

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Mike Young  
A/Executive Director  
Resource Assessments and Business Systems

Sydney 14 SEPTEMBER 2015

### SCHEDULE 1

The Project Approval for the Flyers Creek Wind Farm (MP 08\_0252) granted by the Planning Assessment Commission of New South Wales, as delegate of the Minister for Planning and Infrastructure, on 14 March 2014.

### SCHEDULE 2

1. Delete the following text from the description of the Project in Schedule A "and transmission connection from the substation to the Essential Energy 132 kV transmission line on the Cadia Mine site to the north west of the site".
2. Delete the definitions for "Department, the", "Director-General, the", "Director-General's approval or the agreement or satisfaction of the Director-General", "NOW", "TIRIS", and insert the following in alphabetical order:

Department	Department of Planning and Environment
DPI – Water	Department of Primary Industries - Water
Secretary	Secretary of the Department, or nominee

3. Delete all references to "Director-General" and replace with "Secretary".
4. Delete all references to "NOW" and replace with "DPI – Water".
5. Delete Schedule B.
6. Delete condition C1 and replace with the following:  
  
C1 The Proponent shall carry out the Project generally in accordance with the:  
(a) Major Projects Application 08\_0252;  
(b) *Flyers Creek Wind Farm Environmental Assessment* (Aurecon May 2011);  
(c) *Flyers Creek Wind Farm - Preferred Project Report* (Infigen May 2013);  
(d) *Flyers Creek Wind Farm – Response to Submissions* (Infigen May 2013);  
(e) *Flyers Creek Wind Farm – Substation Plan* (Infigen 17 July 2015);  
(f) *Flyers Creek Wind Farm – Modification 2* (Infigen 13 August 2015);  
(g) conditions of this approval.
7. In condition C2 delete "C1(d)" wherever occurring and replace with "C1(f)".
8. Delete condition C5(a).
9. Replace the following text in condition C17(a) "B2 and C8 of schedules B and C respectively" with "C8 of schedule C".
10. Replace the following text in condition D39 "Department of Trade & Investment, Regional Infrastructure & Services (Mineral Resources section)" with "Department of Industry (Minerals and Energy Division)".

11. In condition G7 (b) delete "(as identified in the Proponent's Environmental Assessment – Appendix G1)".

12. Insert, at the end of condition G7 the following:

"For the purpose of condition G7 (b), the background noise level shall be as identified in Appendix G1 of the EA, except as otherwise identified in:

1. *Flyers Creek Wind Farm Noise Assessment – R78 Additional Background Noise Measurements* (Vipac Engineers & Scientists/Infigen Energy Developments 4 February 2015);
2. The noise monitoring report undertaken in accordance with condition G12A."

13. Insert, at the end of condition G9 ", except where otherwise determined under condition G12A."

14. Insert, after condition G12, the following new condition:

G12A. Prior to the commencement of construction, the Proponent must undertake background monitoring at receiver location 89 (as identified within the document referenced in condition C1(c)). If the agreement of the location 89 landowners cannot be obtained for this monitoring, then the background monitoring must be undertaken at 'Location A', as identified in *Flyers Creek Wind Farm Background Noise Monitoring House H89* Report prepared by Sonus Pty Ltd dated 27 July 2015. The results of this monitoring shall be used for the purpose of determining operational noise criteria under condition G7 and shall be incorporated in the Operation Noise Management Plan required under condition G21.

---