



# Yarrabee Solar Farm Modification 3

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Administrative Description of Lots  
State Significant Development Modification Assessment  
(SSD 9237 MOD 3)

November 2021



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# Executive Summary

Reach Solar is seeking to modify the Yarrabee Solar Farm approval to amend a misdescription of the lots described in the existing consent.

The modification application seeks to amend the Schedule of Lands in the existing consent to include the description of Lot 3 DP 1238524 which runs through the site in a series of easements.

The project boundary remains unchanged as the portions of Lot 3 DP 1238524 that run through the site are within the assessed and approved project boundary.

The Department's assessment has concluded that the modification should be approved, as it would not increase the impacts of the project beyond those already assessed and approved.

## 1 Introduction

Reach Solar has approval to develop the Yarrabee Solar Farm, located approximately 23 kilometres (km) southwest of Narrandera, primarily located in the Narrandera local government area (LGA) with a portion of the western internal access road located in Murrumbidgee LGA.

The project was granted development consent on 20 December 2018 by the Executive Director, Resource Assessments and Business Systems, as delegate of the then Minister for Planning.

Modification 1 to increase the capacity of the battery storage facility and to modify the approved construction and operational routes was withdrawn by Reach in December 2019 prior to determination.

Modification 2 to amend the Schedule of Lands in the existing consent to include the description of eight lots in the western portion of the site, and was approved in April 2020.

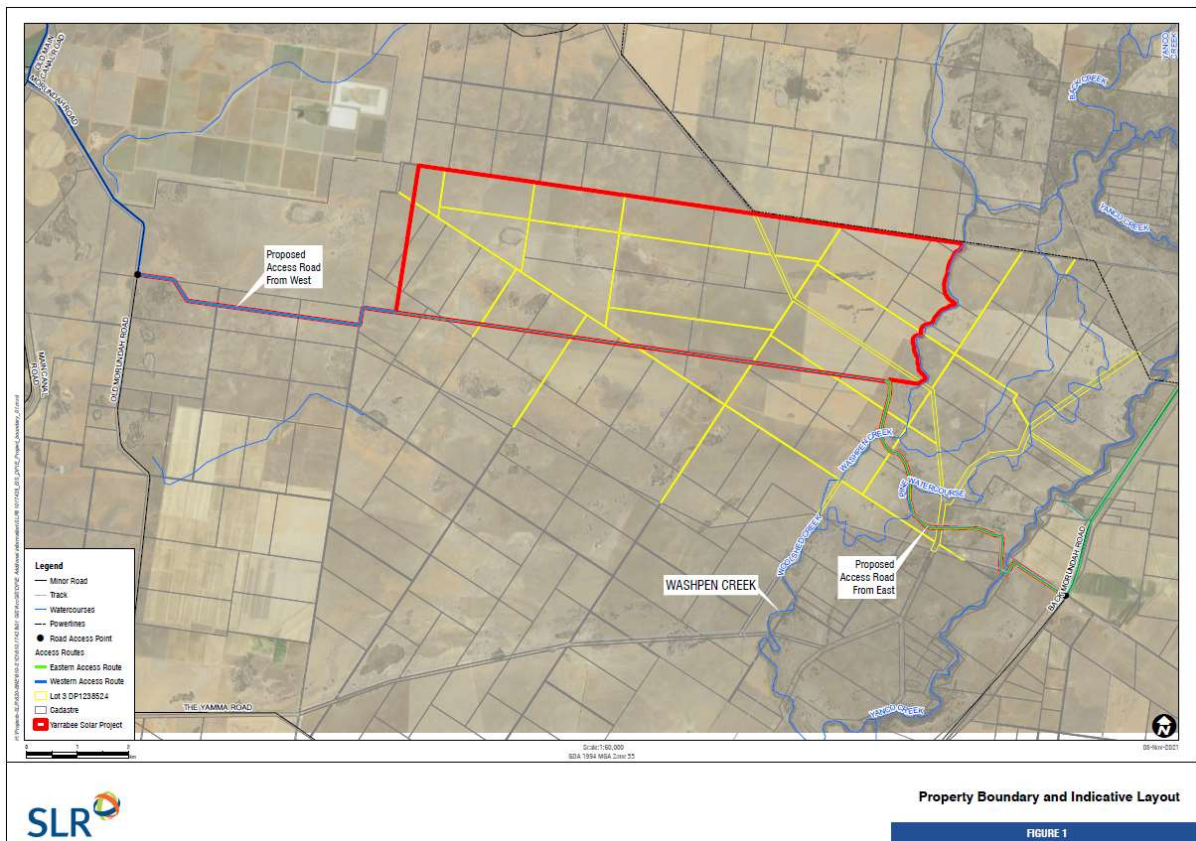
The existing consent permits the construction, operation, upgrading and decommissioning of a solar farm with a generation capacity of approximately 900 megawatt (MW), including a battery energy storage system and ancillary infrastructure.

## 2 Proposed modification

The modification application seeks to amend the Schedule of Lands in the existing consent to include Lot 3 DP 1238524 (Lot 3) comprising a series of Transgrid easements (see **Figure 1**).

