

ASSESSMENT REPORT

Jemalong Solar Project

Subdivision Modification (SSD 8803 MOD 1)

EXECUTIVE SUMMARY

Vast Solar Pty Ltd is seeking to modify the Jemalong Solar Project by amending the previously approved subdivision layout of Lot 13 in DP 753118. The proposed modification involves an adjustment of lot sizes and boundary lines.

The Department's assessment has concluded that the modification would not result in any significant impacts beyond those that were previously assessed and approved.

1. BACKGROUND

Vast Solar Pty Ltd (the Applicant) has approval to develop the Jemalong Solar Project (the project) approximately 26 kilometres (km) south west of Forbes, in the Forbes Local Government Area (LGA).

The project was approved on 18 May 2018 by the Executive Director, Resource Assessments and Business Systems, as delegate of the Minister for Planning.

The consent allows for the construction, upgrading and decommissioning of a solar farm on a 681.5 hectare (ha) site comprised of one allotment (i.e. Lot 1 DP753116). The project would have an initial capacity of 50 megawatts (MW) and include:

- approximately 170,000 solar panels;
- inverters stations;
- an onsite substation;
- a 5 kilometre (km) above ground transmission line connecting to the Essential Energy West Jemalong Substation;
- internal access tracks, underground cabling, staff amenities, offices, car parking, laydown area and security fencing; and
- subdivision for the project site and the substation.

The Applicant has yet to commence construction of the project

2. PROPOSED MODIFICATION

Vast Solar is seeking to modify the approved project by amending the previously approved subdivision lot size for the project site.

The approved lot size for the project site compared to the proposed lot size for the project site are outlined in **Table 1** and shown in **Figure 1**.

Table 1: Approved subdivision compared to proposed modified subdivision

Lot	Purpose	Approved Lot Size (ha)	Modified Lot Size (ha)
1	Project site	165	141
2	Substation	0.5	0.5
3	Residual land	516	540

The modification is described in detail in the Environmental Impact Statement (EIS) (see **Appendix A**).

