

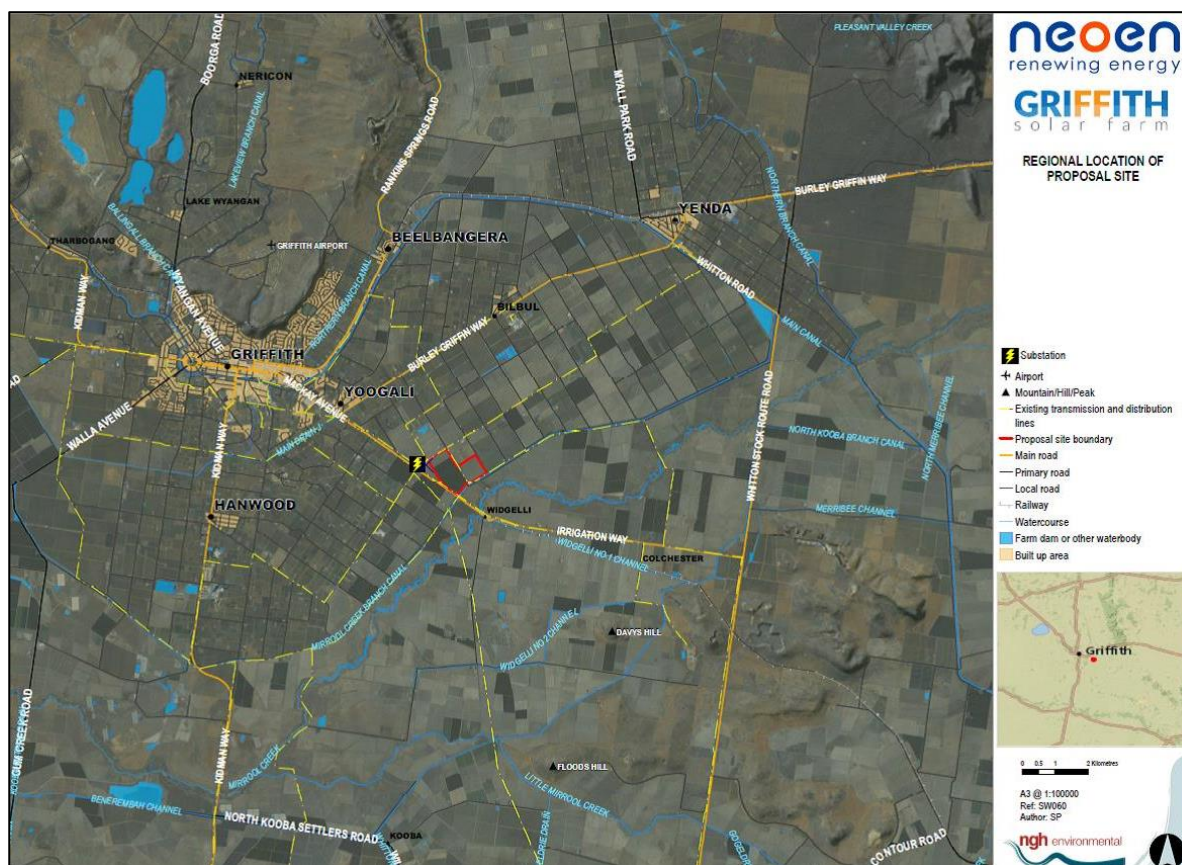
## ASSESSMENT REPORT

### Griffith Solar Farm

#### Temporary Construction Access Modification (SSD 6604 - Mod 3)

## 1 BACKGROUND

Neoen Australia Pty Ltd (Neoen) has approval to construct and operate the Griffith Solar Farm (the project), located approximately 7 kilometres (km) southeast of Griffith (see **Figure 1**).



**Figure 1: Project site location**

On 14 June 2016, the Executive Director, Resource Assessments and Business Systems, as delegate of the Minister for Planning, granted approval for the Griffith Solar Farm (SSD 6604). The development consent allows for the construction, upgrading and decommissioning of a photovoltaic solar farm with an initial capacity of 60 megawatts.

The development consent has since undergone two modifications. Modification 1 was approved in October 2016 to allow construction of internal access roads and a change of the project's site entry point. Modification 2 was approved in April 2017 to allow a change to the road upgrade requirements for the Burley Griffin Way and Ross Road intersection.

The project site, which is located immediately southeast of the Riverina Solar Farm, is shown in **Figure 1**.

On 17 February 2017, the Department approved a request by Neoen to use the project's alternative access route in accordance with the conditions of the development consent. Neoen demonstrated that it was unable to secure the preferred access route due to financial and safety constraints associated with upgrades of the rail crossing and intersection of Irrigation Way and Hamilton Road.