The Transgrid easements within the site form part of the assessed and approved project boundary, however they were not listed in the Schedule of Lands in the existing consent due to an oversight in the original Environmental Impact Statement (EIS) which did not identify these easements.

The approved project would remain unchanged as the proposed changes only update the Schedule of Lands in the existing consent.



**Figure 1 | Lots subject to modification**

## 3 Statutory context

### 3.1 Scope of modification

The project was originally approved on 20 December 2018 under Section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and any modification to this consent must be made under Section 4.55 of the EP&A Act.

The Department has reviewed the scope of the modification and is satisfied that the application can be characterised as a modification to the existing approval under Section 4.55(1) of the EP&A Act, as it refers to a misdescription of the lots that comprise the approved project and Lot 3 is within the assessed and approved project boundary.

### 3.2 Consent authority

Although the Minister for Planning and Public Spaces is the consent authority for the application, the Director, Energy Assessments, may determine the application under the Minister's delegation dated 26 April 2021 as Reach did not make any political donations and there were no objections. The modification application was not required to be formally exhibited.

## 4 Engagement

In accordance with the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the Department is not required to notify any other parties of the modification application.



Notwithstanding, the application was made available on the Department's website from 1 November 2021.

## 5 Assessment

In assessing the merits of the proposed modification, the Department has considered the existing development consent, the previous environmental assessment for the project, the modification application, applicable government policies and guidelines and requirements of the EP&A Act. A list of the key documents that informed the assessment is provided in **Appendix A**.

The Department has considered whether the proposed changes would result in any material increases in the environmental or amenity impacts of the project.

Lot 3 runs through the site in a series of easements which are within the assessed and approved project boundary and the project boundary remains unchanged (see **Figure 1**).

Consequently, the Department considers there would be no impacts beyond those that were assessed and approved under the existing consent.

## 6 Evaluation

### Proposed modification

The Department has assessed the modification application in accordance with the relevant statutory requirements, having regard to the Modification Report and documentation relating to the approved project. The Department has assessed the proposed modification to amend the Schedule of Lands in the existing consent, as described in **section 2**.

### Likely impacts of the modification application

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

- applicable government plans, policies and guidelines;
- existing conditions of approval;
- the previous environmental assessment for the project;
- the modification application; and
- requirements of the EP&A Act.

The Department considers that the proposed modification application meets these requirements as:

- the modification is consistent with the objectives of the *Narrandera Local Environmental Plan 2013* and the *Murrumbidgee Local Environmental Plan 2013*;
- the proposed modification would not impact on the natural and built environments, and there would not be any social and economic impacts beyond those already assessed and approved;
- there are no draft environmental planning instruments, development control plans and planning agreements or requirements in the EP&A Regulation relevant to the modification application;
- there are no land use conflicts between the land and the use of surrounding land in the locality (including agricultural land) noting that the solar farm and associated infrastructure (including land for the new lot) have been assessed in detail and the existing consent would effectively manage and minimise any residual impacts associated with the project; and
- the modification application is consistent with the reasons given for the original consent.

The Department's assessment has found that the proposed modification would not result in any impacts beyond those that were assessed and approved under the existing consent.

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

The Department has drafted a Notice of Modification (see **Appendix C**) and a consolidated version of the development consent as modified (see **Appendix D**). To permit the proposed modification, the Schedule of Lands has been updated in the consent.

Additionally, in modifying the development consent, the Department has taken the opportunity to update and strengthen the existing conditions relating to compliance reporting and environmental audits to better reflect contemporary conditions that apply to other solar farms in NSW (see **Appendix E**). Reach has reviewed the proposed changes to the conditions and does not object to them.

## 7 Recommendation

It is recommended that the Director, Energy Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **determines** that the application Yarrabee Solar Modification 3 (SSD 9237) falls within the scope of section 4.55(1) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification;
- **modifies** the consent (SSD 9237);
- **signs** the attached approval of the modification (**Appendix C**).

**Recommended by:**




22 November 2021

**Kurtis Wathen**

Environmental Assessment Officer  
Energy Assessments

**Recommended by:**



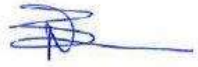
22 November 2021

**Iwan Davies**

Team Leader  
Energy Assessments

## 8 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:



22 November 2021

**Nicole Brewer**

Director

Energy Assessment

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – List of referenced documents

Yarrabee Solar Project Modification Report, SLR, October 2021

## Appendix B – Modification Report

## Appendix C – Notice of Modification

## Appendix D – Consolidated Consent

Appendices B to D – see the Department's Major Projects Website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/43176>

## Appendix E – Summary of Administrative Changes to Conditions

Condition Number	Considerations	Reasons for changes
Definitions	Definitions	Including contemporary definitions for solar farm development consents and updating agency names.
	Update the definition of EIS	To include the Modification Application Report
Schedule 4: condition 5	Insert the Department's current non-compliance requirement	To align with the Department's current approach for non-compliance notifications
Schedule 4: condition 7	Insert the Department's environmental audit requirements	To align with the Department's current approach for independent environmental audits.