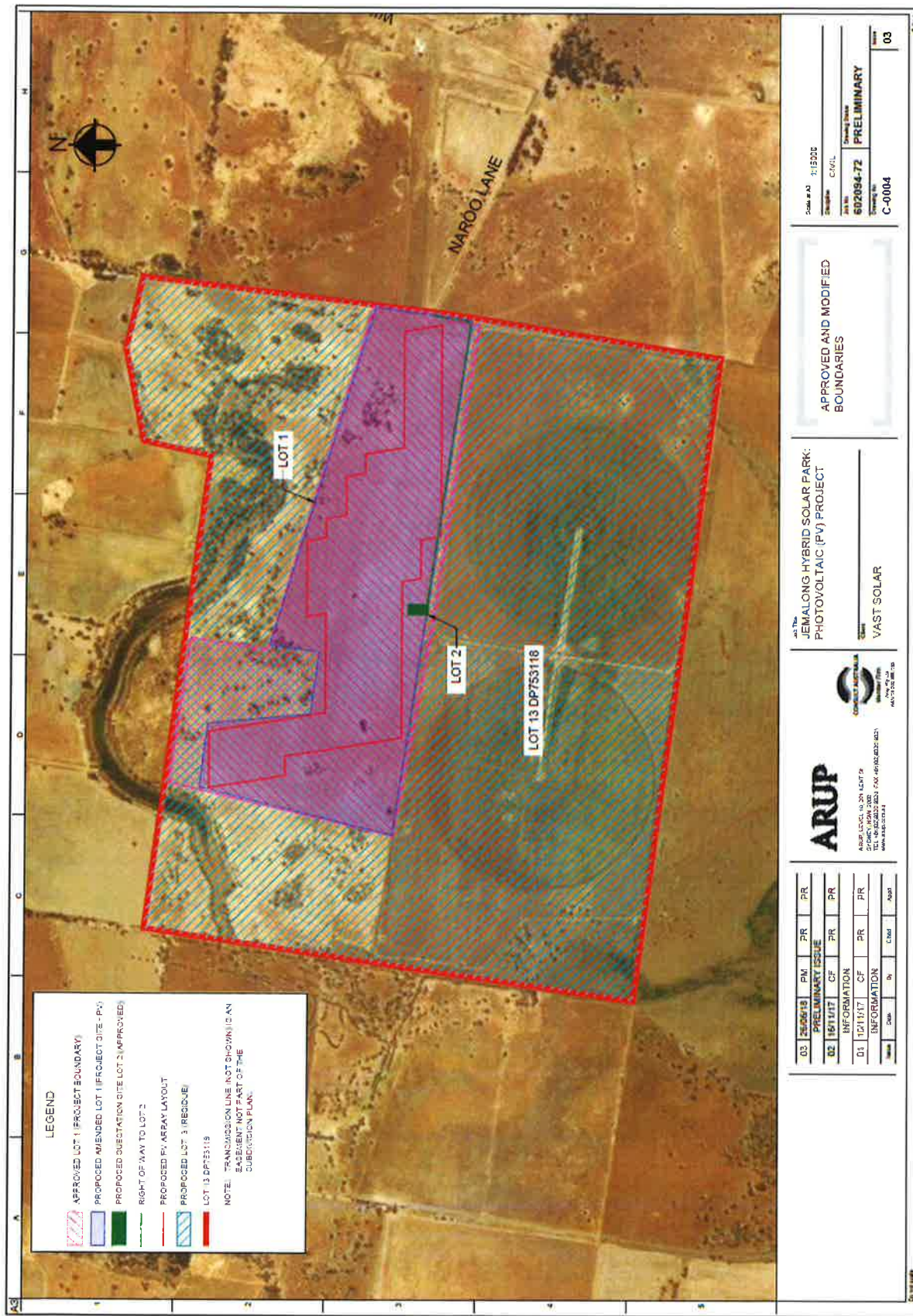


Figure 1: Approved project site subdivision compared to proposed project site subdivision

3. STATUTORY CONTEXT

The project was originally approved under Section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). As such, any modification to this consent must be made under Section 4.55 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 neither significantly alter the approved layout 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 modification application, however the proposal may be determined by the Director, Resource and Energy Assessments, under the Minister's delegation of 11 October 2017. This is because a political disclosure statement has not been made and Forbes Shire Council did not object to the proposal.

4. CONSULTATION

The Department made the modification application and EIS publicly available on its website from 12 July 2018. Given the minor nature of the application, the Department did not formally seek submissions on the application, but referred the application to Forbes Shire Council for advice.

5. ASSESSMENT

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

- existing conditions of consent;
- project EIS;
- modification application and supporting information;
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act.

Subdivision

The lot proposed to be subdivided is 681.5 ha and is located on land zoned RU1 - Primary Production under the *Forbes Local Environmental Plan (LEP) 2013*. The minimum lot size for land zoned RU1 is 100 ha.

The Department notes that both the existing (165 ha) and the proposed (141 ha) allotments for the project site are above the minimum lot size specified in the *Forbes LEP 2013*.

Further, the Department considers that the proposed subdivision is consistent with the objectives of the *Forbes LEP 2013* as:

- the subdivided land would not be used for residential purposes; and
- it would ensure the lots have a practical and efficient layout to meet the intended use of the land under the existing consent, that being electricity generation.

As such, the Department supports the Applicant's request to modify the approved subdivision of the land.

6. RECOMMENDED CONDITIONS

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

The amended conditions would enable the Applicant to subdivide the land as proposed, and subsequently lodge a Subdivision Application with a Principal Certifying Authority in accordance with clause 157 of the *Environmental Planning and Assessment Regulation 2000*.

Additionally, the conditions have been updated with a revised figure with the amended location of the project site.

The Applicant has reviewed the proposed changes to the conditions and does not object to them.

7. CONCLUSION

The Department has assessed the modification application in accordance with the relevant statutory requirements, having regard to the modification justification, agency advice and documentation relating to the original project. The Department's assessment has found that the proposed modification would not result in any significant impacts beyond those that were assessed and approved for the original project.

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, as delegate of the Minister for Planning:

- **consider** the findings and recommendations of this report;
- **determine** that the modification request falls within the scope of section 4.55(1A) of the EP&A Act;
- **modify** the development consent (SSD 8803); and
- **sign** the attached notice of modification (**Appendix B**).

Recommended by:

 26/7/18

Natasha Homsey
Environmental Assessment Officer
Resource and Energy Assessments

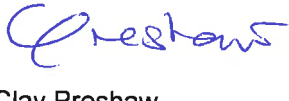
Recommended by:

 26/7/18

Diana Mitchell
Senior Environmental Assessment Officer
Resource and Energy Assessments

9. DECISION

The recommendation is Approved / Not approved by:

 27/7/18

Clay Preshaw
Director
Resource and Energy Assessments
as delegate of the Minister for Planning

APPENDIX A:

ENVIRONMENTAL IMPACT STATEMENT

See website at http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9421

APPENDIX B:

NOTICE OF MODIFICATION

See website at http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9421

APPENDIX C:

CONSOLIDATED CONSENT

See website at http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9421
