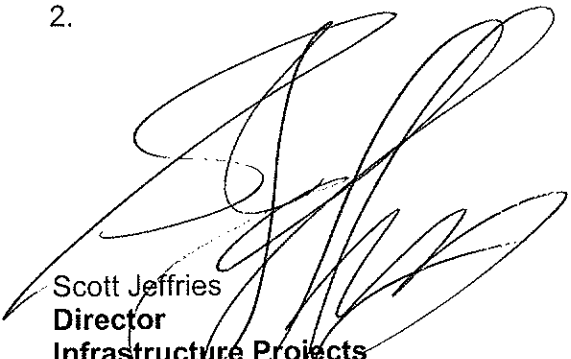


Modification Approval

Section 96(2) of the *Environmental Planning and Assessment Act 1979*

I, the Director of Infrastructure Projects, Major Project Assessments Division of the Department of Planning, in accordance with the Instrument of Delegation issued by the Minister for Planning, on 25 January 2010, pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979*, modify the development consent referred to in Schedule 1 in the manner set out in Schedule 2.



Scott Jeffries
Director
Infrastructure Projects
As delegate for the Minister for Planning

Sydney

12 May 2010

File No: 9036677

SCHEDULE 1

- Development consent:** granted by the Minister for Planning on 4 October 2005.
- For the following:** The construction and operation of a wind farm and associated infrastructure known as Woodlawn Wind Farm Project.
- Modification Application:** Modification of the development consent to:
- reduce the number of turbines from 25 to 20 and increase the hub height to 80 metres for all turbines;
 - change the location of some turbines within the original turbine envelope;
 - change the turbine type from Vestas V80, 2-megawatt turbines to Suzlon S88, 2.1-megawatt turbines;
 - increase turbine blade length from 40 metres to up to 44 metres;
 - select an off-white colour for the turbines rather than the light grey option;
 - reduce the wind farm capacity from 50 megawatts to 42 megawatts;
 - install generator transformers at the base of the each turbine;
 - upgrade the intra wind farm collection circuit from 22kV to 33kV;
 - construct a 12-kilometre 33kV overhead transmission line from the Woodlawn Wind Farm to the Capital Wind Farm substation, negating the need for a substation at the project site and an overhead 66 kV electricity transmission line connecting the output of the substation to an existing 66 kV transmission line;
 - install a third 33kV/330kV transformer at Capital Wind Farm substation;

- strengthen the Capital Wind Farm substation access road causeway to allow access for the new transformer;
 - relocate the site office and temporary storage area;
 - install two temporary (prior to construction) and two permanent 80 metre meteorological monitoring masts;
 - use an existing gravel borrow pit adjacent to Turbine 17, to source gravel for on-site access tracks;
 - increase the width of access tracks from 6 metres to 10 metres; and
 - remove wind turbine lighting requirements, unless otherwise agreed by the Director-General or required by CASA.
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SCHEDULE 2

The development consent is modified by:

1. Replacing the description of land to which the development consent applies in Schedule 1 with the following:

Lot	Deposited Plan
92	754919
91	754919
14	754919
94	754919
7002	1029514
21	754919
89	754919
27	754919
2	114586
3	114586
55	754919
28	754919
29	754919
2	1020242
2	714090
48	754877
B	370961
18	535179
2	1140319
1	1140319

2. Replacing the definitions of "Applicant" and "Relevant Government Agencies" in Schedule 2 with the following:

Applicant	Woodlawn Wind Pty Ltd
Relevant Government Agencies	Department of Environment, Climate Change and Water; NSW Office of Water; Department of Industry and Investment; Land and Property Management Authority; and the Sydney Catchment Authority.

