

# Notice of Modification

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

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



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Sydney

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2017

### SCHEDULE 1

The development consent (DA-176-8-2004-i) for the Crookwell 2 Wind Farm Project, granted by the Minister for Planning and Infrastructure on 10 June 2005.

### SCHEDULE 2

1. In Schedule 1, delete the definitions of 'Applicant', 'Consent Authority', 'Land' and 'Proposed Development' and insert:

**Applicant:** Crookwell Development Pty Ltd, or any person carrying out the development approved under this consent ("the Applicant")

**Consent Authority:** Minister for Planning ("the Minister")

**Land:** The land defined in Appendix 1

**Proposed Development:** Construction and operation of a wind farm consisting of 32 turbines, at a maximum height of 160 metres, and associated infrastructure.

2. In Schedule 1, delete all references to:
- 'Department of Environment and Conservation' and replace with 'Environment Protection Authority and the Office of Environment and Heritage';
  - 'Department of Infrastructure, Planning and Natural Resources' and replace with 'Department of Planning and Environment';
  - 'Roads and Traffic Authority' and replace with 'Roads and Maritime Services'; and
  - 'Department of Lands' and replace with 'Department of Industry'.

3. In Schedule 2, in the Definitions, delete the definitions for:

- Applicant
- construction
- Council
- the Department
- DEC
- DIPNR
- Director General
- EPA
- EPL
- Minister
- NPW Act
- Relevant Government Agencies
- RTA
- SCA
- site
- SA Guidelines

and insert the following and arrange all Definitions in alphabetical order:

<b>Aboriginal stakeholders</b>	Aboriginal stakeholders registered for cultural heritage consultation for the project
<b>Ancillary infrastructure</b>	All wind farm infrastructure with the exception of wind turbines, including but not limited to collector substations, switching stations, permanent offices and site compounds, underground and overhead electricity transmission lines and internal roads
<b>Applicant</b>	Crookwell Development Pty Ltd, or any person carrying out the development approved under this consent
<b>Construction</b>	Any activity requiring, and/or included in, a Construction Certificate, the laying of a slab or significant excavation work and/or earth moving works
<b>Council</b>	Upper Lachlan Shire Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays
<b>Decommissioning the Department</b>	The removal of wind turbines and any associated above ground infrastructure
<b>DPI</b>	NSW Department of Planning and Environment
<b>EP&amp;A Act</b>	Department of Primary Industries
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EPA</b>	<i>Environmental Planning and Assessment Regulation, 2000</i>
<b>EPL</b>	NSW Environment Protection Authority
<b>Evening</b>	Environment Protection Licence issued under the POEO Act
<b>Harm</b>	The period from 6pm to 10pm
<b>Heavy vehicle</b>	Any direct or indirect alteration of the environment that has the effect of degrading the environment that involves actual or potential harm to ecosystems or the health or safety of human beings, that is not trivial
<b>Heritage item</b>	As defined under the Heavy Vehicle National Law (NSW), but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axles
<b>Incident</b>	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the NP&W Act
<b>Minimise</b>	A set of circumstances that: <ul style="list-style-type: none"> <li>• causes or threatens to cause material harm to the environment; and/or</li> <li>• breaches or exceeds the limits or performance measures/criteria in this consent</li> </ul>
<b>Minister</b>	Implement all reasonable and feasible measures to mitigate the impacts of the project
<b>Night</b>	NSW Minister for Planning, or delegate
<b>NP&amp;W Act</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and NSW Public Holidays
<b>OEH</b>	<i>National Parks &amp; Wildlife Act, 1974</i>
<b>Over-dimensional</b>	Office of Environment and Heritage
<b>Public infrastructure</b>	Over-mass and/or over-size/length vehicles
<b>Rehabilitation</b>	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications
<b>Relevant Government Agencies</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Residence</b>	EPA, DPI, OEH, RMS, the Department
<b>RMS</b>	Any dwelling in existence at the date of this consent
<b>Secretary</b>	Roads and Maritime Services
<b>Shadow flicker</b>	Secretary of the Department, or nominee
<b>Site</b>	The flickering effect caused by the intermittent shading of the sun by the rotating blades of the wind turbines
<b>VPA</b>	The land defined in Appendix 1
<b>Wind turbine</b>	Voluntary Planning Agreement
	Turbines used for the generation of electricity by wind, including the tower, blades and associated components

4. In Schedule 2, in the Definitions, in the Definition of 'Reasonable and Feasible', after the words 'to build' insert 'or implement'.

5. In Schedule 2:
- update all government agency names to reflect the relevant government agencies and acronyms as defined in the list of Definitions;
  - delete 'Director General' and insert 'Secretary';
  - delete 'Department of Lands' and insert 'DPI – Lands and Forestry'; and
  - delete 'SA Guidelines' and insert '*Wind Energy: Noise Assessment Bulletin (2016)* (or its latest version)'.

6. In Schedule 2, condition 2, delete all words after 'dated April 2009;' and insert:
- (q) Application to modify the development consent (Mod 2), including the Environmental Assessment prepared by Mecone and dated September 2016, and the associated *Response to Submissions*, dated June 2017; and
  - (r) Conditions of this Consent.
7. In Schedule 2, after condition 2, insert the following:
- 2A The Applicant must comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent;
  - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
  - (c) the implementation of any actions or measures contained in these documents.
8. In Schedule 2, delete conditions 3 to 8 and insert the following:

### **Wind Turbines**

3. The Applicant may construct, operate and replace or upgrade as necessary up to 32 wind turbines.

#### *Notes:*

- *To avoid any doubt, the Applicant does not require additional consent to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent.*
- *To identify the approved turbines, see the figure and corresponding GPS coordinates in Appendix 2.*

### **Wind Turbine Height**

4. No wind turbines may be greater than 160 metres in height (measured from above ground level to the blade tip).

### **Micro-siting Restrictions**

5. The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided:
- (a) no wind turbine is moved more than 50 metres from the relevant GPS coordinates in Appendix 2;
  - (b) turbines F48 and F50 are not moved closer to the residence 'Pejar Park' from the relevant GPS coordinates in Appendix 2;
  - (c) wind turbines F3 and F4 are not moved closer to the western project boundary and associated woodland vegetation;
  - (d) wind turbine F24 is not moved closer north towards the project boundary and associated woodland vegetation;
  - (e) wind turbine F31 is not moved closer south-east towards the threatened ecological community;
  - (f) the wind turbines and ancillary infrastructure do not result in any additional impacts to heritage items; and
  - (g) the revised location of the wind turbine and/or ancillary infrastructure would not result in any noncompliance with the conditions of this consent.

### **Final Layout Plans**

6. Prior to the erection of any wind turbine, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including:
- (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure;
  - (b) identification of impacted vegetation communities;
  - (c) identification of impacted heritage items; and
  - (d) the GPS coordinates of the final wind turbine locations.

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

### **Notification to Department**

7. Prior to the erection of any wind turbine, commencement of operation and/or decommissioning of any wind turbine, the Applicant must notify the Department in writing of the date of commencement.

If the development is to be staged, then the Applicant must:

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

## Structural Adequacy

8. The Applicant must ensure that:
  - (a) the wind turbines are constructed in accordance with the relevant standards, including the structural design requirements of IEC 61400-1 Wind turbines – Part 1: Design Requirements (or equivalent); and
  - (b) all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

*Notes:*

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

## Demolition

9. The Applicant must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version.

## Updating and Staging of Strategies, Plans or Programs

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

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

With agreement of the Secretary, the Applicant may prepare minor revisions to any strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.

*Notes:*

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that the 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 must 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.

## Community Enhancement

11. From the date of the commencement of construction of any wind turbine, unless the Secretary agrees otherwise, the Applicant must maintain the VPA executed with Upper Lachlan Shire Council.

