Walla Walla Solar Farm Modification 1

Increase in solar panel height
State Significant Development Modification Assessment
(SSD 9874 MOD 1)

February 2022

RECOMMENDATION

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Executive Summary

FRV Services Australia Pty Ltd (FRV) has approval to develop a 300 megawatt (MW) solar farm approximately 5 kilometres (km) north-east of Walla Walla in the Riverina region of NSW in the Greater Hume local government area. The approved project involves construction and operation of a new solar farm which would connect to Transgrid's existing Wagga Wagga to Jindera 330 kilovolt (kV) overhead transmission line which traverses the site near its western boundary.

Proposed Modification

The modification application seeks to increase the maximum height of the solar panels from 4 m to 4.85 m and the maximum height of the substation transmission towers from 21 m to 36 m, amend the approved transport route for light and heavy vehicles associated with the construction of the substation, delay the planting of vegetation until after the commencement of construction, and amend the reference in the consent to the minimum setback distance for solar farm infrastructure from Receiver R2 from 930 m to 900 m.

Engagement

The Department publicly exhibited the modification application from 24 September 2021 until 7 October 2021, advertising the exhibition in the Albury Border Mail, and notified people who lodged a submission to the original project. 47 public submissions were received in support of the proposal, 18 submissions objected to the proposal and two submissions provided comments. The Department also received advice from Greater Hume Council and five Government agencies.

Issues raised in submissions and agency advice included visual impacts of the proposed height increases, visual impacts about the placement of the substation, vegetation screening being in place before construction commences and the increase in panel height, concerns around the use of unsealed local roads, and traffic and biodiversity impacts should offsite works be required. Other issues raised in objections included the development of productive agricultural land, inadequate consultation, health impacts and the waste generated by the project (including photovoltaic cells).

Assessment

In assessing the merits of the proposed modification, the Department has considered the merits of the proposal in accordance with the relevant matters for consideration under the *Environmental Planning and Assessment Act 1979*.

The Department considers that the proposed modification application would have minor incremental impacts on the natural and built environment. In particular, the changes to visual and traffic impacts would be minor, can be mitigated by the implementation of the existing conditions of consent, relating to landscaping, dust suppression, traffic management and rectification of impacts to local roads and infrastructure, and would not increase the level of impacts as approved in the original project.

The Department is satisfied that the modification would not result in any significant impacts, subject to the implementation of the existing conditions of approval and minor changes to conditions to facilitate the proposed winter planting schedule.

Summary

The Department's assessment has concluded that the modification should be approved to allow the proposed changes, which would enable FRV to adopt updated solar panel technology, make arrangements for delivery of the substation, and confirm planting schedules based on its expected construction program. Consequently, it is in the public interest and should be approved.

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1 Introduction

FRV Services Australia Pty Ltd (FRV) has approval to develop the Walla Walla Solar Farm (the project). The project is located in the Riverina Murray region of NSW, approximately 5 kilometres (km) north-east of Walla Walla and 9 km south-west of the township of Culcairn, in the Greater Hume local government area (LGA) (see **Figure 1**).

Figure 1 | Project Locality

1.1 Consent History

The project was granted development consent on 27 November 2020 by the Independent Planning Commission (IPC).

The consent permits the construction, operation, upgrading and decommissioning of a solar farm with a generating capacity of approximately 300 megawatts (MW) (see **Figure 2**) and includes:

- approximately 700,000 solar panels mounted on single axis tracking systems;
- approximately 76 inverter containers;
- connection to Transgrid's existing Wagga Wagga to Jindera 330 kilovolt (kV) overhead transmission line which traverses the site near its western boundary;
- 33 kV/330 kV transformer and protection; and
- internal access tracks, equipment storage shed, staff office and amenities, vegetation screening, fire breaks and security fencing.

FRV has yet to commence the construction of the project.

