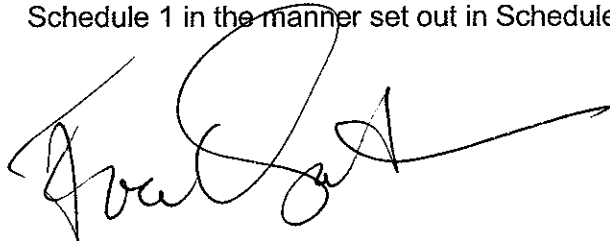


# Modification of Minister's Approval

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

I, the Minister for Planning, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* determine to approve of the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.



Frank Sartor  
**Minister for Planning**

Sydney,

4 / 6 / 2008

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## SCHEDULE 1

**Project Approval:**

granted by the Minister for Planning on 7 November 2006.

**For the following:**

The construction and operation of a wind farm comprising 63 x 2.1 megawatt wind turbine generators, an electrical substation to facilitate connection to an existing TransGrid 330 000 volt transmission line, a facilities building, temporary and permanent wind monitoring towers, underground cables, a twelve kilometre internal overhead power line, and access tracks and works, in the Goulburn Mulwaree and Palerang local government areas.

**Modification:**

The construction and operation of 4 additional wind turbine generators.

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## SCHEDULE 2

### The Approval is modified by:

1. In Schedule 1, replacing the Land Description with the following:

Land: Lot 80 in DP 754819, Lot 10 in DP 237079, Lot 11 in DP 237079, Lot 17 in DP 535180, No 414 Book 2073, No.56 Book 1886, Vol 6429 Fol 101, Lot 1 in DP 658449, Lot 2 in DP 720169, Lot 5 in DP 837873, Lot 76 in DP 754919, Lot 78 in DP 754919, Lot 79 in DP 754919, Lot 48 in DP 754877, Lot 45 in DP754877, Lot 16 in DP535180, Lot 18 in DP535179, Lot 48 in DP754877, Crown Road Reserves, Osborne Trig Reserve.

2. In Schedule 1, replacing the Project Description with the following:

Project: The construction and operation of a wind farm comprising 67 x 2.1 megawatt wind turbine generators, an electrical substation to facilitate connection to an existing TransGrid 330 000 volt transmission line, a facilities building, temporary and permanent wind monitoring towers, underground cables, a twelve kilometre internal overhead power line, and access tracks and works.

3. Replacing Condition 2 with the following:

- 2 The Proponent shall carry out the development generally in accordance with the following documents:

- (a) *Capital Wind Farm – Environmental Assessment Volumes 1 and 2* dated February, 2006 prepared by Connell Wagner PPI;
- (b) Submissions Report contained in the following letters received from Renewable Power Ventures to the Department of Planning:
  - 26 May 2006 response to CASA's submission;
  - 26 May 2006 response to Canberra Ornithologists Group's submission;
  - 26 May 2006 response to DEC's submission;
  - 26 May 2006 response to the summary of public submissions prepared by the Department;
  - 28 May 2006 response to Goulburn Mulwaree Council's submission;
  - 28 May 2006 response to Palerang Council's submission;
- (c) *Preferred Project Report* contained in a letter from Renewable Power Ventures to the Department dated 30 May 2006;
- (d) The modification request dated 6 March 2008 and accompanying report titled *Capital Wind Farm – Supplementary Environmental Assessment* dated March 2008 prepared by Connell Wagner; and
- (e) The Conditions of Approval.

If there is any inconsistency between the Conditions of Approval and a document listed above, the Conditions of Approval shall prevail to the extent of the inconsistency. If there is any inconsistency between documents listed above (other than the Conditions of Approval) then the most recent document shall prevail to the extent of the inconsistency.

4. Inserting Condition 25A:

25A The CEMP must be updated to include the four additional turbines approved under 05\_0179\_MOD2. The updated CEMP must be submitted to the Director-General at least one month prior to the commencement of construction of these four additional turbines, or within such a period otherwise agreed by the Director-General. Construction associated with the four additional turbines must not commence until written approval for the updated CEMP has been received from the Director-General.

5. Replacing Condition 53 with the following:

53 Noise generated from the Development must not exceed the equivalent noise level ( $L_{Aeq, 10}$ ) adjusted for any tonality as presented in the tables below.

10m (height)wind speed (m/s)	Noise level $L_{Aeq, 10 \text{ minute}}$ – at receiver locations*			
	Property described in the EA as Lakoona (G4)	Property described in the EA as Widgemore (G6)	Property described in the EA as La Granja (G10)	Property described in the EA as The Patch (H15)
0-4	35	35	35	35
5	35	35	35	35
6	35	35	35	35
7	35	35	36	35
8	35	35	37	35
9	35	35	37	35
10	35	35	37	35
11	35	35	37	35
12	35	35	37	35

10m (height)wind speed (m/s)	Noise level $L_{Aeq, 10 \text{ minute}}$ – at receiver locations*			
	Property described in the EA as Wroxham (H24)	Property described in the EA as (E7)		
0-4	35	35		
5	35	35		
6	35	35		
7	35	36		
8	35	36		
9	35	37		
10	35	37		
11	35	37		
12	35	37		

\*Receiver locations as identified in the *Environmental Assessment – Capital Wind Farm Environmental Assessment* prepared by Connell Wagner PPI dated February 2006. If compliance assessments are required at other non-associated residences as identified in the Environmental Assessment, the applicable noise limits are  $L_{Aeq, 10 \text{ minute}} 35 \text{ dB(A)}$  where the predicted level is below  $L_{Aeq, 10 \text{ minute}} 35 \text{ dB(A)}$ , and the predicted level is above  $L_{Aeq, 10 \text{ minute}} 35 \text{ dB(A)}$ . The predicted levels are identified in the aforementioned Environmental Assessment.

6. Replacing Condition 76 with the following:

76 Prior to the commencement of any construction works the subject of this Approval, payment of a contribution totalling \$17,337.00 covering the provision, upgrade and maintenance of road infrastructure in accordance with the Mulwaree Section 94 Development Contributions Plan 2003-2008, shall be made to Goulburn Mulwaree Council.

This amount will be reviewed annually by the Proponent at the beginning of each financial year, in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan, based on CPI movements (March to March) with any movement effective from 1 July.