*Note: The Applicant and Upper Lachlan Shire Council have executed a VPA for the development in accordance with Division 6 of Part 4 of the EP&A Act, following exhibition of the VPA. A copy of the terms of the VPA is provided in Appendix 3.*

9. In Schedule 2, condition 11, delete the Note and replace with:

*Note: This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.*

10. Delete condition 18 of Schedule 2.
11. Delete condition 24 of Schedule 2.
12. In Schedule 2, condition 28, after the words 'for inspection by visitors.' insert 'Copies of the current version of all approved management plans and sub-plans must be publicly available via a website maintained by the Applicant.'
13. In Schedule 2, condition 31 (d), delete the words 'subject to the Off-Site Landscape Plan' and insert 'entitled to visual impact mitigation measures'.
14. In Schedule 2, after condition 31, insert the following:

## Community Consultative Committee

33. The Applicant must operate a Community Consultative Committee for the development to the satisfaction of the Secretary, in accordance with the *Community Consultative Committee Guidelines for State Significant Project (2016)*, or its latest version.

## VISUAL AMENITY

### Acquisition Upon Request

34. For a period of 5 years from the commencement of erection of any of the applicable wind turbines, the owner of the land listed in Table 1 may request the Applicant to acquire their land.

Upon receiving a written request from this owner, the Applicant must acquire the land in accordance with the procedures in conditions 1 and 2 of Appendix 4.

However, this condition does not apply if the Applicant has an agreement with the owner of the relevant land in regard to the visual impacts associated with the development, and the Applicant has advised the Department in writing of the terms of this agreement.

*Table 1: Residence subject to acquisition upon request*

<b>Residence</b>	<b>Lot/DP</b>	<b>Applicable Wind Turbines</b>
Elmgrove (R120)	72 / DP 750042 88 / DP 750042 97 / DP 750042 103 / DP 750042 172 / DP 750042 176 / DP 750042 177 / DP 750042 178 / DP 750042 218 / DP 750042 219 / DP 750042	F1, F2, F3, F4

*Note: To identify the residence referred to in Table 1, see the figure in Appendix 2.*

### Notification of Land Owners

35. Prior to the commencement of erection of any wind turbine, the Applicant must notify the owners of:
- the land listed in Table 1 of the conditions of this consent of their rights under condition 34; and
  - any residence not associated with the development within 4 km of any approved wind turbine of their rights under condition 38 of this consent.

15. In Schedule 2, delete condition 34 and insert the following:

38. For a period of 5 years from the commencement of the erection of any wind turbine, the owner of any non-associated residence within 4 km of any wind turbine may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage).

Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.

These mitigation measures must be reasonable and feasible, aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence.

All mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.

If the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

*Notes:*

- To avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.*
- The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While owners may ask for the implementation of visual impact mitigation measures shortly after the commencement of the erection of the turbine, they should consider the merits of delaying this request until the relevant wind turbines are visible from their residence.*

16. In Schedule 2, delete condition 38 and insert:

42. The Applicant must:
- minimise the off-site lighting impacts of the development;
  - ensure that any aviation hazard lighting complies with CASA's requirements;
  - ensure that all external lighting associated with the development (apart from any aviation hazard and construction lighting):

- is installed as low intensity lighting (except where required for safety or emergency purposes);
- does not shine above the horizontal;
- uses best management practice for bat deterrence; and
- complies with *Australian Standard AS 4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

### Shadow Flicker

43. The Applicant must ensure that shadow flicker from operational wind turbines does not exceed 30 hours per annum at any residence not associated with the development.

17. In Schedule 2, delete conditions 43 to 50 (including heading ‘Operational Noise Criteria’) and insert:

### Operational Noise Criteria – Wind Turbines

48. The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 2.

Table 2: Noise criteria dB(A)

Residence	Criteria (dB(A)) Referenced to Hub Height Wind Speed (m/s)									
	3 or less	4	5	6	7	8	9	10	11	12 or more
R1, 1a, 8	35	35	35	35	35	35	36	38	41	45
R19	35	35	35	35	35	35	37	38	41	43
R20, 117, 118, 119	35	35	35	35	35	35	36	38	41	43
R58, 59	35	35	35	35	35	36	38	39	41	42
R60, 61, 62	35	35	35	35	35	36	38	40	43	45
R64, 65	35	35	35	35	35	38	41	43	46	48
R69, 70	35	35	35	35	35	35	38	40	44	46
R71, 73	35	35	35	35	35	37	40	42	45	48
R106	37	38	39	40	42	44	45	47	49	51
R120, 123, 130, 131	35	35	35	36	37	38	39	41	42	44
All other residences not associated with the development and wind speeds > 12m/s	The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)									

Note: To identify the residences referred to in Table 2, see the applicable figure in Appendix 2.

Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the Department’s *Wind Energy: Noise Assessment Bulletin (2016)* (or its latest version) and the provisions in Appendix 5. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.

However, these criteria do not apply if the Applicant has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.

### Operational Noise Criteria – Ancillary Infrastructure

49. The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A)  $L_{Aeq}(15 \text{ minute})$  at any residence not associated with the development.

Noise generated by the operation of ancillary infrastructure is to be measured in accordance with the relevant requirements of the *NSW Industrial Noise Policy* (or its equivalent).

## Operational Noise Monitoring

50. The Applicant must prepare a Noise Compliance Strategy which must be submitted to and approved by the Secretary prior to commissioning of the wind turbines. The Noise Compliance Strategy must describe the process by which any noise management modes or sector management can be verified and outline how the noise criteria will be achieved.
51. Within 3 months of the commencement of operations (or the commencement of operation of a cluster of turbines, if the development is to be staged), the Applicant must:
  - (a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and
  - (b) submit a copy of the monitoring results to the Department and the EPA.
52. The Applicant must undertake further noise monitoring of the development if required by the Secretary.

18. In Schedule 2, delete condition 55 and insert:

57. The Applicant must ensure that all heavy or over-dimensional vehicles entering or leaving the site use the designated heavy and over-dimensional vehicle routes for the development (see the figures in Appendix 8), unless the applicable roads authority agrees otherwise.

*Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.*

## Site Access

58. All vehicular traffic associated with the development must access the site at the 3 approved site entry points only (see the figures in Appendix 8).

19. In Schedule 2, condition 56, after any reference to the words 'utilising the ARRB 'laser car', insert ', or an alternative method agreed with Council,'.
20. In Schedule 2, delete condition 57.
21. In Schedule 2, condition 58, delete 'as outlined in attachment B' and insert 'in accordance with the *Austroroads Guide to Road Design* (as amended by RMS supplements).'
22. In Schedule 2, condition 67, after the words 'Minister for Lands', insert 'and Forestry'.
23. In Schedule 2, delete conditions 70 to 73 (including heading 'Indigenous Heritage Management') and insert:

## Protection of Aboriginal Heritage Items

72. The Applicant must:
  - (a) ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items, unless otherwise authorised under the NP&W Act; and
  - (b) if impacts cannot be avoided, carry out detailed test excavations and recording of potential archaeological deposits at sites PJ60 and PJ61 and where ground disturbance will occur in the areas of moderate or high archaeological sensitivity identified in Figure 11 and Figures A-D in Appendix 7, that have not been subject to prior testwork.

*Note: The locations of the Aboriginal heritage items referred to in this condition are shown in the figures in Appendix 7.*

24. In Schedule 2, after condition 74, delete the heading "FLORA AND FAUNA' and insert:

## Heritage Management Plan

74. Prior to the commencement of erection of any wind turbine, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
  - (a) be prepared by a suitably qualified and experienced person;
  - (b) be prepared in consultation with OEH and Aboriginal stakeholders;
  - (c) include updated baseline mapping of the heritage items within and adjoining the development disturbance area;
  - (d) include a description of the measures that would be implemented for:
    - protecting Aboriginal heritage items outside the project disturbance area;
    - avoiding impacts on heritage items within the disturbance area through engineering solutions;
    - minimising and managing the impacts of the development on heritage items within the disturbance area, including:
      - test excavations and salvage (if required); and
      - a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works;

- implementing a test excavation and if required, salvage program;
  - a contingency plan and reporting procedure if:
    - Aboriginal heritage items outside the approved disturbance area are damaged;
    - previously unidentified Aboriginal heritage items are found; or
    - Aboriginal skeletal material is discovered;
  - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
  - ongoing consultation with Aboriginal stakeholders during the implementation of the plan;
- (e) a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.

