

# Modification of Minister's Approval

## Section 75W 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 75W of the *Environmental Planning and Assessment Act 1979* determine the modification to the approval 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 27 May 2010

File No: 9041055  
05\_0170 MOD 2

### SCHEDULE 1

<b>Project Approval:</b>	granted by the Minister for Planning on 31 May 2007 (Application No. 05_0170)
<b>For the following:</b>	The construction and operation of a 30 megawatt (MW) wind farm
<b>Modification:</b>	modification of the approval to extend the approval lapse date for the project.
<b>Major Project:</b>	The proposal is classified as a Major Project under section 75B(1)(a) of the <i>Environmental Planning and Assessment Act 1979</i> , because it is a development of a kind described in clause 24 of Schedule 1 to <i>State Environmental Planning Policy (Major Development) 2005</i>

## **SCHEDULE 2**

1. Delete conditions 1.2 and 1.3 and replace with the following:

### **Scope of the Project**

1.2 The Proponent must carry out the project generally in accordance with:

- (a) *Environmental Assessment: Proposed Development of a Wind Farm at Conroys Gap, NSW, Volumes 1 and 2*, dated July 2006, prepared by ngh environmental;
- (b) the Statement of Commitments outlined in Attachment 3 of Volume 2 of the EA;
- (c) Submissions Report;
- (d) modification application 05\_0170 Mod 1;
- (e) modification application 05\_0170 Mod 2; and
- (f) the conditions of this approval.

1.3 In the event of an inconsistency between:

- (a) the conditions of this approval and any document listed from conditions 0(a) to 0(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- (b) any documents listed above (other than the conditions of this approval), then the most recent document shall prevail to the extent of the inconsistency.

2. Delete condition 1.6 and replace with the following:

### **Lapsing of Approval**

1.6 This approval lapses four (4) years after the date of this approval unless the Proponent has demonstrated to the satisfaction of the Director-General that either orders have been placed for wind turbine generators, or that work on at least one of the matters described in parts 1(a) to 1(f), inclusive, below has been completed on the site before the date on which the approval would otherwise lapse under this condition:

- (a) internal track construction;
- (b) civil works associated with the construction of the foundations for the wind turbine footings;
- (c) control room construction;
- (d) electrical substation construction;
- (e) underground cabling; or
- (f) overhead transmission line construction within the site.