

**NOTICE OF AMENDMENT OF A DEVELOPMENT CONSENT GRANTED UNDER
SECTION 80 PURSUANT TO SECTION 96(2) OF THE ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

I, Chris Wilson, Executive Director, Major DA Assessments, as delegate of the Minister for Planning, as described by the Instrument of Delegation dated 4 March 2009, pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979* ("the Act"), modify the development consent referred to in Schedule 1 in the manner set out in Schedule 2.



Executive Director
Major DA Assessments
As delegate of the Minister for Planning

Sydney, 29 June 2009

File No. 9036244
(176-8-2004-MOD1)

SCHEDULE 1

Development consent: Granted by the Minister for Infrastructure and Planning on 10 June 2005.

In respect of: Development application DA 176-8-2004-i made by Gamesa Crookwell Pty Ltd and Crookwell Development Pty Ltd, in relation to land being Lot 221 DP 1013964, Part Portions 6, 9, 137 DP 750042, Portions 7, 8, 13 DP 750042, Lot 249 DP 438523, Lot 1 DP 79580, Lots 44, 45 Conveyance No. 778, Book 2472, Lot 2 DP 1000305, Lot 28 DP 252214, Lot 2 DP 865814, Lot 1 DP 865813, Lots 91, 140, 214 DP 750042, Lot 41 DP 999621, Lots 1, 2, 3 DP 1087717, Lot 2 DP 1091383, Lot 1 DP 965855, Part Lot 1 DP 750054 and Right of Carriageway over Lot 18, DP 252214 Conveyance No. 622, Book 3377, within the Upper Lachlan local government area.

For the following: Construction and operation of a wind farm consisting of 55 x 2MW turbines and associated infrastructure, as described in the Crookwell II Wind Farm Environmental Impact Statement (three volumes) prepared by URS, dated July 2004.

Note: The conditions of development consent reduced the number of turbines to a maximum of 50. Of these 50 turbines, 4 will require further development consents before they may be constructed.

Modification Application: Modification of the development consent to allow the installation of taller and larger turbines, the relocation up to 20 turbines, the obstacle lighting of up to 23 turbines, the alteration of site access points and internal roads, the

revision of construction noise limits and road upgrade conditions to reflect these changes, and the replacement of references to the DECC in noise-related conditions to the Director-General, Department of Planning.

SCHEDULE 2

The development consent is modified by:

1) replacing existing condition 2(p) with a new condition 2(p) as follows:

- 2 (p) Modification Application 176-8-2004-MOD1 including *Crookwell II Wind Farm Part 1 – Statement of Environmental Effects* and *Crookwell II Wind Farm Part 2 – Appendices* prepared by Tract Consultants, dated January 2009 and *Response to Submissions Received* prepared by Tract Consultants, dated April 2009; and

2) inserting condition 2(q) as follows:

- 2 (q) Conditions of this Consent.

3) replacing existing condition 19 as follows:

- 19 The Applicant must undertake all monitoring, including recording and reporting of monitoring results, as required under this consent.

4) replacing existing condition 20 as follows:

- 20 The results of any monitoring required under this consent must be recorded and maintained, as set out below. All records must be:
- (a) in a legible form, or in a form which can be readily reduced to a legible form;
 - (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - (c) produced in a legible form to any authorised officer of the Department who asks to see them.

5) replacing existing condition 21 as follows:

- 21 The following records must be kept in respect of any samples required to be collected:
- (a) the date(s) on which the sample was taken;
 - (b) the time(s) at which the sample was taken;
 - (c) the location at which the sample was taken; and
 - (d) the name of the person who collected the sample.

