



25<sup>th</sup> February 2015

**Mr Neville Osborne**

NSW Department of Planning and Environment  
23-33 Bridge Street  
Sydney NSW 2000

Dear Mr Osborne,

**Flyers Creek Wind Farm - Schedule B Deferred Commencement Conditions Modification**

As discussed, Flyers Creek Wind Farm has six Deferred Commencement Conditions that are to be satisfied by 14 March 2015, to the satisfaction of the Director General. Infigen Energy wrote to the responsible planning officer providing a status of our progress towards complying with the six conditions on 10 December 2014. In addition, that letter sought confirmation that some of the conditions had been satisfied. A response to this letter has not been received to date.

The purpose of this letter is to request an extension of twelve months (to 14 March 2016) for satisfaction of the Deferred Commencement Conditions, to enable the Flyers Creek project to progress to construction.

While the Proponent considers the project has complied with four of the six deferred commencement conditions, it is very unlikely that all six conditions will be satisfied by 14 March 2015. The status of each of the six conditions of consent is provided below:

- a. **CoC B1(a).** There are three properties located outside of the Project area over which a transmission line is proposed to be installed. Access has been secured to one property. Discussions and negotiations regarding access to the remaining two properties have been in progress for many months to further understand the landowners' requirements and these talks are progressing well. However, further time is required to conclude these agreements. Infigen Energy is confident that access to the remaining two properties will be finalised within 12 months of the extension being granted.
- b. **CoC B1(b).** This condition has been satisfied.
- c. **CoC B2(a).** This condition has been satisfied.
- d. **CoC B2(b).** This assessment was commissioned in 2014. Due to scheduling and survey seasonality issues, the primary survey work was delayed. However, the survey will be undertaken within the next two weeks.
- e. **CoC B2(c).** This condition has been satisfied to the extent possible, given that the owners of Residence No. 89 have not granted consent for further monitoring to be undertaken.
- f. **CoC B2(d).** This condition has been satisfied.

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Please feel free to contact me should you have any questions or require any clarifications. I look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "David Griffin". Below the signature, there is a faint, light-colored watermark or stamp that is partially legible and appears to say "David Griffin" and "General Manager Development".

**David Griffin**  
General Manager Development