



Ms Nicole Brewer
Director, Energy Assessments
Department of Planning, Industry and Environment
L16, 4 Parramatta Square, Parramatta, Sydney NSW

23 April 2020

Dear Nicole,

**Approved Rye Park Wind Farm
State Significant Development Consent SSD 6693
Proposed Modification 1
Submission of Modification Report**

We refer to:

- State Significant Development Consent SSD 6693 granted for the Rye Park Wind Farm (**Project**) on 22 May 2017 (**Rye Park SSD Consent**);
- Our letter of intent dated 7 November 2019 regarding our proposed application to modify the Rye Park SSD Consent; and
- Our letter dated 29 January 2020 regarding our request for designation as State significant development on land with multiple owners.

Following previous communications regarding the Proposed Modifications to the Rye Park Wind Farm project, we are pleased to submit a formal application to modify Development Consent, including:

- Removal of 12 wind turbines
- Increase to the wind turbine envelope
- Revisions to the Development Corridor
- Selection of a Preferred Transport Route

As the owner of the Rye Park Wind Farm, Rye Park Renewable Energy Pty Ltd (the Applicant) has prepared the Modification Application, including a supporting providing the context, justification and detailed assessment on the Proposed Modifications.

Letter of Intent

On 7 November 2019, a letter of intent to lodge a Modification Application was provided to the Department of Planning, Industry and Environment (the Department). The letter outlined the proposed changes to the Development Consent, the level of assessment and the legislative context for the Modification Application. The letter noted that the proposed changes would be substantially the same development as that which was originally approved.

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It is noted that there are several changes between the letter of intent and the Modification Application. The indicative turbine rotor diameter used for the purpose of the specialist assessments in the Modification Application is proposed to be 170m rather than the 165m in the letter of intent. Therefore, the minimum blade ground clearance has decreased and rotor swept area has increased.

The letter of intent also stated that maximum clearance for Box Gum Woodland EEC would need to be updated however following the results of the Biodiversity Development Assessment Report this clearance threshold no longer needs to be modified. As stated in the letter of intent the Operational Bird and Bat Assessment was undertaken by Nature Advisory however following the findings of the peer review a new Operational Bird and Bat Assessment has been prepared by Umwelt and presented as part of this Modification Application.

State Significant Development

On 29 January 2020, a letter was sent to the Department requesting that the modification be designated by the Planning Secretary as "State significant development on land with multiple owners" for the purposes of clause 49(5) of the Environmental Planning and Assessment Regulation 2000 (NSW) (EP&A Regulation).

This request has been progressed concurrently with this Modification Application due to the high number of involved landowners. The Modified Project relates to 217 different land parcels which are owned by 58 separate individuals and entities. The Schedule of Land is listed in Annexure A of the letter to the Department and included as Appendix A of this application.

Application Fee

Under Environment Planning and Assessment Regulations 2000, Part 15, Division 1AA Fees for State significant development and State significant infrastructure, clause 256M

(4) The maximum fee in any other case is whichever is the greater of:

(a) 50% of the fee paid for the application or request in respect of the development or infrastructure that is proposed to be modified, or

(b) \$5,000.

The previous lodgement fee for the assessment of Rye Park wind farm as SSD through Part 4 of EP&A Act was \$380,000. The Applicant kindly requests a reduction in the lodgement fee for this modification in line with other wind farm modification applications in NSW.

Considering the benefits of the Modified Project, the findings of environmental assessment and the implementation of the existing and additional mitigation strategies it is recommended that the proposed modification can be approved without significant impact to the environment.

We look forward to working with the Department as this Modification Application is assessed and will be happy to provide any further information as required.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Marita Giles".

Marita Giles
Senior Environment and Development Advisor

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