



Council of the City of Lithgow

180 Mort Street, Lithgow, NSW, 2790. Telephone: (02) 6352 1077

Your Reference:

Our Reference:

Contact:

20988:54630 MF:MAJ

Environmental Services

27 March 2001

Hampton Wind Park Company Pty Ltd
Level 40
50 Bridge Street
SYDNEY NSW 2000

Dear Sir/Madam

**COMBINED DEVELOPMENT APPROVAL/CONSTRUCTION CERTIFICATE
NO.362/00**

**PROPOSED ELECTRICITY WIND TURBINE SYSTEM WIND FARM –
“HICKORY HILL”, 139 WICKETTY WAR ROAD, HAMPTON**

Please find enclosed your abovementioned Combined Development Approval/Construction Certificate.

Your Environmental Planner is Mr Ian Rufus, who is available for contact personally or by telephone (02) 63549913 between 10.45am and 12.45pm, Monday to Friday. Interviews at other times may be arranged by appointment.

Please do not hesitate to contact Ian should you have any concern or enquiry in respect to your building project.

Yours faithfully

**Mr Jim Nichols
BUILDING MANAGER**

for Mr Iain Stewart
GENERAL MANAGER

enc

**The Council of the
City of Lithgow
180 Mort Street Lithgow NSW 2790
Telephone (02) 63549927
Postal Address: PO Box 19 Lithgow NSW 2790 Fax: (02) 63512927**

**NOTICE OF DETERMINATION OF A COMBINED
DEVELOPMENT APPLICATION / CONSTRUCTION CERTIFICATE**

issued under the *Environmental Planning and Assessment Act 1979* Section 81 (1) (a)

Development Application No.: 96/01

Description Application

Applicant's Name/s:	Hampton Wind Park Company Pty Ltd
Applicant's Address:	Level 40, 50 Bridge Street, Sydney
Owner's Name/s:	I M Litchfield
Land to be Developed (Site Address):	Lots 113 114 DP 1011911, Portions 90 95 115 "Hickory Hill", 139 Wicketty War Road, Hampton
Proposed Development:	Electricity Wind Turbine System Wind Farm

Building Code of Australia

Building Classification: 10b

Determination

Made on **18 September 2000**

determination	consent granted unconditionally	No
	consent granted subject to conditions described below	Yes
	application refused	No

consent to operate from	18 September 2000
if not commenced, consent to lapse on	18 September 2005

CONDITIONS (including Section 94 Conditions)

1. The development is carried out in accordance with the application and plans submitted with the application except as may be amended or specified by the following conditions
2. All accesses and visitor car parking areas are to have minimum 150mm compacted road base (DGB-20) or equivalent, and a two coat bitumen seal finish in accordance with Council's Subdivision and Development Code. All drainage works associated with such access(s) are to be inspected prior to the sealing of access road(s) by Council's Development Engineer.
3. All development to be constructed in accordance with Council's Subdivision and Development Code.
4. Access(s) are to have a minimum sight distance of no less than 160 metres either side of the access(s) to be constructed.
5. Access(s) are to have entry/exit splays of no less than 6 metres to allow for safe vehicular movements.
6. All drainage work(s) associated with access(s) are to be submitted as detailed plans to Council's Development Engineer for approval, prior to the commencement of any Civil construction. All pipe work is to be standard 375mm (RCP) or as directed and is to be constructed with adjoining concrete headwalls, bonded together with concrete/grout.
7. That the removal of trees from the site be restricted to the area to be occupied by the development works, unless further consent of Council is obtained. Native trees shall be retained for habitat where possible.
8. Any toilet facilities to be situated onsite shall require development approval from Council. Any application will require the submission of a detailed geotechnical and/or water balance assessment report.
9. The building works are to be inspected during construction by the Council or by an Accredited Certifier or other suitably qualified person (as applicable), and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia, is to be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
 - Footings;
 - Final.
10. That a certificate from an approved practising Structural Engineer, attesting to the structural adequacy of the proposed building system and compliance with the Australian Standards, is submitted to Council prior to the commencement of construction
11. That no materials or machinery to be used during construction shall be placed or stored on Council's roadway.