## FLORA AND FAUNA

### Restrictions on Clearing and Habitat Impacts

75. The Applicant must:
- (a) ensure that no EEC is cleared for the development, unless the Secretary agrees otherwise;
  - (b) locate wind turbines as far as practicable away from woodland vegetation, rocky outcrops, farm dams and watercourses; and
  - (c) minimise:
    - the impacts of the development on threatened bird and bat populations; and
    - the clearing of native woodland vegetation, scattered paddock trees and fauna habitat within the approved disturbance footprint.

*Note: The locations of the vegetation communities and scattered paddock trees referred to in this condition are shown on the figures in Appendix 6.*

25. In Schedule 2, condition 83, delete 'and undertaken' and insert 'in consultation with OEH and submitted to the Secretary for approval prior to the commencement of operations'.
26. In Schedule 2, condition 83, before '(a)', insert the following and adjust remaining sub-paragraphs (b) to (f) accordingly:
  - (a) include at least 12 months of current (or updated) baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could potentially be affected by the development, including updated surveys for raptors and baseline mapping of any raptor nests identified on the site;
27. In Schedule 2, condition 83, delete the number '82' and insert '83'.
28. In Schedule 2, condition 84, after '*Managing Urban Stormwater: Soils and Construction*', insert '(or its latest version)'.
29. In Schedule 2, condition 84, after '*Guideline for the Control of Erosion and Sedimentation in Roadworks*', insert '(or its latest version)'.
30. In Schedule 2, condition 85:
  - delete 'the Department' and insert 'WaterNSW and EPA'; and
  - after '*(for pipes, culverts, drains and spillways) Version 1*', insert '(or its latest version)'.
31. In Schedule 2, condition 86, after '*Managing Urban Stormwater: Council Handbook*', insert '(or its latest version)'.
32. In Schedule 2, condition 87, delete 'result in NIL or minimal' and insert 'do not cause'.
33. In Schedule 2, delete condition 89 and insert:
  90. Waterway crossings associated with the development are to be designed and constructed in accordance with relevant *Water Guidelines for Controlled Activities on Waterfront Land (2012)*, or their latest version.
34. In Schedule 2, condition 97:
  - delete 'commencement of operation' and insert 'erection of any wind turbine';
  - in sub-paragraph (a), delete the words 'as constructed';
  - in sub-paragraph (b), delete all words after 'final height of the wind turbines as per AHD;' and insert:
    - (c) ground level at the base of each of the wind turbines as per AHD; and
    - (d) details of any proposed aviation hazard lighting.
35. In Schedule 2, after condition 97, insert:
  - 98A. Within 30 days of the practical completion of the erection of any wind turbine, the Applicant must:



- (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or
- (b) update the information previously provided.

36. In Schedule 2, delete conditions 102 to 104 and insert:

103. Prior to the commencement of erection of any wind turbine, the Applicant must undertake a baseline assessment of radiocommunication services to assess the pre-existing signal strength at any residence within 5 kilometres of a wind turbine, in consultation with registered service providers (including emergency services).

104. If the development results in the disruption to any radio communications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services as soon as possible following the disruption, but no later than 1 month following the identified cause of the disruption of the service unless the relevant service provider or user or Secretary agrees otherwise.

If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.

37. In Schedule 2, condition 107, delete reference to 'Sydney Catchment Authority' and insert 'EPA and Council'.

38. In Schedule 2, re-number conditions 9 to 112 sequentially.

39. After condition 112, insert the following:

**APPENDIX 1  
SCHEDULE OF LAND**

<b>Lot Number</b>	<b>Deposited Plan (DP)</b>
Lot 91	DP 750042
Lot 140	DP 750042
Lot 1	DP 1201348
Lot 2	DP 1201348
Lot 3	DP 1201348
Lot 41	DP 999621
Lot 2	DP 865814
Lot 2	DP 1091383
Lot 1	DP 79580
Lot 18	DP 252214
Lot 1	DP 1087717
Lot 2	DP 1087717
Lot 3	DP 1087717
Lot 1	DP 965855
Right of Carriageway over Lot 18 DP252214 Conveyance No. 622, Book 337.	

# APPENDIX 2 DEVELOPMENT LAYOUT



**Table 2-1: GPS Coordinates of turbines [GDA 94]**

<b>Turbine</b>	<b>Easting</b>	<b>Northing</b>
F1	733099	6175609
F2	732921	6175270
F3	732784	6175029
F4	732790	6174758
F5	733554	6174834
F7	733468	6174459
F10	734850	6177095
F11	735322	6176679
F12	735383	6175929
F17	735938	6173914
F19	735702	6174542
F21	735787	6175152
F22	736007	6175416
F23	736060	6175745
F24	737463	6175724
F26	737273	6175188
F27	737640	6174955
F28	737568	6174695
F29	737195	6174580
F30	737485	6174324
F31	737509	6174035
F32	737847	6173582
F35	738050	6173982
F36	738339	6174672
F37	738359	6174384
F40	738544	6173920
F41	738227	6173622
F43	737901	6173227
F45	738887	6172965
F47	738381	6172683
F48	739262	6172625
F50	739104	6172383

**APPENDIX 3  
GENERAL TERMS OF APPLICANT'S VPA OFFER**

The VPA must include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community projects in the area surrounding the project site.

<b><i>Council</i></b>	<b><i>Payment Details</i></b>
Upper Lachlan Shire Council	\$2,500 (adjusted annually to increases in the CPI) per wind turbine built per annum within the Upper Lachlan Shire Council local government area over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent.

## APPENDIX 4 ADDITIONAL PROCEDURES

### LAND ACQUISITION

1. Within 3 months of receiving a written request from an owner with acquisition rights, the Applicant must make a binding written offer to the owner based on:
  - (a) the current market value of the owner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
    - existing and permissible use of the land, in accordance with the applicable environmental planning instruments at the date of the written request; and
    - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the owner's written request, and is due to be completed subsequent to that date, but excluding any improvements or reasonable costs that have resulted from the implementation of the visual impact mitigation measures in condition 34 of Schedule 2;
  - (b) the reasonable costs associated with:
    - relocating within the Upper Lachlan Shire local government area, or to any other local government area determined by the Secretary; and
    - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired;
  - (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if after 1 month of the owner receiving the binding written offer above, the Applicant and owner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

Upon receiving such a request, the Secretary must request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in (a) to (c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to:

- the matters referred to in (a) to (c) above,
- the independent valuer's report,
- the detailed report of the party that disputes the independent valuer's determination,
- whether an adjustment to the market value of the land since the independent valuation was completed is warranted; and
- any other relevant submissions.

Within 14 days of this determination, the Applicant must make a binding written offer to the owner to purchase the land at a price not less than the Secretary's determination.

If the owner refuses to accept the Applicant's binding written offer under this condition within 3 months of the offer being made, unless the Secretary determines otherwise, then the Applicant's obligations to acquire the land must cease.

