

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	DA176-8-2004-Mod-3 Crookwell 2 Wind Farm-2004-Mod-3
Applicant	Crookwell Development Pty Ltd
Consent Authority	Minister for Planning

Decision

The Director, under delegation from the Minister for Planning has, under 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the Act) modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-additional-buildings-substation-compound>

A copy of the Department of Planning and Environment's assessment report is available at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-additional-buildings-substation-compound>

Date of decision

2 March 2023

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- the considerations under s 7.17(2) of the *Biodiversity Conservation Act 2016* (NSW)];
- all information submitted with the modification application during the assessment and information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the modification is of minimal environmental impact and the development to which the consent as modified relates is substantially the same development as the development authorised by the consent (as last modified under section 75W).

The key reasons for granting the modification are as follows:

- the modification would provide a range of benefits for the region and the State as a whole, including 20 construction jobs and \$2.5 million in investment;
- the modification is permissible with consent, and is consistent with NSW Government policies including the NSW Climate Change Policy Framework (2016) and NSW Electricity Strategy;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community and Council during consultation and in submissions have been considered and adequately addressed through the recommended modified conditions of consent; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 2 December 2022 until 15 December 2022 (14 days) and received one objection from the public.

The key issues raised by the community and considered in the Department's assessment report and by the decision maker include visual and health impacts. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Visual impact</i> <ul style="list-style-type: none">Visual impact of wind turbines	<i>Assessment</i> The project, including wind turbines, was approved in 2005 and the proposed modification does not alter the turbines. <i>Conditions</i> Nil
<i>Health</i> <ul style="list-style-type: none">Health impacts from wind turbines	<i>Assessment</i> The project, including wind turbines, was approved in 2005 and the proposed modification does not alter the turbines. <i>Conditions</i> Nil