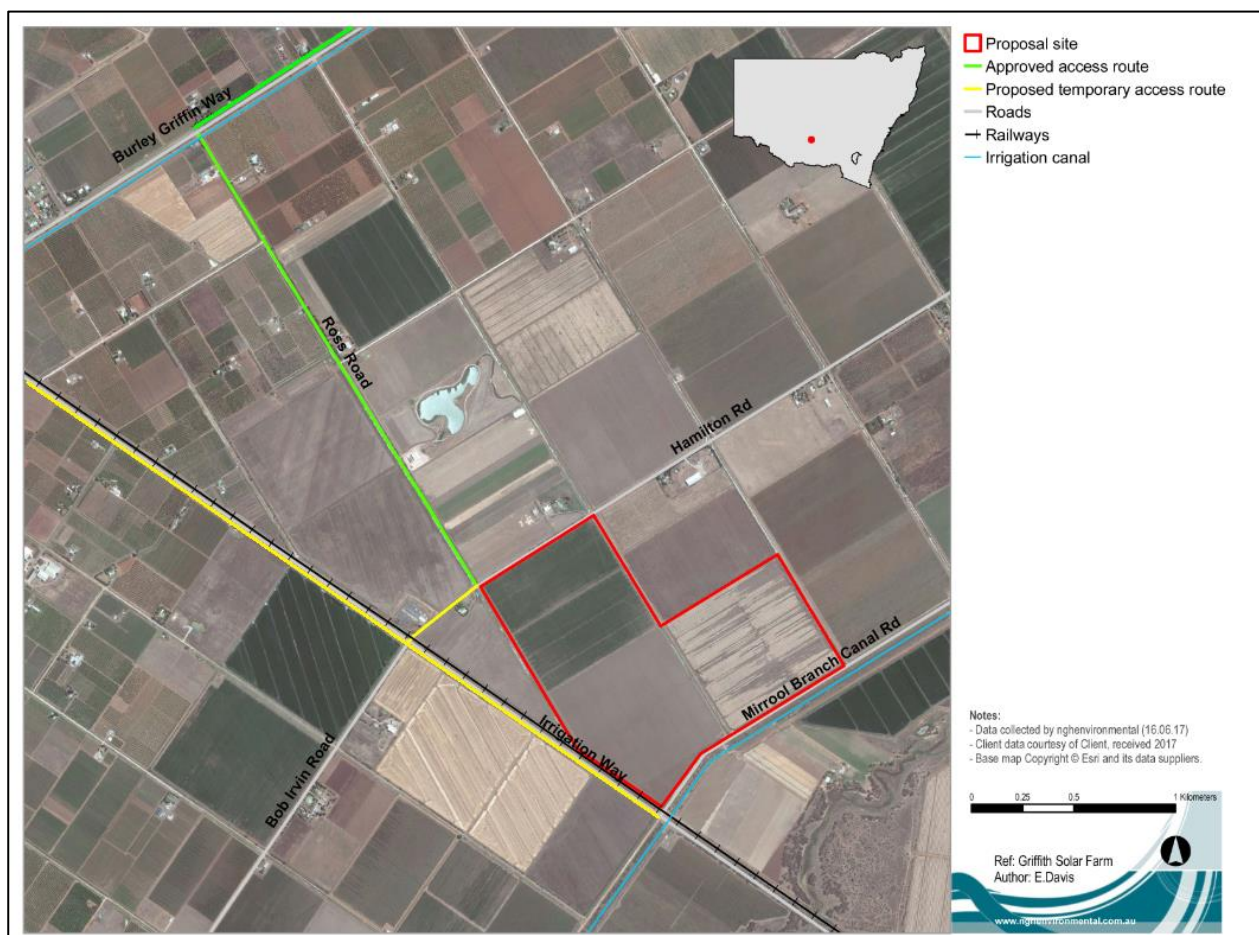
Neoen has yet to commence construction of the Griffith Solar Farm project.

## 2 PROPOSED MODIFICATION

Neoen is seeking to modify the development consent for the Griffith Solar Farm to temporarily allow construction vehicle access to the project site via Irrigation Way and Hamilton Road. Neoen is proposing this modification to facilitate commencement of construction prior to completion of road upgrades on the approved access route (via Burley Griffin Way, Ross Road and Hamilton Road).

Neoen proposes to temporarily access the project site via Irrigation Way and Hamilton Road until 15 August 2017, after which time road upgrades on the approved access route would be completed.

The approved access route and proposed temporary access route are both highlighted below in **Figure 2**.



**Figure 2:** Approved access route and proposed temporary access route for the Griffith Solar Farm

## 3 STATUTORY CONTEXT

The development was originally approved under Section 89E of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and any modification to this consent must be made under Section 96 of the EP&A Act.

