procedures to inform and consult with schools located along construction traffic transport routes to ensure safety of staff, children and other users, and to minimise disruptions caused by the likely impacts to traffic flows and audible noise. St Joseph's Primary School, Goulburn North Public School and other affected schools are to be consulted before the transport route is used for oversize heavy vehicles.

The CIP must be made publicly available prior to commencement of construction.

5. Delete Condition 38 and replace with the following:

38. As part of the CEMP for the development, the Applicant must prepare and implement a Construction Noise and Vibration Management Sub Plan. The Plan must include, but not be limited to:
- (a) details of construction activities, including timing, duration and predicted noise levels (including likely consistency with the [Department of Environment and Climate Change NSW Interim Construction Noise Guidelines](#);
 - (b) best management practices to minimise noise resulting from construction activities;
 - (c) reasonable and feasible noise mitigation measures including consideration of the need for structural measures such as acoustic shielding;

- (d) compliance monitoring methods and program;
- (e) examination of construction traffic noise impacts to dwellings situated close to local roads east of Taralga including reasonable and feasible methods of mitigating any adverse impacts;
- (f) community consultation and a community information program to inform residents when they are likely to be affected by construction noise. This must include consideration of traffic noise impacts. In particular, residences adjoining site access routes east of Taralga Road must be notified in writing at least two weeks in advance of concrete pour activities and the details of such activities;
- (g) community consultation and a community information program to inform schools when they are likely to be affected by construction noise. This must include consideration of traffic noise impacts. In particular, schools adjoining transport routes through Goulburn Mulwaree Council and Upper Lachlan Shire Council local government areas must be notified in writing at least one week in advance of scheduled oversize heavy vehicle movements along these routes;
- (h) a complaints handling and complaints monitoring program, including details of a contact person to follow up complaints; and
- (i) contingency measures to deal with incidents when noise complaints have been received, including feedback on appropriate noise amelioration processes put in place in response to complaints and the timeframe for the introduction of these measures. The feedback must be provided to the complainant.

6. Delete Condition 58 and replace with the following:

58. As part of the CEMP, a Construction Traffic Management Plan must be prepared in consultation with Upper Lachlan Council, [Goulburn Mulwaree Council](#), the RTA and NSW Police, to manage traffic related issues associated with the development during construction. The Plan must identify:
- (a) designated transport routes for heavy vehicles to the site associated with the development;
 - (b) heavy vehicles movements at the junction of Lagoon Street (MR676) and Union Street (MR256), including a demonstration that junction accommodates turning movements in accordance with AUSTROADS standards;
 - (c) details of procedures to minimise traffic disruption;
 - (d) procedures to minimise disturbance from traffic noise, particularly during night periods;
 - (e) procedures to manage construction traffic to ensure the safety of:
 - (i) Livestock and limit disruption to livestock movement;
 - (ii) School children and limit disruption to school bus timetables;
 - (f) a community information program to inform the community of traffic disruptions resulting from the construction program;
 - (g) a community information program to inform all schools along the transport routes of traffic disruptions resulting from the construction program;

- (h) Traffic Control Plans to be produced as part of the Construction Traffic Management Plan process and these are to be approved by Goulburn Mulwaree Council and Upper Lachlan Shire Council for all roads within the Councils' Local Government Area;
- (i) A code of practice for heavy vehicle drivers to be implemented, including a speed limit of 80km/h on all local rural roads; and
- (j) details of complaints management procedures for traffic impacts.

7. Delete Condition 59 and replace with the following:

- 59. Should any vehicle accessing the site during Construction or Operation of the development exceed the road limit for length or mass on any road, the Applicant must apply for Specific Oversizes/Over Mass Permit from the RMS and must abide by any conditions listed within the permit. The Applicant must arrange, at its expense, a police escort for any vehicles with a width that exceed 5.9 metres and or a length that exceeds 39.9 metres to the requirements of the Goulburn Local Area Command Police.

8. Delete Condition 61 and replace with the following:

- 61. A Section 138 Approval from Upper Lachlan Shire Council or Goulburn Mulwaree Council with RTA concurrence within the Classified Road reserve must be obtained.

9. Delete Condition 62 and replace with the following:

- 62. All large construction vehicles associated with the development must utilise the transport routes identified in figure 5.16 of the EIS or Figure 2 of the *Section 75W Application for Modification of Development Consent DA/241/04, Modification Request for the Taralga Wind Farm* submitted by Taralga Wind Farm Pty Ltd dated February 2014. All oversize heavy construction vehicles shall only use the route identified in Figure 2 of that Modification Request.

10. Delete Condition 64 and replace with the following:

- 64. Prior to the commencement of Construction, the Applicant must undertake a 'before' road dilapidation report utilising the ARRB (Australian Road Research Board Limited) 'laser car', to assess the existing condition of Garroorigang Road, Sloane Street, Grafton Street, Reynolds Street, Taralga Road (MR256), Bannaby Road and Old Showground Road. The report is required for the respective lengths of road that are to be utilised for heavy vehicle access. It must be undertaken in consultation with Upper Lachlan Council's and Goulburn Mulwaree Council's Director of Works as applicable.

11. Delete Condition 65 and replace with the following:

- 65. Following completion of Construction, and prior to the commencement of Operation, an 'after' road dilapidation report utilising the ARRB 'laser car' and road video images (i.e. RMS "gypsy" cam car) must be prepared in consultation with Upper Lachlan Council and Goulburn Mulwaree Council, as applicable, to determine the works required by the Applicant to restore the road to at least its pre-development condition.

12. Delete Condition 66 and replace with the following:

66. The Applicant must restore the roads to a standard not less than recorded in the initial dilapidation report, unless the damage can be reasonably attributed to influences other than the development. The Applicant must restore the roads to at least their pre-development condition, unless otherwise agreed by Upper Lachlan Council and Goulburn Mulwaree Council, as applicable. All surface and other visible defects shall be repaired to the appropriate AUSPEC standards and to the satisfaction of the Director of Works, or equivalent, of Goulburn Mulwaree Council and Upper Lachlan Shire Council at the completion of works. Weekly inspections are to be undertaken by the Applicant and repairs made within seven days of issues being identified.