

# Modification of Minister's Approval

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

As delegate of the Minister for Planning under delegation executed on 10 November 2014, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



**Executive Director  
Resource Assessments & Business Systems**

Sydney 17 MARCH

2015

### SCHEDULE 1

The project application for the Capital Wind Farm 2 (10\_0135) granted by the Planning Assessment Commission as delegate of the Minister for Planning on 1 November 2011.

### SCHEDULE 2

1. In the footer, replace the 'Department of Planning and Infrastructure' with the 'Department of Planning and Environment'.
2. In Schedule 1 under Land: insert 'Lot 45 DP754877, Lot 1 DP1202062 and Lot 100, 101 of DP1159537' and delete 'Lot 2 of DP1140319'.
3. In Schedule 1 under Project: Delete 'up to 100 megawatts' and insert 'up to 143.5 megawatts', delete 'up to 10 kilometre' and insert 'up to 15 kilometre'.
4. Delete the following definitions: 'Act, the', 'Department, the', 'Director-General, the', 'Director-General's approval of the agreement or satisfaction of the Director-General', 'EA', 'EPA', 'Minister, the', 'RTA' and 'TIRIS'
5. Insert the following definitions in alphabetical order:

Act	<i>Environmental Planning &amp; Assessment Act 1979</i>
EPL	Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i>
OHL	Overhead Transmission Line
Department	Department of Planning and Environment
DTIRIS	NSW Department of Trade and Investment, Regional Infrastructure and Services.
EA	The environmental assessment titled <i>Capital II Wind Farm Bungendore</i> (Monteath & Powys Pty Limited, December 2010), as modified by the: <ul style="list-style-type: none"><li>• <i>Submissions Response Report Capital II Wind Farm and Preferred Project Report</i> for the project (Infigen Energy, March 2011);</li><li>• Email correspondence from Infigen Energy to the Department, dated 5, 9, 12, 17 and 20 May 2011;</li><li>• Application to modify the project approval (Mod 1), dated 16 April 2013,</li></ul>

including additional information submitted to the Department by Infigen in support of the application, dated 24 June 2013; and

- Application to modify the project approval (Mod 3), dated 9 October 2014, and further email correspondence from Infigen to the Department dated 14 January 2015

EPA	Environment Protection Authority
Minister	Minister for Planning
Non-associated receptors	Landowner that has not reached a financial or in kind agreement with the Proponent in relation to the project
Project	The project as described in the EA
Proponent	Infigen Pty Ltd, or any person who seeks to carry out the development approved under this approval
RMS	NSW Roads and Maritime Services
Secretary	Secretary of the Department of Planning and Environment (or nominee)

6. Replace all references to 'Director-General' with 'Secretary'

7. Replace all references to 'RTA' with 'RMS'

8. Replace all references to 'TIRIS' with 'DTIRIS'

9. Delete conditions A1 and A2, and replace with the following:

- A1. The Proponent shall carry out the project generally in accordance with the:
- (a) EA; and
  - (b) conditions of this approval.

*Note: The general layout of the project is shown in Appendix A.*

- A2. In the event of an inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.

10. Replace the reference to C16d) in condition B2 with C14(d).

11. Replace the reference to C14k) in condition B6 with C13(k).

12. Replace the words 'document referred to under condition A1 (c)' with 'EA' in condition B9.

13. Insert the following after condition B9:

- B9A. The Proponent shall survey the easement for the extension of the OHL (shown in pink on the figure in Appendix A) in consultation with the relevant Aboriginal groups prior to constructing the OHL, and avoid and/or minimise any impacts on Indigenous artefacts within the easement to the satisfaction of the Secretary.

14. Replace the reference to 'Primary Industries Division of TIRIS' in condition B13 with 'DTIRIS (Fisheries)'.

15. Replace the words "access track crossings of Taylors Creek or Butmaroo Creek" with "waterway crossings" in condition B14.