Based on its assessment, the Department is satisfied that the application can be characterised as a modification to the existing consent as the proposal would not alter the approved layout or disturbance area of the development, nor would it significantly increase the environmental impacts of the development as approved.

The Minister for Planning is the approval authority for the application. However, under the Minister's delegation dated 16 February 2015, the Director, Resource Assessments may determine the proposed modification as Griffith City Council does not object to the proposal, Neoen has not made reportable political donations, and no public submissions were received on the proposal.

#### **4 CONSULTATION**

Given the minor nature of the application, the Department did not formally seek submissions on the proposal. The modification application included letters of support from Griffith City Council (Council), Roads and Maritime Services (RMS) and the rail infrastructure manager, John Holland Rail (see **Appendix B**). The Department also consulted with Council and RMS via teleconference on 29 June 2017 to confirm their support for the proposed modification.

#### **5 ASSESSMENT**

In assessing the merits of the proposal, the Department has considered:

- the modification application and supporting information;
- supporting documents provided from RMS, Council and John Holland Rail;
- the EIS and conditions of consent for the original project;
- relevant environmental planning instruments, policies and guidelines, and
- the requirements of the EP&A Act.

Under the current conditions of consent, Neoen is required to complete road upgrades along the approved access route prior to the commencement of construction. This includes upgrading the intersection of Burley Griffin Way and Ross Road to include a left turn shoulder lane, as well as paving and widening of Ross Road to allow two-way construction traffic access.

There have been significant delays to the road upgrades due to incorrect engineering advice and materials procurement, which meant they will not be completed until August 2017. This would result in a minimum six week delay in the commencement of project construction and would have serious financial implications on the project.

Using projected electricity prices and generation credit prices, Neoen has calculated that delaying commencement of construction and energy generation by six weeks would result in a loss of revenue of approximately \$1.3 million.

To avoid significant financial loss and ensure the feasibility of the solar project, Neoen proposes to temporarily use the Irrigation Way and Hamilton Road access route to enable construction traffic to access the site to commence construction on the project. Neoen has advised that use of the Irrigation Way and Hamilton Road access route would not be required after 15 August 2017.

The Department acknowledges that previous investigations completed by Neoen have found heavy vehicles accessing the project site via Hamilton Road may pose a safety risk when crossing the rail easement and entering/exiting Hamilton Road.

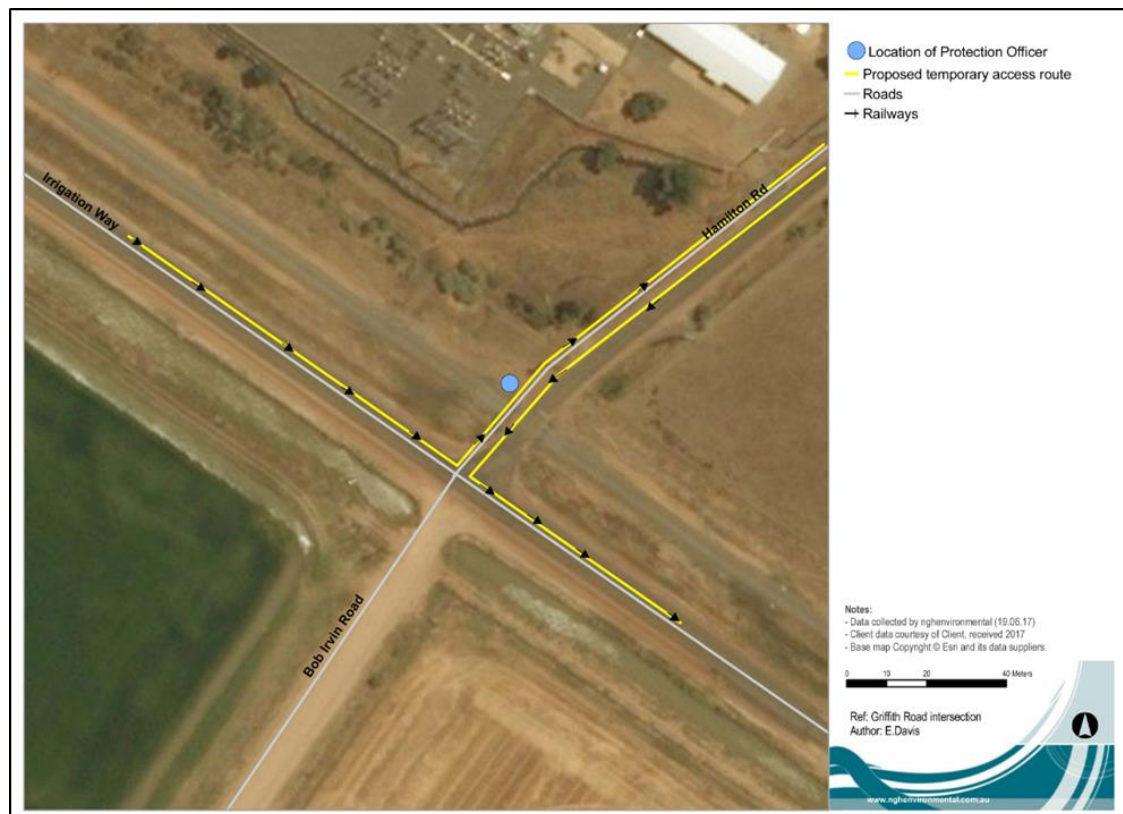
Neoen proposes to overcome this risk by employing an accredited traffic Protection Officer, positioned at the rail crossing (see **Figure 3**) to ensure safe movement of all construction traffic accessing the project site via Irrigation Way and Hamilton Road. Neoen would employ the Protection Officer to manage vehicle movements at the intersection until road upgrades on the approved access route are completed.

