

Notice of Modification

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

As delegate for the Minister for Planning, the Planning Assessment Commission modifies the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



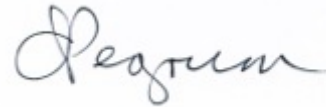
Mr John Hann
Member of Commission (Chair)

Sydney



Mr Stephen O'Connor
Member of Commission

12 May 2017



Ms Annabelle Pegrum AM
Member of Commission

SCHEDULE 1

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

SCHEDULE 2

1. In the Definitions, insert the following and arrange all Definitions in alphabetical order:
DRE Division of Resources and Energy
2. In the Definitions, replace the words "Palerang Council" with "Queanbeyan-Palerang Regional Council" in the definition of "Council".
3. In the Definitions, insert the following at the end of the definition of "EA":
 - Application to modify the project approval (Mod 4), dated 16 September 2016, including the associated *Response to Submissions* dated 28 October 2016.
4. In the Definitions, insert the words ", or delegate", after the word "Planning" in the definition of "Minister".
5. In the Definitions, insert the words "or implement" after the words "to build" in the definition of "Reasonable and feasible".
6. In the Definitions, replace the words "under condition A1 (d) of this Approval" with "in the EA" in the definition of "Residence/receiver not associated with the project".
7. In the Definitions, insert the words "Surveyor General" before the word "of" in the definition of "Surveyor General".
8. In condition A4 in Schedule 2, replace the word "five" with "one", and replace the word "it" with "Mod 4".
9. At the end of condition A7 in Schedule 2, insert the following words:
Note: This condition is relevant to construction and occupation certificates for the project.
10. After condition A12 in Schedule 2, insert the following conditions:
Notification of Department
A13. Prior to the commencement of the construction, operation and/or decommissioning of the project, the Proponent shall notify the Department in writing of the date of commencement.

If the construction, operation and/or decommissioning of the project is to be staged, then the Proponent shall:

- (a) notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the project that would be carried out during the relevant stage; and
- (b) inform the local community and the Community Consultative Committee about the proposed staging plans.

Incident Reporting

A14. The Proponent shall immediately notify the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the project, the Proponent shall notify the Secretary and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Secretary, and any relevant agencies, with a detailed report on the incident, and such further reports as may be requested.

Updating & Staging of Strategies, Plans or Programs

A15. With the approval of the Secretary, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval.

Notes:

- *While any strategy, plan or program may be submitted on a progressive basis, the Proponent shall ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.*
- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*

Final Layout Plans

A16. Prior to the commencement of construction, the Proponent shall submit detailed plans of the final layout of the project to the Secretary, including:

- (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure from the relevant GPS coordinates shown in Appendix A; and
- (b) the GPS coordinates of the final wind turbine locations.

Note: If the construction of the project is to be staged, then the provision of these plans may be staged.

Micro-siting Restrictions

A17. The Proponent may micro-site the wind turbines and ancillary infrastructure without further approval provided:

- (a) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix A; and
- (b) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this approval.

Obligation to Minimise Harm to the Environment

A18. In addition to meeting the specific environmental performance criteria established under this consent, the Proponent must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the development.

11. In condition B15 in Schedule 2, replace the words "Department of Trade & Investment, Regional Infrastructure & Services (Mineral Resources section)" with "DRE".
12. In condition B19 in Schedule 2, insert the words ", and implemented," after the words "shall be determined".
13. In condition B28, replace the words "Environment Protection Licence" with "EPL".

14. In condition C1, replace “C16 (b)” with “C14 (b)”.
15. In condition C6 in Schedule 2, delete all wording and replace with:
 The Proponent shall:
 - (a) establish a Community Consultative Committee for the project within 4 months of the approval date of Modification 4; and
 - (b) operate this Committee following establishment, to the satisfaction of the Secretary, and in accordance with the *Community Consultative Committee Guidelines for State Significant Projects* (2016), or its latest version.
16. In conditions C13(h) and E11(d), delete the words “documents referred to under conditions A1 (a) to (c) of this approval, including those safeguards and mitigation measures detailed in sections 3, 9 and 13 of the”.
17. In condition F2(c), replace the words “documents referred to under condition A1(a) to A1(f) of this approval” with “EA”.
18. In condition F2(e), replace “C10” with “C5”.
19. In condition G3 in Schedule 2, replace the words “one month” with “six months”.
20. In Appendix A, insert the following table after the figure:

Wind Turbine Generator ID	Coordinates	
	Easting (m)	Northing (m)
1	727064	6117207
2	727014	6116976
3	726969	6116718
4	726923	6116495
5	726811	6116279
6	726751	6116055
7	726494	6115961
8	726255	6115795
9	726038	6115638
10	726015	6115342
11	727100	6112030
12	727122	6111694
13	727086	6111436
14	726004	6111141
15	725894	6110958
16	725750	6110719
17	725606	6110479
18	725462	6110240
19	725319	6110001
20	725175	6109761
21	725189	6109523
22	725286	6109247
23	725224	6108992
24	724747	6107881
25	724690	6107661
26	724506	6107481
27	724422	6107265
28	724330	6107056
29	724272	6106832
30	724157	6106629
31	724097	6106405
32	723975	6106208
33	723972	6105963
34	723853	6105761
35	723819	6105522
36	723705	6105316
37	725013	6105308
38	724811	6105096
39	724709	6104886
40	724578	6104685
41	724475	6104547