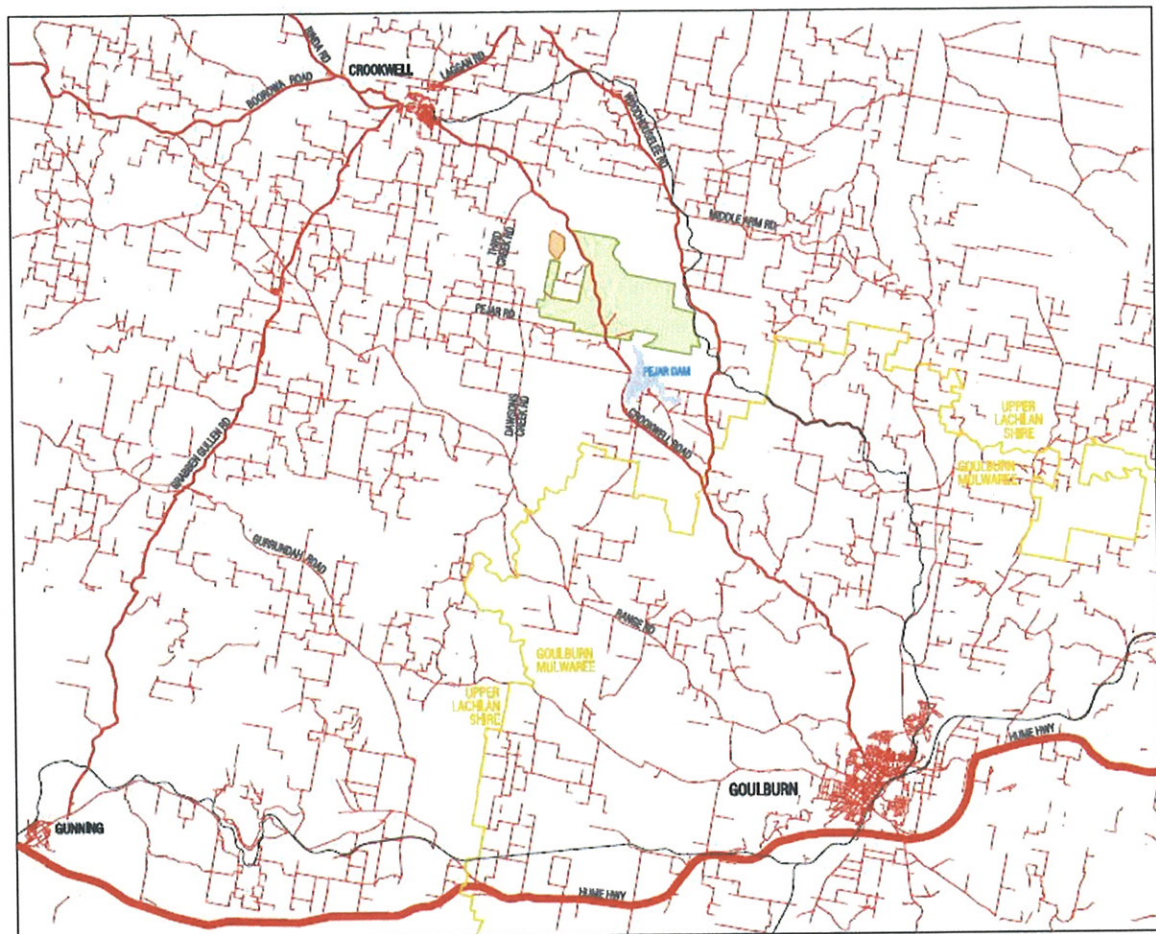
6) deleting condition 24.

7) replacing existing condition 38 as follows:

