

# Modification of Development Consent

Section 4.55(1) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Nicole Brewer  
**Director**  
**Energy Assessments**

Sydney

17 April 2020

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## SCHEDULE 1

|                             |                                                                                                                                                      |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Development consent:</b> | SSD 9237 granted by the Executive Director, Resource Assessments and Business Systems, as delegate of the Minister for Planning, on 20 December 2018 |
| <b>For the following:</b>   | Yarrabee Solar Farm                                                                                                                                  |
| <b>Modification:</b>        | Administrative description of lots                                                                                                                   |

## SCHEDULE 2

1. In the TABLE OF CONTENTS in Schedule 1, after 'Community Enhancement', insert 'Batteries'.
2. In Schedule 1, in the table of DEFINITIONS, delete the definitions for 'Department', 'DoI L&W', 'EIS', 'Minister', and 'OEH' and insert the following in alphabetic order:

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ancillary infrastructure | All project infrastructure with the exception of solar panels, including but not limited to collector substations, switching stations, permanent offices, site compounds, electricity transmission lines and internal roads                                                                                                                                                                                                                   |
| BCD                      | The Department's Biodiversity and Conservation Division                                                                                                                                                                                                                                                                                                                                                                                       |
| DPIE Crown Lands         | The Department's Crown Lands Group                                                                                                                                                                                                                                                                                                                                                                                                            |
| Department               | Department of Planning, Industry and Environment                                                                                                                                                                                                                                                                                                                                                                                              |
| DPIE Water               | The Department's Water Group                                                                                                                                                                                                                                                                                                                                                                                                                  |
| EIS                      | <p>The Environmental Impact Statement for Yarrabee Solar Farm dated 17 August 2018, as amended by:</p> <ul style="list-style-type: none"><li>• <i>Yarrabee Solar Project Response to Submissions Report</i> dated 17 October 2018, and additional information provided to the Department on 22 November 2018, 26 November 2018 and 4 December 2018;</li><li>• <i>Yarrabee Solar Project Modification Report</i> dated 5 March 2020.</li></ul> |
| EPA                      | Environmental Protection Authority                                                                                                                                                                                                                                                                                                                                                                                                            |
| Minister                 | Minister for Planning and Public Spaces or delegate                                                                                                                                                                                                                                                                                                                                                                                           |

3. Delete all references to "OEH" and replace with "BCD".
4. Following condition 14 of Schedule 2, insert the following:

### BATTERIES

#### Battery Storage Restriction

15. The capacity of the battery energy storage system must not exceed 35 MW / 70 MW hours.

*Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage system in the future.*

5. In condition 5 of Schedule 3, delete "DoI L&W" and replace with "DPIE Crown Lands".
6. In condition 7 of Schedule 3, after "Prior to commencing", delete "construction" and replace with "the development".
7. In condition 9 of Schedule 3, after "Prior to commencing", delete "construction" and replace with "the development".

8. In condition 10 of Schedule 3, after “without approval of the Secretary:”, insert the following:
  - activities that are inaudible at non-associated receivers;
9. In condition 20 of Schedule 3, delete “DoI L&W” and replace with “DPIE Water”.
10. In condition 21 of Schedule 3, after “development,”, insert “in consultation with Fire and Rescue NSW and the NSW Rural Fire Service, and”.
11. In condition 1 of Schedule 4, delete “construction” and replace with “the development”.
12. In condition 4 of Schedule 4, delete “to compliance@planning.nsw.gov.au” and replace with “via the Major Projects website portal”.
13. In condition 5 of Schedule 4, delete “to compliance@planning.nsw.gov.au” and replace with “via the Major Projects website portal”.
14. Delete condition 6 of Schedule 4.
15. In condition 7 of Schedule 4:
  - i. delete “Within 6 months of commencing construction, or as directed by the Secretary, the” and replace with “The”;
  - ii. in the first sentence, delete “an”;
  - iii. in the first sentence, delete “Audit” and replace with “Audits”;
  - iv. in the second sentence, delete “audit” and replace with “audits”;
  - v. after point (c), insert the following:
    - (d) be prepared, unless otherwise agreed with the Secretary in writing:
      - within 3 months of commencing construction;
      - within 3 months of commencement of operations; and
      - as directed by the Secretary;
  - vi. sequentially increase the numbering of points (d) and (e) to become (e) and (f).
16. In condition 8 of Schedule 4, renumber points (f) and (g) to become (a) and (b) respectively.
17. In the Table in Appendix 2, insert the following rows in numerical order:

|     |        |
|-----|--------|
| 116 | 750889 |
| 121 | 750889 |
| 123 | 750889 |
| 171 | 750889 |
| 172 | 750889 |
| 173 | 750889 |
| 174 | 750889 |
| 175 | 750889 |

**END OF MODIFICATION**