2. The Applicant must pay all reasonable costs associated with the land acquisition process described in condition 1 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

**APPENDIX 5  
NOISE COMPLIANCE ASSESSMENT**

**Applicable Meteorological Conditions – Wind Turbines**

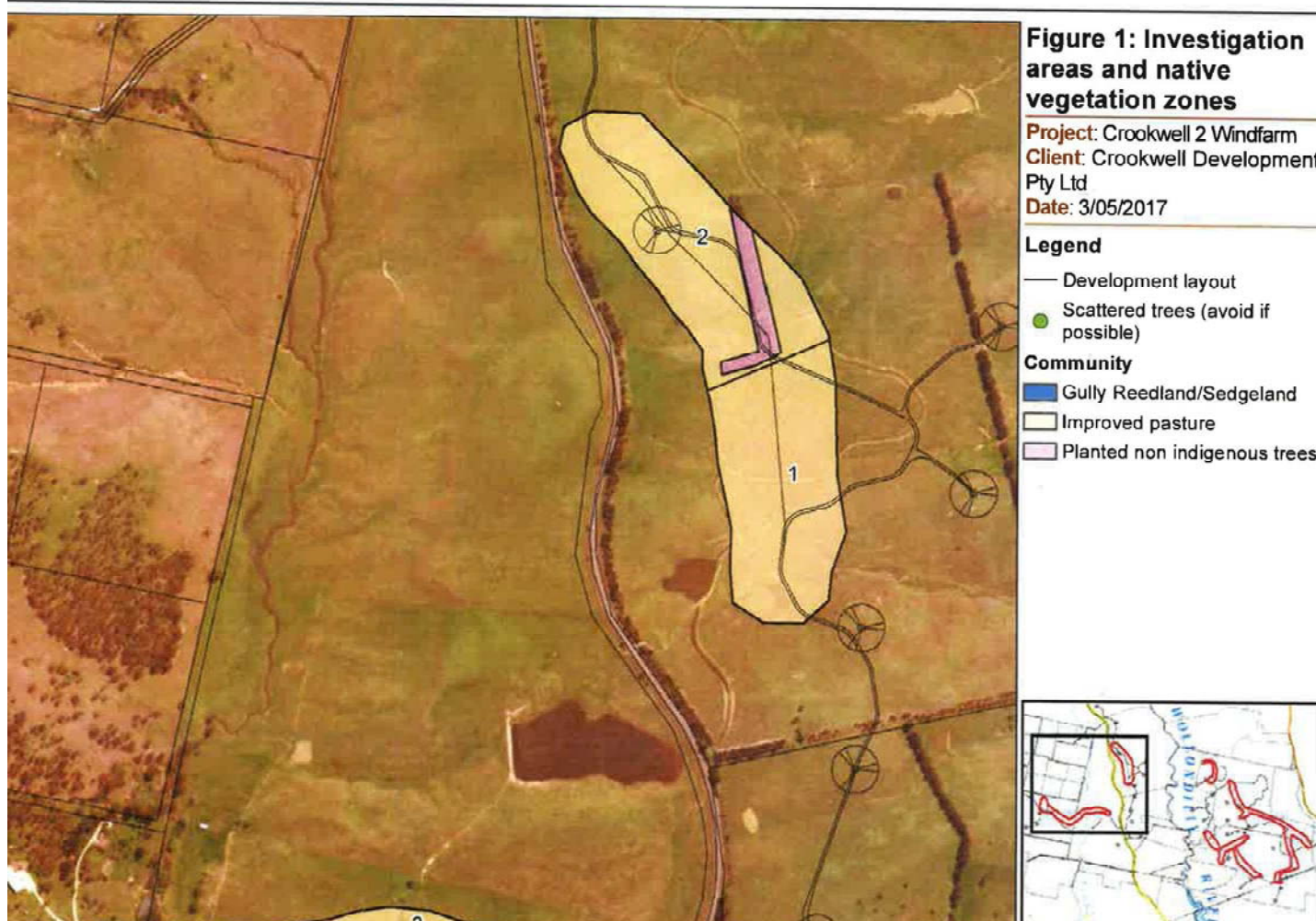
The noise criteria in Table 2 of the conditions are to apply under all meteorological conditions.

**Applicable Meteorological Conditions – Other Facilities**

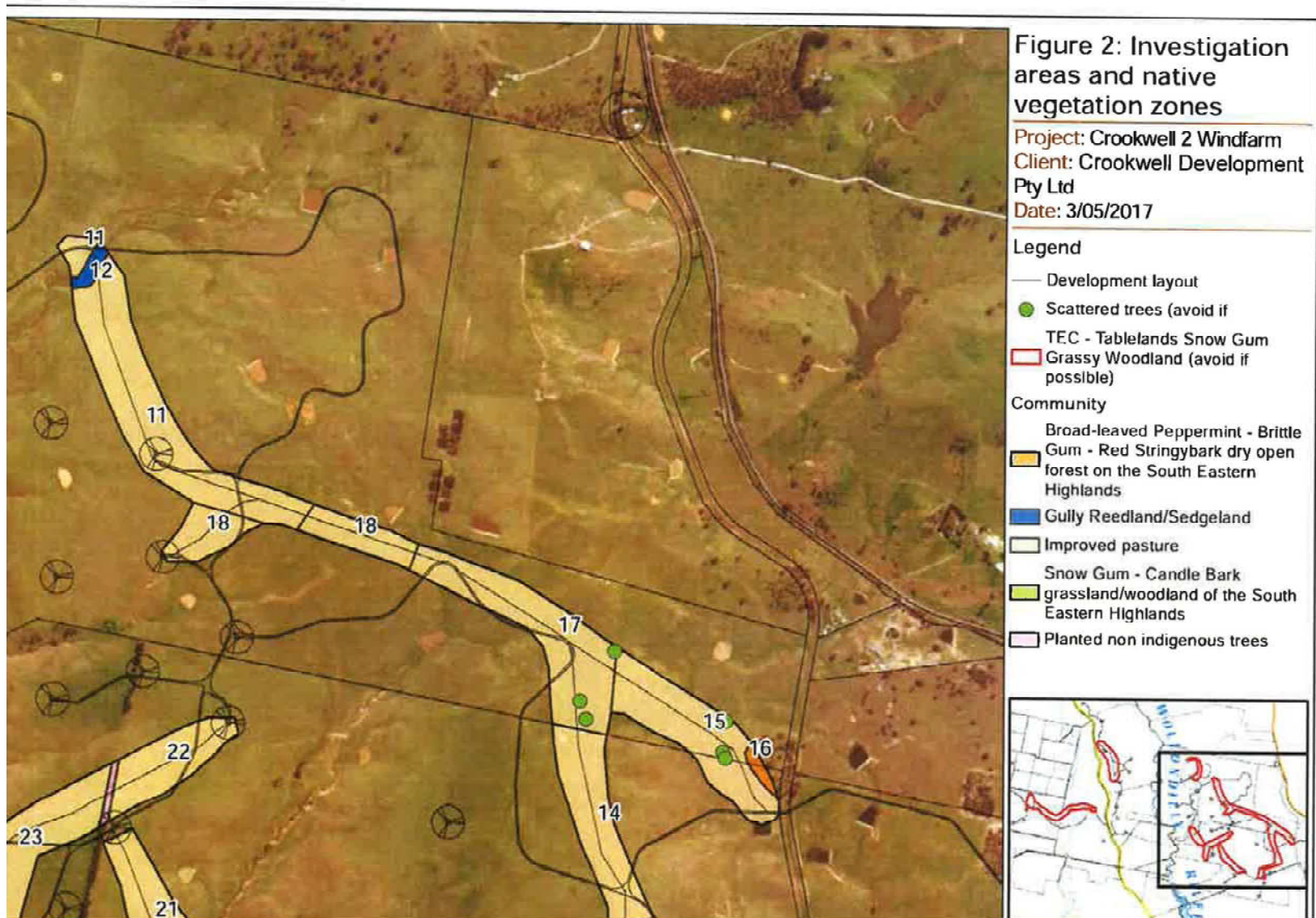
The noise criteria in Condition 48 are to apply under all meteorological conditions except the following:

- a) wind speeds greater than 3 m/s at 10 m above ground level; or
- b) temperature inversion conditions between 1.5 °C and 3°C/100m and wind speeds greater than 2 m/s at 10 m above ground level; or
- c) temperature inversion conditions greater than 3°C/100m.

