

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD-6693-Mod-2 (Rye Park Wind Farm-Mod-2)
Applicant	Tilt Renewables Australia Pty Ltd
Consent Authority	Minister for Planning

Decision

The Director under delegation from the Minister for Planning has, under 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject conditions.

A copy of the instrument of modification and conditions is available [here](#).

A copy of the Department of Planning and Environment's assessment report is available [here](#).

Date of decision

23/09/2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- the considerations under s 7.14(2) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted with the modification application during the assessment and information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report;
- the submissions made concerning the modification; and
- the views of the community about the project.

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the modification is of minimal environmental impact and that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the modification is permissible with consent, and is consistent with NSW Government policies including the NSW Climate Change Policy Framework (2016) and NSW Electricity Strategy (2019)
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards.
- the issues raised by the community and Councils during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The department exhibited the modification from 27 July 2022 until 8 August 2022 (14 days) and received one objection from a resident living within 10 kilometres of the project site.

The key issues raised by the community and considered in the department's assessment report and by the decision maker include biodiversity impacts and impacts to the road network. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Biodiversity impacts</i> <ul style="list-style-type: none">one resident considered that the modification would result in additional biodiversity impacts	<i>Assessment</i> <ul style="list-style-type: none">The Department has determined that the modification would result in a net reduction in biodiversity impacts. <i>Conditions</i> <ul style="list-style-type: none">Conditions include the addition of Schedule 3, Condition 21A to capture biodiversity offset requirements for the modified biodiversity impacts.
<i>Traffic</i> <ul style="list-style-type: none">one resident was concerned about the modification resulting in 2 additional access points and impacts of heavy vehicles on roads (traffic impacts and condition of bitumen)	<i>Assessment</i> <ul style="list-style-type: none">The Department notes that the modification does not seek to alter approved access points and any potential impacts to local traffic congestion or road surfaces can be managed as per the approved Traffic Management Plan.