Neoen has also prepared a detailed Traffic Management Plan (TMP) in consultation with RMS and Council, as required in the existing conditions of consent. This plan has been updated for the proposed modification and addresses the key traffic management issues, including minimising traffic safety issues and disruption to local users.

Neoen has consulted extensively with both RMS and Council regarding the temporary access to the site. Both agencies support the proposal provided that an accredited Protection Officer is utilised and the TMP is implemented.



Neoen has also consulted with John Holland Rail, which manages the rail easement that crosses the proposed route. John Holland Rail supports the proposal and has also endorsed the use of an accredited Protection Officer.



**Figure 3:** Protection Officer location and proposed entry/exit at the Hamilton Road and Irrigation Way intersection

The Department acknowledges the high costs associated with employing an accredited Protection Officer and considers this reflects Neoen's commitment to ensure a high level of safety. The Department considers that the use of a Protection Officer would mitigate the risks associated with vehicles crossing the rail easement and entering/exiting Hamilton Road.

Based on the implementation of the TMP and the use of an accredited Protection Officer, the Department is satisfied interactions between project traffic and public road users would be managed effectively.

At a strategic level, the Department considers that the proposed modification would prevent a significant financial loss for Neoen and ensure that an important renewable energy project remains feasible. With a capacity of 60 MW, the project would contribute to achieving the Commonwealth's Renewable Energy Target, while generating enough power for around 10,000 homes and save up to 111,000 tonnes of greenhouse gas emissions.

## 6 RECOMMENDED CONDITIONS

The Department has drafted a recommended Notice of Modification (see **Appendix C**), as well as a consolidated version of the development consent as modified (see **Appendix D**).

Recommended conditions involve modifying conditions 4 and 6 of Schedule 3, and adding condition 6A of Schedule 3 to allow temporary access to the project via Irrigation Way and Hamilton Road, following approval in writing from the Secretary and subject to the implementation of an approved Traffic Management Plan.

Neoen has accepted the proposed amended conditions.

## 7 CONCLUSION

The Department has assessed the modification application in accordance with the relevant statutory requirements, having regard to the modification justification, comments from agencies, and documentation relating to the original project.

The Department considers that the implementation of a Traffic Management Plan and use of a Protection Officer would sufficiently mitigate any risks associated with construction vehicles using the proposed temporary access route. At a strategic level, the Department considers that the proposed modification would prevent a significant financial loss for Neoen and ensure that an important renewable energy project remains feasible.

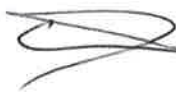
The Department is satisfied that the proposed modification would not significantly increase the environmental impacts of the approved project, nor would it significantly alter the layout of the project as approved.


Consequently, the Department is satisfied that the proposed modification is in the public interest and should be approved.

## 8 RECOMMENDATION

It is recommended that the Director, Resource and Energy Assessments:

- **considers** the findings and recommendations of this report;
- **determines** that the modification falls within the scope of Section 96(1A) of the EP&A Act;
- **approves** the modification application under Section 96(1A) of the EP&A Act; and
- **signs** the Notice of Modification (**Appendix C**).

 05/07/17  
Tim Stuckey  
Planning Officer  
Resource and Energy Assessments

 5/7/17  
Clay Preshaw  
Director  
Resource and Energy Assessments

## **APPENDIX A: NOTICE OF MODIFICATION**

## **APPENDIX B: CONSOLIDATED CONSENT**

## **APPENDIX C: MODIFICATION APPLICATION/ENVIRONMENTAL ASSESSMENT**



## **APPENDIX D: SUBMISSIONS**