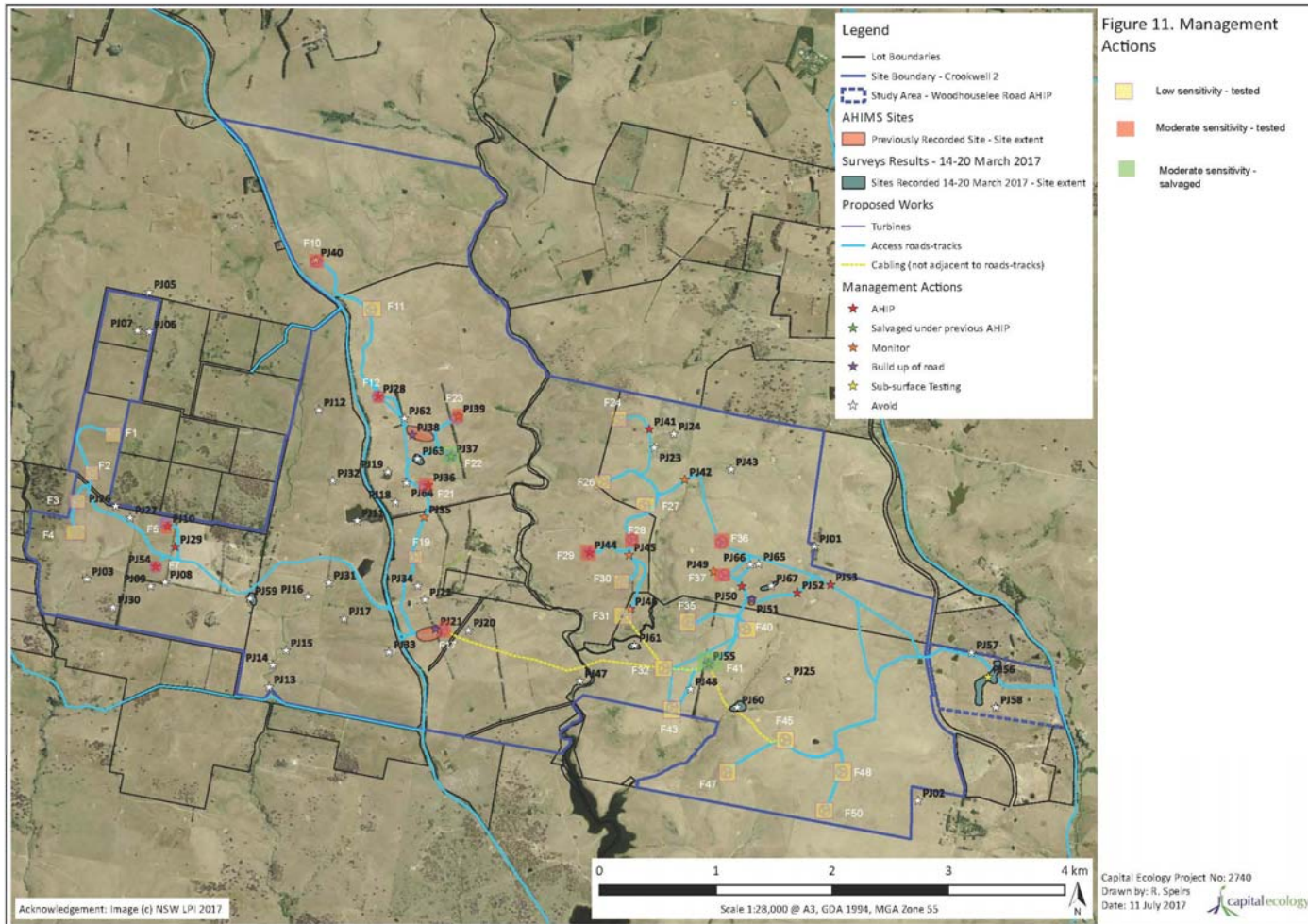
## APPENDIX 6 BIODIVERSITY







## APPENDIX 7 HERITAGE



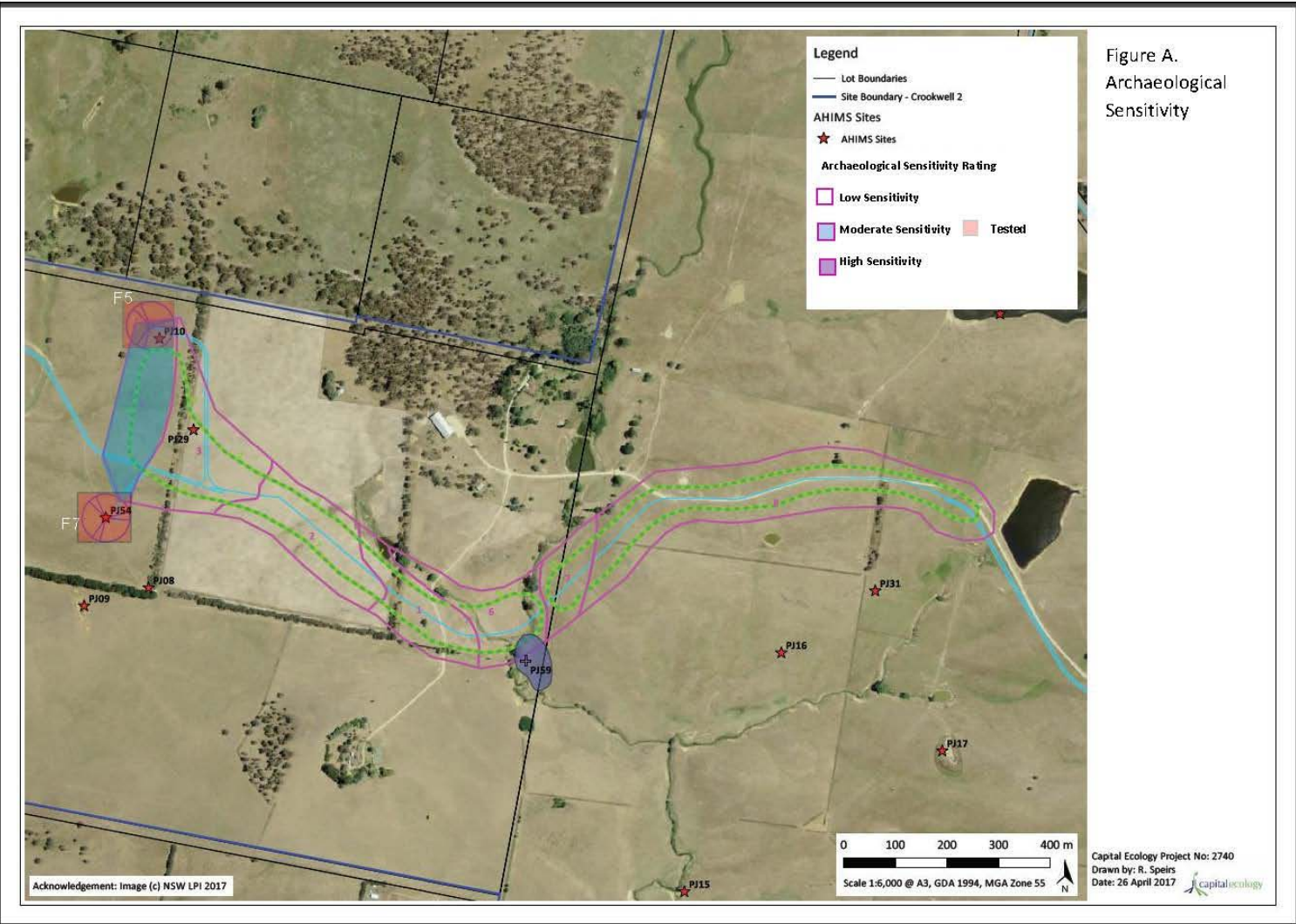


Figure A.  