12. Prior to commencement of turbine construction an onsite management plan shall be submitted for the consideration and approval of Council incorporating the following;
 - a) A monitoring plan assessing the potential effects of the development on birds. The monitoring plan shall include details of who will carry out the monitoring, the length of monitoring (not less than 4 seasons, 12 months), the proposed monitoring plan, the proposed process for dissemination and review of monitoring results and the proposed strategy should there be any impact on birds.
 - b) Management of the possible impact of the proposed development by reason of electromagnetic interference with adjoining properties. The management plan shall include the following details:
 - the proposed method of recording television reception in nearby residences and the proposed method of addressing any complaints
 - in the event of any television or radio interference occurring due to the operation of the wind farm, the applicant is to undertake any modification to, or replacement of, aerials at the affected residences
 - in the event of these measures being unsatisfactory, the applicant is to undertake other measures necessary to restore reception as near as possible to the quality available prior to construction.
13. Management of the possible impact of the proposed development by reason of noise on adjoining properties. The management plan shall include the following details:
 - the proposed method of responding to complaints of intrusive noise;
 - the proposed method of recording and assessing intrusive noise in accordance with EPA guidelines and/or requirements;
 - in the event of excessive noise being generated, the measures to be undertaken to mitigate such noise.
14. Should the wind farm be deemed by the applicant to have reached the end of its operating life, the applicant shall remove all redundant above ground work without any cost to Council and rehabilitate the site to its original character.
15. Any additional wind turbines proposed for the site will require additional development consent from Council.
16. The applicant furnish details to Council illustrating proposed means to restrict public access to any above ground power connections of exposed installations.
17. The applicant shall submit to Council for information, an Annual Review of Operations outlining the results of any monitoring required under these conditions of consent, details of any complaints received and resolution or otherwise thereof.

18. Prior to the commencement of work, the applicant shall submit to Council for consideration a soil and water management plan incorporating appropriate erosion and sedimentation measures. The plan should detail all construction works associated with the construction of the towers, accesses and parking facilities.
19. Should Council reasonably determine that any damage to the adjacent roadway is directly attributed to the development during the construction phase, the applicant shall carry out all necessary repairs to the roadway to the satisfaction of Council, at the applicant's expense.

REASONS FOR CONDITIONS/REFUSALS

(list reasons under Section 79C(1) *Environmental Planning & Assessment Act 1979 As Amended*)

Matters for consideration - general

In determining a development application a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

Condition No's

- | | |
|-----------------|--|
| 1-4,6,9-11,16 | a) the provision of: <ul style="list-style-type: none">i) any environmental planning instrument, andii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, andiii) any development control plan, andiv) any matters prescribed by the regulations, <i>that apply to the land to which the development application relates,</i> |
| 7-8,13-15,18,19 | b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, |
| 5,12,17,20 | the public interest. |

Attachments

schedule of essential fire safety measures
conditions required to be attached by the Regulation

Plans and Specifications

Approved

List Plan No(s) and Specification Reference

Hickory Hill Wind Energy Pty Ltd Sheet No. 1. Vestas Wind Systems Item No. 943184.RO1-RO12(1), 943184.RO13-25(2), 943184.RO26-46(3). General Specification Item No. 943111.R4. Project Details and Statement of Environmental Impact Pages 1-21.

Other Approvals

list *Local Government Act 1993* approvals granted under s 78A(5)

N/A

general terms of other approvals integrated as part of the consent

N/A

Right of Appeal

If you are dissatisfied with the decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Under s 109K where the certifying authority is a council an applicant may appeal to the Land and Environment Court against the refusal to issue a construction certificate within 12 months from the date of decision

Signature on behalf of the consent authority

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CONSTRUCTION CERTIFICATE

Certificate

I certify that the work if completed in accordance with these plans and specifications will comply with the requirements of s 81A(5) of the *Environmental Planning and Assessment Act 1979*

Signature: 

Date of Endorsement: 18 September 2000

Certificate No.: 362/00

Certifying Authority

Name of Principal Certifying Authority: Lithgow City Council