3. Adding the following definitions to Schedule 2:

SEE	<i>Statement of Environmental Effects – Woodlawn Wind Farm Modification</i> , prepared by Woodlawn Wind Pty Ltd and dated January 2010
Substation	Augmented substation at Capital Wind Farm, as described in section 7.7.2 of the SEE

4. Replacing existing condition 2(i) with the following:

- (i) Application to Modify a Development Consent, DA-250-10-2004 MOD1, accompanied by *Statement of Environmental Effects – Woodlawn Wind Farm Modification*, prepared by Woodlawn Wind Pty Ltd and dated January 2010; and
- (j) the conditions of this consent.

5. Inserting a new condition 3A immediately after existing condition 3 as follows:

3A Prior to the commencement of construction of the development, the Applicant shall consult with the Roads and Traffic Authority, and where required obtain a permit for the use of oversized or over-mass vehicles required for the development.

6. Replacing existing condition 17(b) with new condition 17(b) as follows:

(b) compare the operation impact predictions made in the SEE and documents identified under condition 2;

7. Deleting existing condition 18.

8. Replacing the last sentence of existing condition 19 with the following:

Any work undertaken outside the specified construction hours, other than those specified in (a) to (c) of this condition, shall not be undertaken without the prior consent of the Director-General.

9. Replacing existing condition 22(b) with new condition 22(b) as follows:

(b) at such other times or frequencies as may be approved by the Director-General.

10. Replacing the words “in consultation with Goulburn Mulwaree Council¹¹, the RTA and NSW Police” in existing condition 28 with the following:

in consultation with Goulburn Mulwaree Council¹¹, the RTA, the NSW Police and the Land and Property Management Authority.

11. Replacing existing condition 28(a) with new condition 28(a) as follows:

include the mitigation measures outlined in section 14.6 of the EIS and section 10.6 of the SEE;

12. Replacing existing condition 29(a) with new condition 29(a) as follows:

(a) plans showing terrestrial vegetation communities, important flora and fauna habitat areas, locations where threatened species, populations or ecological communities were recorded, and areas to be cleared. The plans shall also identify vegetation adjoining the development where this contains important habitat areas and/ or threatened species, populations or ecological communities, and shall quantify the area of vegetation to be removed as part of the development;

13. Inserting a new condition 29(d)(vi) immediately after existing condition 29(d)(v) as follows:

(vi) section 7 of Appendix E – Flora and Fauna of the SEE, and section 8.6 of the main body of the SEE.

14. Replacing existing condition 30(d) with new condition 30(d) as follows:

(d) where relevant, be consistent with the Department of Housing’s guideline *Managing Urban Stormwater – Soils and Construction*, the RTA’s *Guidelines for the Control of Erosion and Sedimentation in Roadworks*, the DIPNR’s *Constructed Wetlands Manual*, Landcom’s *Soils and Construction – Managing Urban Stormwater* (2004), *Practice Manual for Rural Sealed and Unsealed Roads* (ARRB Transport Research Ltd 2002), *Road Runoff & Drainage: Environmental Impacts and Management Options* (Austroads

15. Replacing existing condition 32 with new condition 32 as follows:

- 32 Prior to the commencement of construction of the development, the Applicant shall consult with the NSW Office of Water for the purpose of ensuring relevant licences and/or permits have been obtained for the crossing of watercourses and for the excavation of material that is in close proximity to waterbodies.

16. Inserting new condition 32A immediately after new condition 32 as follows:

- 32A A *Construction Noise Management Sub Plan* shall be prepared as part of the CEMP. The sub plan shall include:
- (a) the management of noise impacts during construction of the Transmission Line and to identify all feasible and reasonable noise mitigation measures where appropriate. The Plan shall include, but not necessarily be limited to:
 - i a review of the assumptions made in section 7.8.2 of the SEE to the determined calculated noise levels for the construction of the transmission line;
 - ii details of the measures to avoid and/or mitigate the actual noise levels; and
 - iii details of the consultation process for noise mitigation measures with any affected residences; and
 - (b) provide details of the scheduling and management of construction works outside the hours specified under condition 19, where relevant, including:
 - i identification of construction works and construction areas for which construction noise will be audible or inaudible at respective residential and sensitive receivers; and
 - ii for construction works identified as audible at residential and sensitive receivers, provisions for consultation with affected receivers with respect to any construction works outside the hours specified under condition 19, including provisions for the establishment of negotiated agreements with those receivers for out-of-hours works.