Archaeological  
Sensitivity

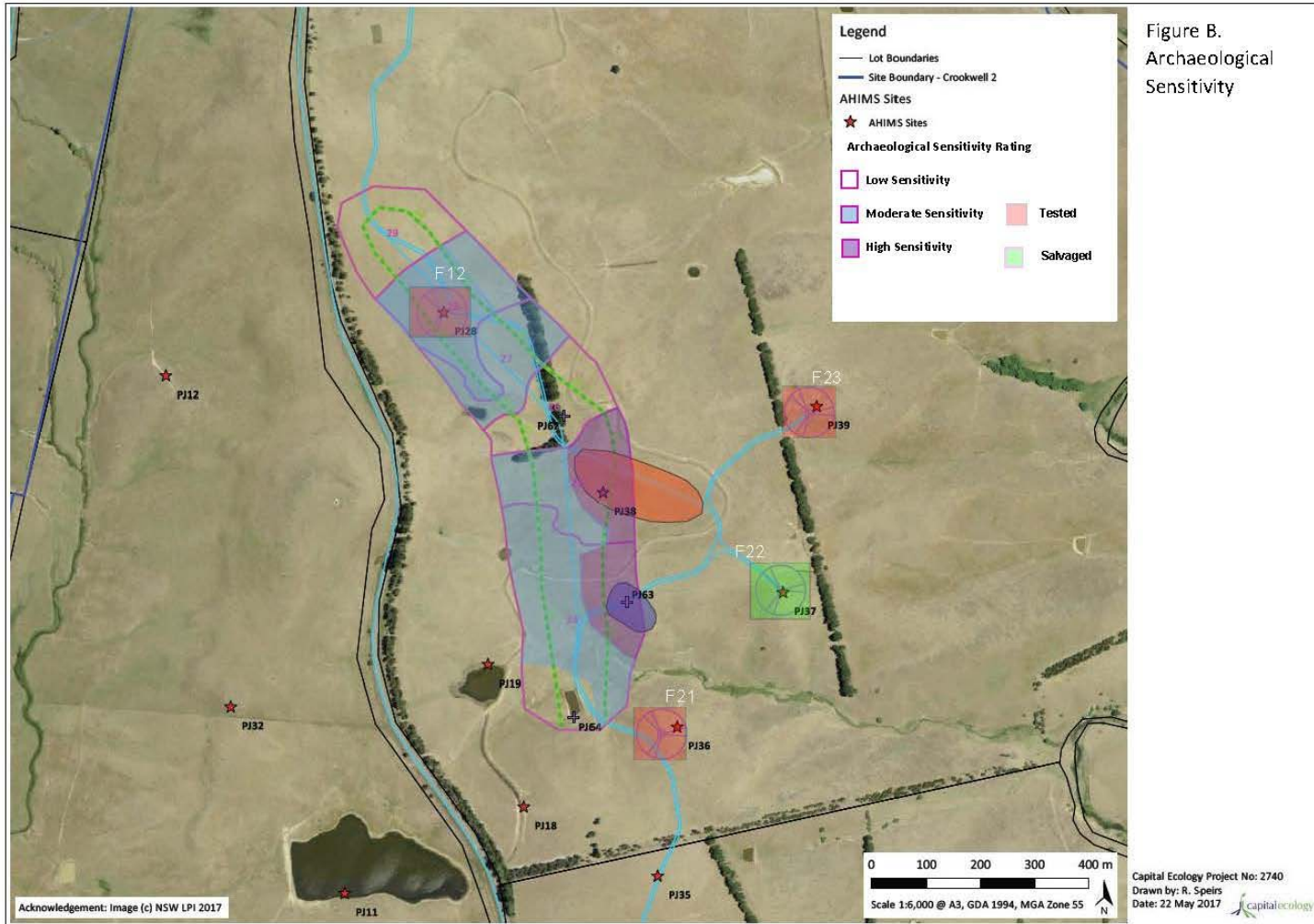


Figure B.  
Archaeological  
Sensitivity

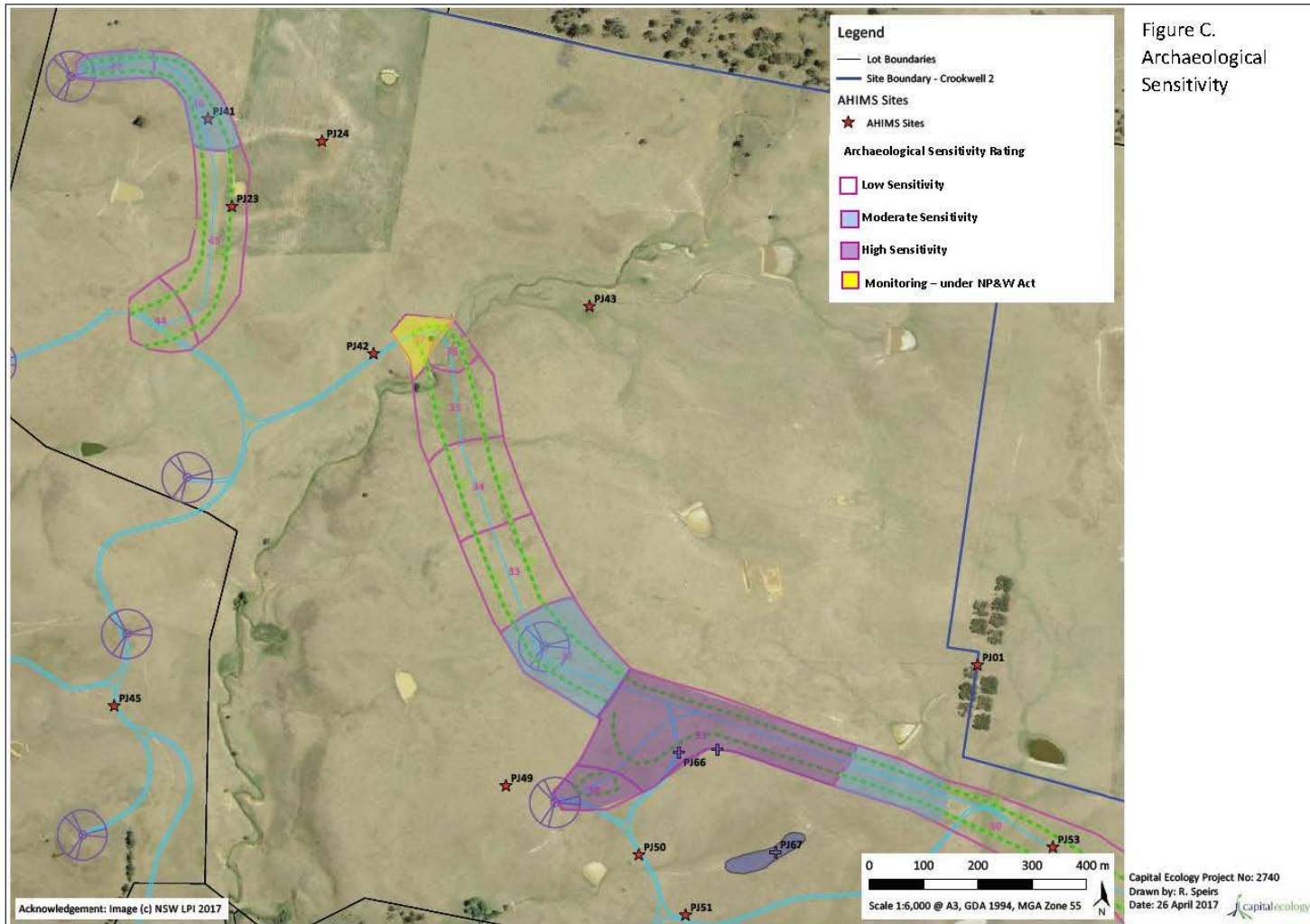


Figure C.  