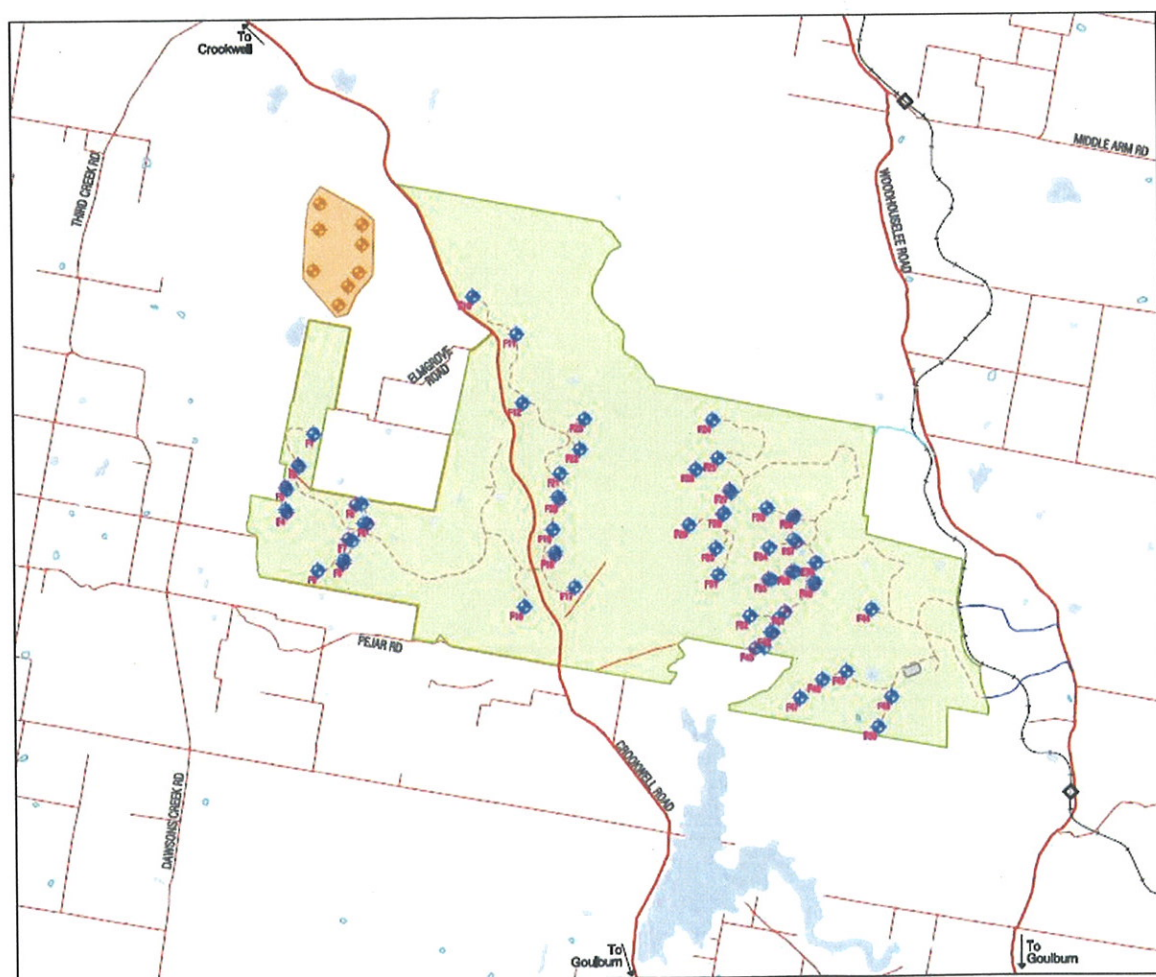
- 38 The wind turbines and associated infrastructure must not be lit at night, except for obstacle lighting and low level security lighting. In the event that obstacle lighting is to be installed at the site, the Applicant shall ensure that the lighting:
- (a) is installed on no more than 23 turbines;
 - (b) is shielded to restrict the downward component of light such that no more than 5% of the nominal intensity is emitted between 5-10° below the horizontal and no light is emitted below 10° below the horizontal;
 - (c) is consistent with the requirements of the *CASA Manual of Standards Part 139 – Aerodromes* (as they relate to medium intensity lights) or any CASA manual or standard which supersedes this document; and
 - (d) is consistent with any other requirements notified to the Proponent in writing from the CASA.

At least one week prior to the commencement of operation of the obstacle lighting, the Proponent shall provide written evidence to the Director-General that the terms of this condition have been met. Similar evidence supporting any subsequent changes to the obstacle lighting configuration shall also be provided to the Director-General at least one week prior to the commencement of operation of the changed configuration.

- 8) replacing reference to 'DEC' in condition 40 with 'Director-General'.
- 9) replacing existing condition 42 as follows:
 - 42 The Applicant is to provide reasonable and feasible noise mitigation measures at the residences named as at the date of this Consent as 'Hillview' and 'Rocky Corner' during the construction period, to reduce noise from the construction vehicles. The noise mitigation measures must be provided, prior to the commencement of construction on the eastern side of the Wollondilly River, as agreed with by the owners of these dwellings. If an agreement between the Applicant and land owner(s) is unable to be reached, a report outlining proposed mitigation measures and the consultation process, is to be forwarded to the Director General for review and determination, prior to the commencement of construction on the eastern side of the Wollondilly River.
- 10) replacing reference to 'DEC' in condition 47 with 'Director-General'.
- 11) replacing reference to 'DEC' in condition 48 with 'Director-General'.
- 12) replacing reference to 'DEC' in condition 49 with 'Director-General'.
- 13) replacing existing condition 51(a) as follows:
 - 51 (a) exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts; and
- 14) replacing reference to 'DEC' in condition 53 with 'Director-General'.



- Subject Site
- Existing Wind Farm (Crookwell I)
- Hume Highway
- Primary Road
- Other Road
- Municipal Boundary
- Rail Line



- Subject Site
- Major Road
- Secondary Road
- Access Track (Proposed)
- Access Road (Proposed)
- Access Road (Approved)
- Rail Line
- Existing Turbine (Crookwell)
- Proposed Turbine
- Approved Turbine
- Proposed Substation