17. Replacing existing condition 45 with new condition 45 as follows:

- 45 The Applicant shall keep a legible record of all complaints received in an up-to-date Complaints Register. The Complaints Register must record, but not necessarily be limited to:
- (a) the date and time, where relevant, of the complaint;
 - (b) the means by which the complaint was made (telephone, mail or e-mail);
 - (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the Director-General upon request. The record of a complaint must be kept for at least four years after the complaint was made.

18. Inserting new condition 49A immediately after existing condition 49 as follows:

The Applicant shall design, construction, operate and maintain the substation for the development (to also service the Capital Wind Farm) so that the operation of the substation does not exceed a noise contribution of 35 dB(A) (measured as an $L_{Aeq}(15\text{-minute})$) at any residential receiver.

19. Replacing existing condition 53 with new condition 53 as follows:

- 53 Prior to the commissioning of wind turbines as part of the development, the Applicant shall prepare and submit for the approval of the Director-General a *Noise Compliance Assessment Plan*. The *Noise Compliance Assessment Plan* shall outline how the Noise Compliance Assessment, as described in conditions 54 and 55, will be undertaken.

20. Replacing existing condition 54(b) with new condition 54(b) as follows:

- (b) a requirement that all noise compliance monitoring results are to be submitted to the Director-General within one month of completion of the monitoring. The Director-General may request that additional noise compliance monitoring be undertaken and completed within a timeframe defined by the Director-General.

21. Replacing existing condition 57 with new condition 57 as follows:

- 57 A *Cultural Heritage Management Sub Plan* shall be prepared as part of the CEMP. The sub plan shall incorporate the mitigation measures identified in Section 8.0 of the report entitled *Archaeological Sub-surface Testing of the Proposed Woodlawn Wind Farm, Tarago, New South Wales*, dated July 2005, and section 10.2 of Appendix F of the SEE. The sub plan shall also provide an outline of existing measures (including existing permits) that address the management of cultural heritage sites within the wind turbine layout area. Should additional management measures be determined to be required, the *Cultural Heritage Management Sub Plan* shall detail such measures.

22. Inserting a new heading and new condition 60A immediately after existing condition 60 as follows:

Construction of Access Tracks

- 60A The Applicant shall provide details on the volumes or quantities of material to be excavated from the existing borrow pit to be used to source gravel for the construction of access tracks. The Applicant shall identify the associated impacts resulting from the use of the gravel pit and the management measures for these impacts, including impacts on water quality. This information shall be included in the Construction Environmental Management Plan required under this consent.

23. Inserting a new heading and new condition 67A immediately after existing condition 67 as follows:

Blade Glint – Risk to Motorists

- 67A As part of the Construction Environmental Management Plan required under this consent, the Applicant shall include a review of the colour specifications of the turbines, to ensure turbine blades do not pose a safety risk to drivers that use the roads within the district of the project site. The review shall determine whether the colour specifications can minimise blade glint (such as use of non-reflective colour) and whether any additional measures may be required to manage occurrences of blade glint, such as public signage for road user awareness.

24. Inserting a new heading and new condition 71A immediately after existing condition 71 as follows:

Exploration Mining

- 71A Prior to the commencement of construction of the development, the Applicant shall consult with Industry & Investment NSW, the holder of Exploration Licence 7257 and other relevant holders of exploration and mining titles that may be affected by the project to identify and address any potential for impact on access to land for exploration

and mining activities and any sterilisation of mineral resources within the development area.

25. Replacing existing condition 73(c) with new condition 73(c) as follows:

- (c) waste handling and storage. There shall be no on-site wastewater management system associated with the operation of the project.
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