Archaeological  
Sensitivity

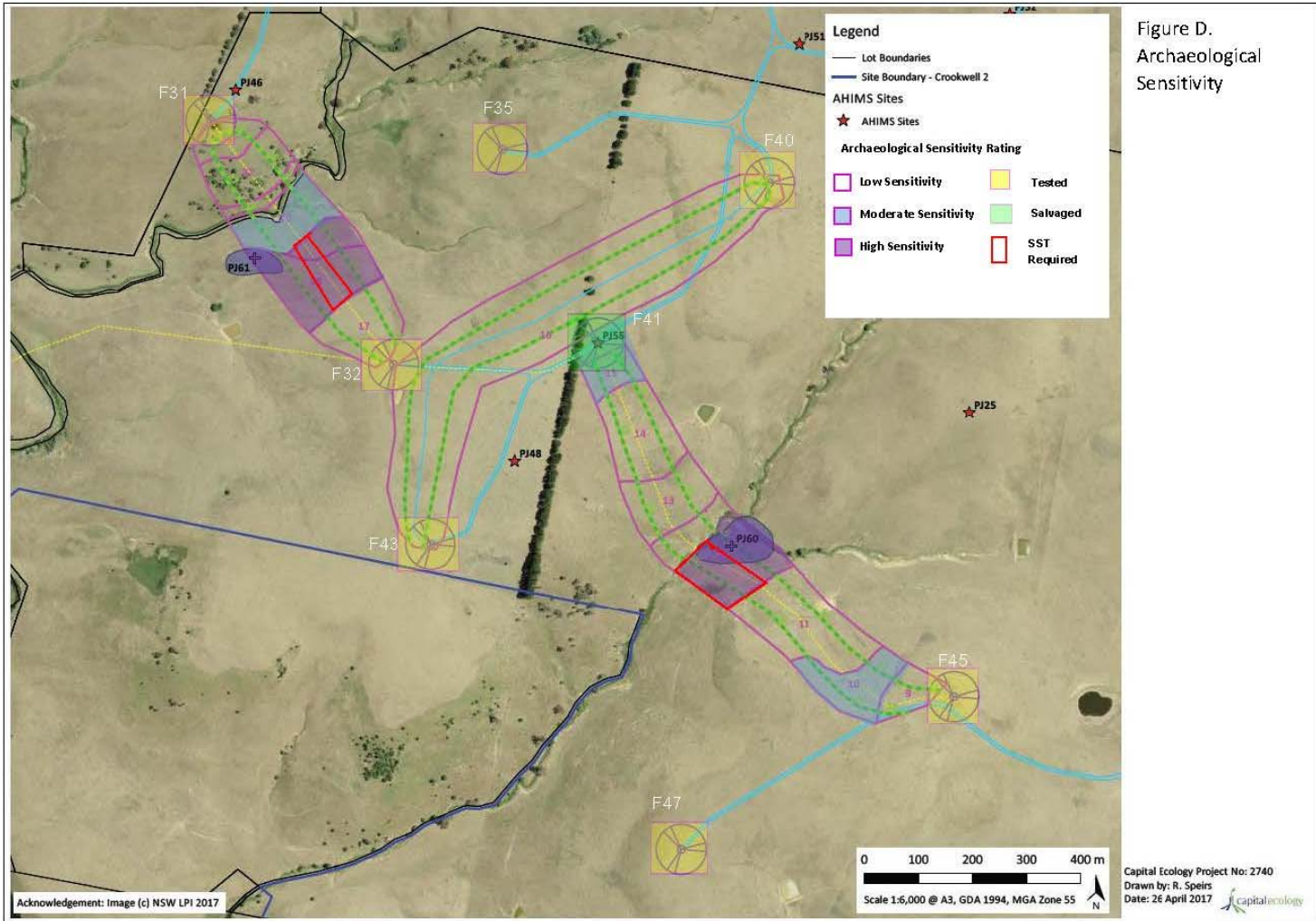
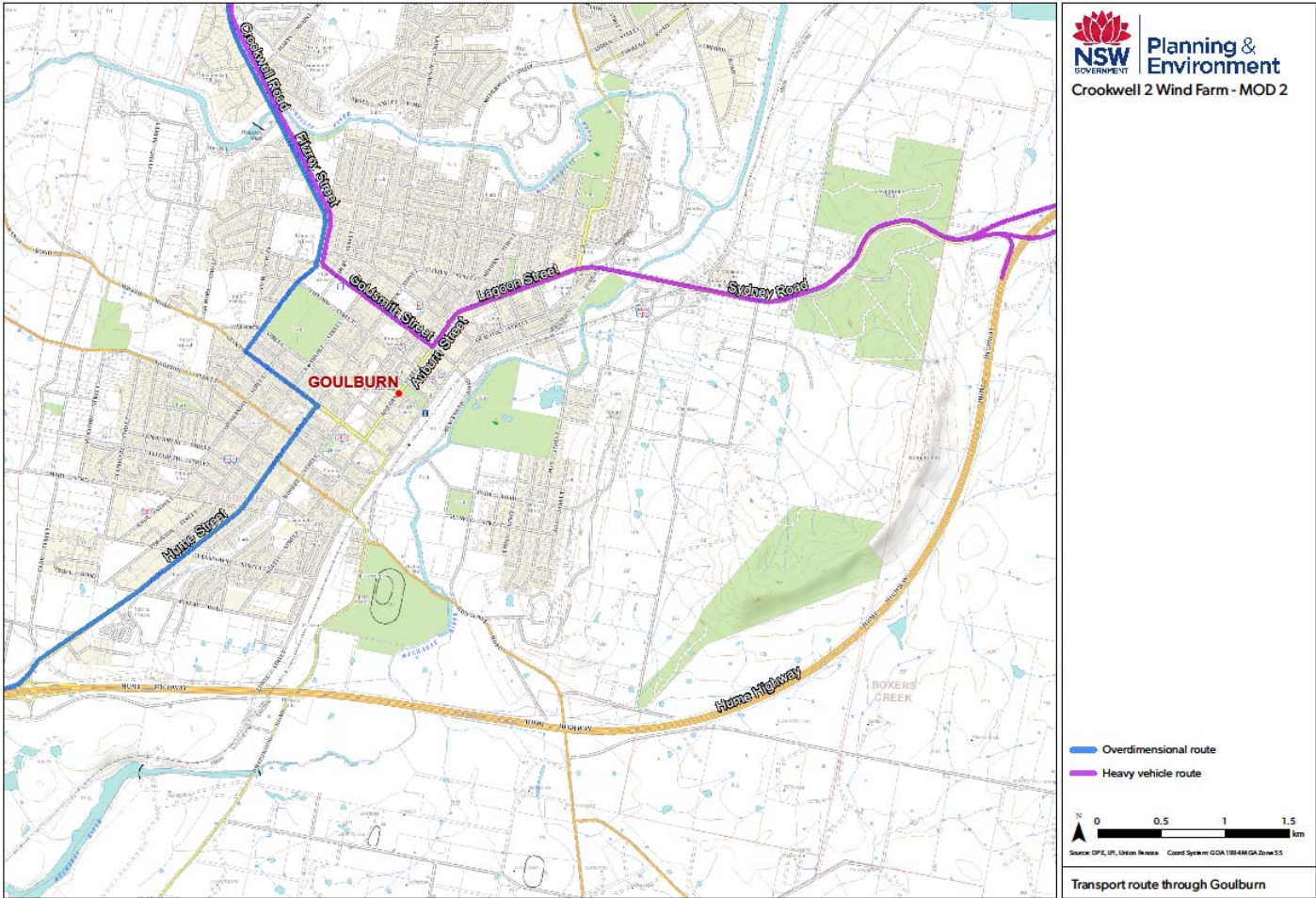
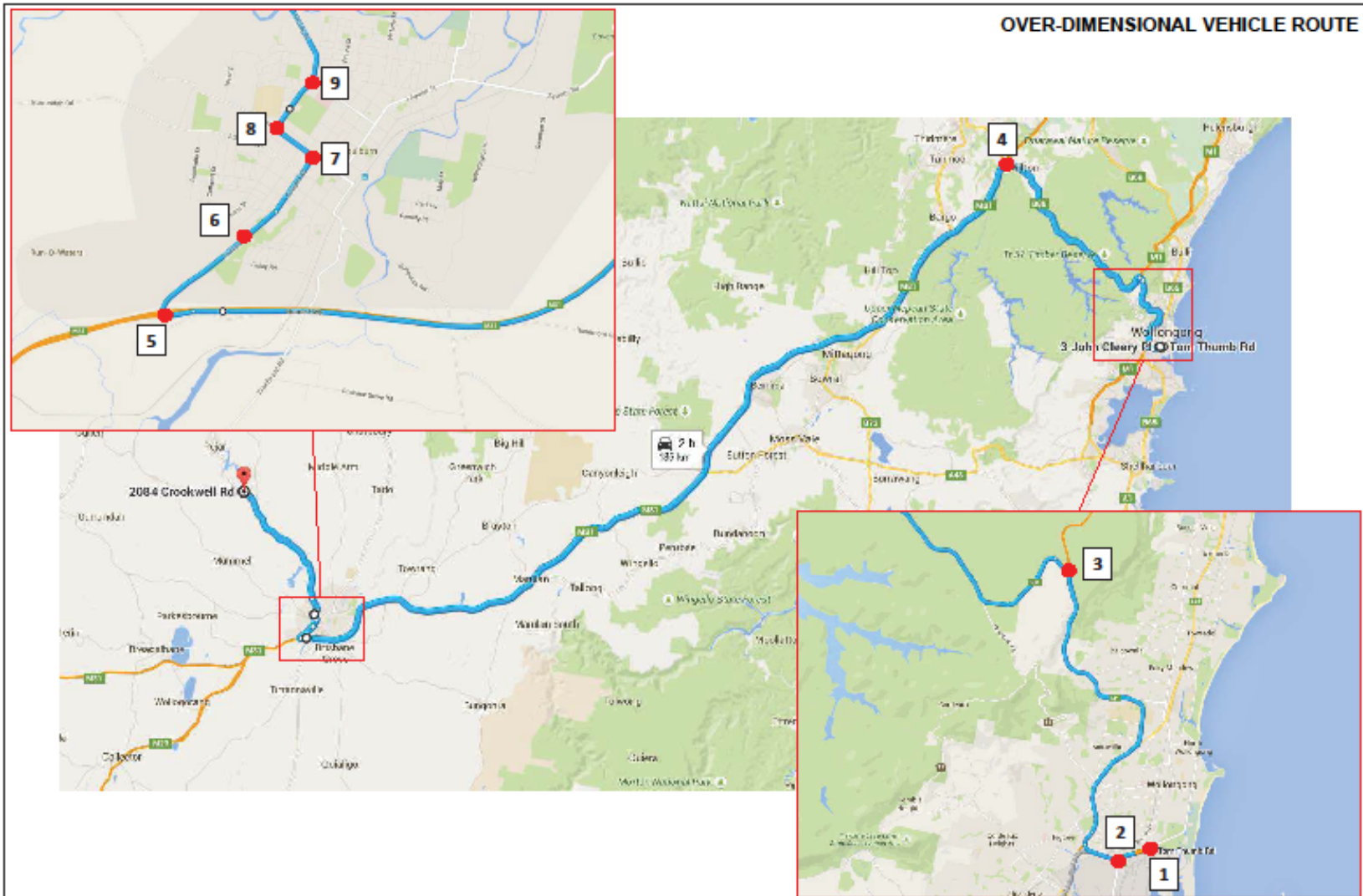


