

Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



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Executive Director
Resource Assessments & Business Systems

Sydney 3 JUNE

2016

SCHEDULE 1

The project approval (MP 08_0022) for the Silverton Wind Farm, granted by the Minister for Planning on 24 May 2009.

SCHEDULE 2

1. Delete the definitions for "DECC", "Department, the", "Director-General, the", "Director-General's Approval", "Director-General's Report", "NOW", "Minister, the", "Proponent", "RMS" and insert the following in alphabetical order:

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|----------------------|---|
| Department | Department of Planning and Environment |
| DRE | Division of Resources and Energy within the NSW Department of Industry |
| DPI Lands | Department of Primary Industries Lands |
| EPA | Environment Protection Authority |
| Minister | Minister for Planning, or delegate |
| NOW | NSW Office of Water |
| OEH | Office of Environment and Heritage |
| RMS | Roads and Maritime Service |
| Secretary | The Secretary of the Department, or nominee and/or delegate |
| Secretary's Approval | A written approval from the Secretary (or delegate). Where the Secretary's Approval is required under a condition the Secretary will endeavour to provide a response within one month of receiving an approval request. The Secretary may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period. |
| Secretary's Report | The report provided to the Minister by the Secretary of the Department under section 75I of the EP&A Act. |

2. Delete all references to "Director-General" and replace with "Secretary".
3. Delete all references to "Trade & Investment – Crown Lands" and replace with "DPI Lands".
4. Delete all references to "Department of Lands" and replace with "DPI Lands".
5. Delete all references to "DECC" in Conditions 2.33, 2.44, 2.45, 5.3 and 5.6 and replace with "OEH".
6. Delete all references to "RTA" and replace with "RMS".
7. Delete all references to "DPI Mineral Resources" and replace with "DRE".
8. Delete all references to "DWE" and replace with "NOW".

9. In condition 1.1(f) of Schedule 2, following “dated December 2013” delete “and”.
10. In condition 1.1 of Schedule 2, delete “(g)”, and replace with the following:
 - (g) Letter dated 17 December 2015 from AGL to the Department of Planning and Environment, Silverton Wind Farm – Request for Extension to Lapse Date;
 - (h) Letter dated 14 April 2016 from AGL to the Department of Planning and Environment, Silverton Wind Farm (08_0022 MOD2) – Response to Submissions; and
 - (i) the conditions of this approval.
11. In condition 1.2 of Schedule 2, delete “1.1f)”, and replace with “1.1i)”.
12. Delete condition 1.5 of Schedule 2, and replace with:
 - 1.5 This approval shall lapse nine years after the date on which it is granted unless the Proponent has confirmed to the satisfaction of the Secretary that orders have been placed for wind turbines, or demonstrated that work subject of this approval has been completed on the site before that time.
13. In condition 2.77 of Schedule 2, before the words “communications licensees (including emergency services)” insert “consult with the NSW Government Telecommunications Authority and other registered”.