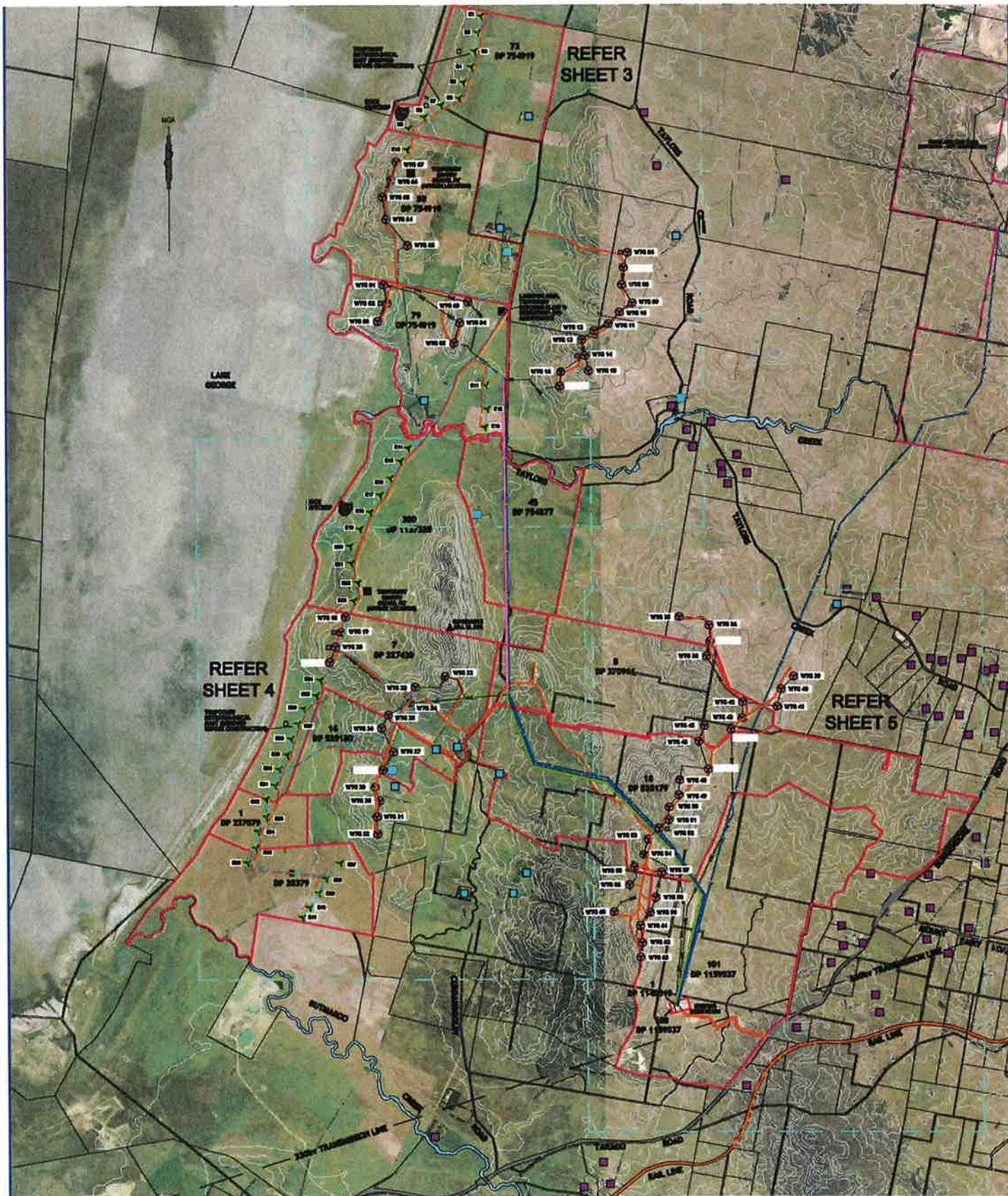
16. Replace the words "condition B9" in condition C14(e) with "conditions B9 and B9A.

17. Delete the last sentence in condition E3.

18. Insert the following on a new page at the end of Part G:

## **APPENDIX A**





- APPROVED WTS\*  
 EXISTING WTS\*  
 SUBJECT LANDS  
 EXISTING OVERHEAD TRANSMISSION LINE  
 APPROVED OVERHEAD TRANSMISSION LINE  
 PROPOSED OVERHEAD TRANSMISSION LINE  
 UNDERGROUND TRANSMISSION LINE  
 APPROVED UNDERGROUND RETICULATION CABLE  
 ACCESS ROAD  
 PROPOSED ACCESS ROAD (6m WIDE)  
 TO INCLUDE UNDERGROUND 230V RETICULATION CABLE  
 MAJOR CONTOUR  
 MAJOR CONTOUR

- PERMANENT METEOROLOGICAL MAST  
 EXISTING METEOROLOGICAL MAST  
 OBSTACLE (SULPHUR)  
 OBSTACLE (IRON SULPHUR)

\* THE LOCATION OF INFORMATION IS BASED ON REPORTS PROVIDED BY INFINGEN ENERGY. NO SURVEY WORK HAS BEEN UNDERTAKEN BY MONTEATH & POWYS IN PREPARING THIS PLAN

\* THE BOUNDARIES SHOWN ON THIS PLAN ARE BASED ON INFORMATION DERIVED FROM HAP INFO - DEPARTMENT OF LANDS - MAY 2008, AT THIS STAGE NO FIELD SURVEY HAS BEEN UNDERTAKEN TO DETERMINE THE ACCURACY OF THE BOUNDARIES AS SHOWN.

\* THE LOCATION OF TURBINES IS BASED ON CO-ORDINATES PROVIDED BY INFINGEN ENERGY.  
 \* WTS - WIND TURBINE GENERATOR

0 500 1000 1500 2000 2500m  
 REDUCTION RATIO - 1:25000 (A1)  
 REDUCTION RATIO - 1:50000 (A3)

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Survised: A1  
 Issued: A1  
 Date: 15/09/06  
 By: 10094411 07

**INFINGEN ENERGY**

MODIFICATION 3 PLAN 41 TURBINES - ANNUAL OVERVIEW  
 CAPITAL & WIND FARM  
 SANDHOLME  
 Date: 07/06/2014

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