Figure D.  
Archaeological  
Sensitivity

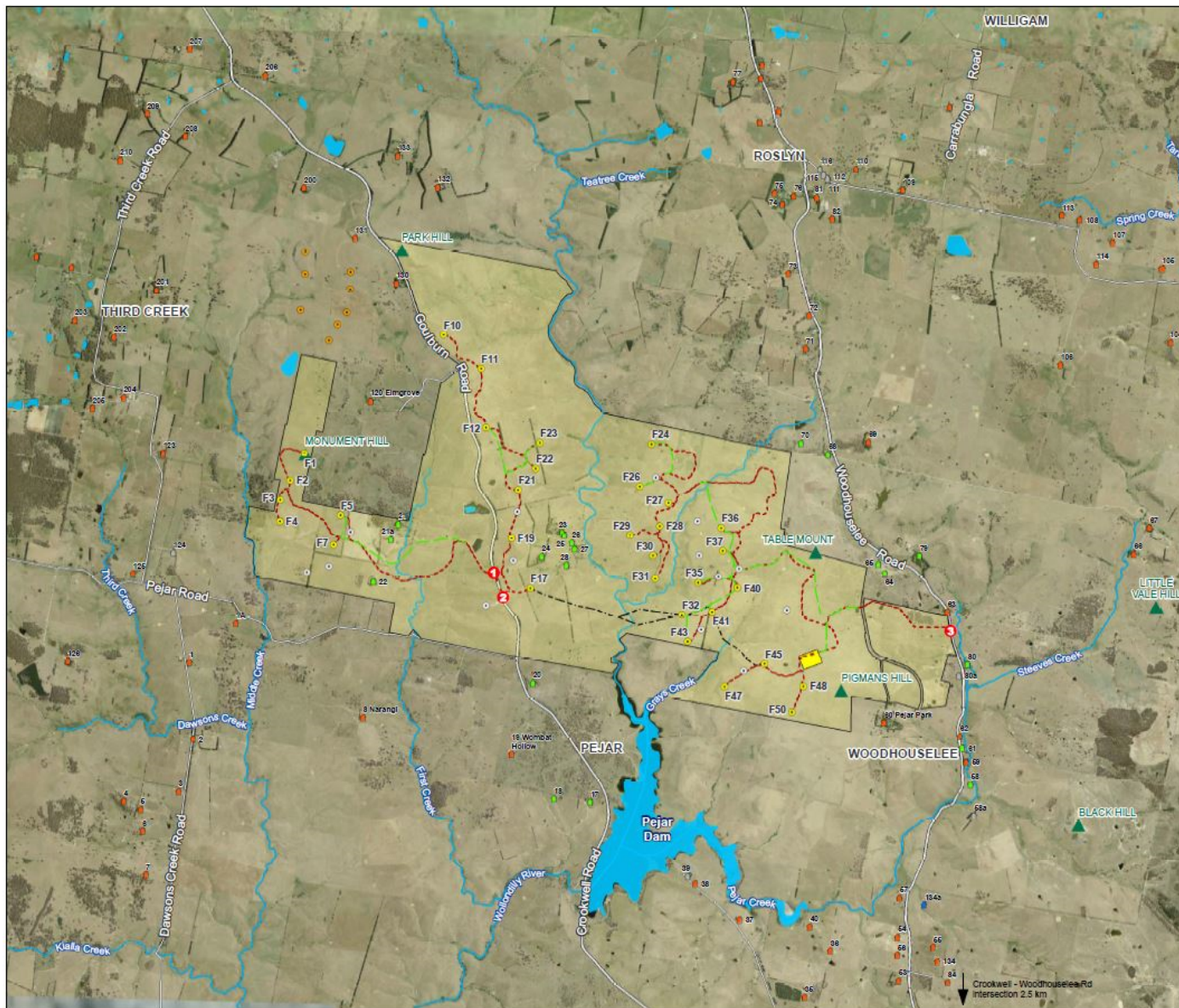
**APPENDIX 8  
HEAVY AND OVER-DIMENSIONAL VEHICLE ROUTES & SITE ACCESS**



















**OVER-DIMENSIONAL VEHICLE ROUTE**










**Planning & Environment**  
 Crookwell 2 Wind Farm - MOD 2  
 Assessment Report

-  Crookwell 1 turbines (operational)
-  Crookwell 2 turbines
-  Crookwell 2 turbines (removed)
-  Site access
-  Access track
-  Alternate access track
-  Cabling not adjacent to access track
-  Substation
-  Crookwell 2 Project Area
-  Associated dwelling
-  Non-associated dwelling
-  DA approved dwelling
-  Non-residential building
-  Hill
-  Waterway

Source: DPIE, LPI, Union Fenosa    Coord System: GDA 1994 MGA Zone 55

**Figure 2: Site Context**