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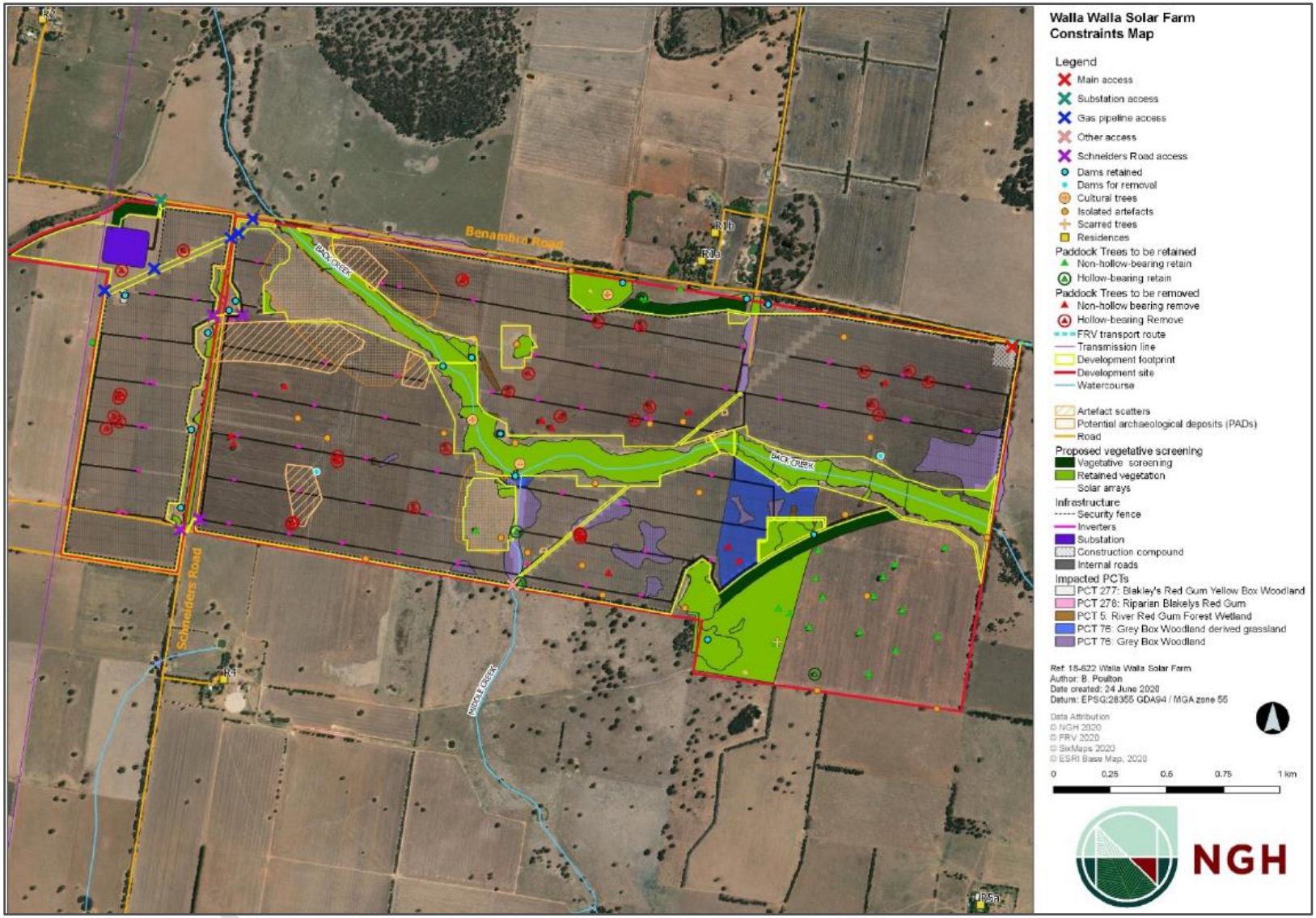

Figure 2 | Project Layout

2 Proposed modification

FRV is seeking to modify the development consent to increase the maximum height of the solar panels and substation transmission towers, amend the access and transport route for construction traffic associated with the substation works, and make changes to timing of vegetation planting and the list of setback distances included in the consent.

The modification is described in detail in the Modification Report (**Appendix A**) and proposes to:

- increase the maximum height of the solar panels from 4 m to 4.85 m;
- increase the maximum height of the substation transmission towers from 21 m to 36 m;
- amend the approved transport route for light and heavy vehicles associated with the construction of the substation;
- delay the planting of vegetation screening until after the commencement of construction; and
- amend the reference in the consent to the minimum setback distance for solar farm infrastructure from Receiver R2 from 930 m to 900 m.

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3 Statutory context

3.1 Scope of modifications

The project was originally approved by the Independent Planning Commission (IPC) 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.

FRV has given an undertaking that the modified project remains substantially the same as the project that was originally approved in accordance with section 115(1) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

The Department has reviewed the scope of the modification application and considers that the application is substantially the same development that was originally approved and that the proposed modification is within the scope of section 4.55 (2) of the EP&A Act as it:

- would not significantly increase the environmental impacts of the project as approved; and
- would not change the approved development footprint.

Consequently, the Department is satisfied that the application can be characterised as a modification to the existing consent under section 4.55 (2) of the EP&A Act. Accordingly, the application may be assessed and determined under this section and does not require a new development application.

3.2 Consent authority

The Minister for Planning is the consent authority for the application, under section 4.5 (a) of the EP&A Act. However, under the Minster's delegation to determine SSD modifications, signed on 26 April 2021, the Executive Director, Energy, Resources and Industry Assessments, may determine the application as the Council did not object to the proposal, FRV did not make any political donations and there were less than 50 public objections.

3.3 Mandatory matters for consideration

In accordance with section 4.55 (3) of the EP&A Act, the following must be considered in determining the modification application as relevant to the application:

- environmental planning instruments, proposed instrument or development control plan;
- any planning agreements;
- EP&A regulation;
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts;
- suitability of the site;
- any submissions;
- the public interest; and
- the reasons for granting approval for the original application.

The Department has considered all of these matters in its assessment of the modification, as summarised in **section 5** of this report.

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4 Engagement

4.1 Department's engagement

The Department publicly exhibited the modification application from 24 September 2021 until 7 October 2021, advertised the exhibition in the Albury Border Mail, and notified people who lodged a submission to the original project. The Department also sought comments from NSW Environment Protection Authority (EPA), Crown Lands, Heritage NSW, Biodiversity and Conservation Division (BCD), Transport for NSW (TfNSW) and Greater Hume Council.

The application was also made publicly available on the Department's website on 24 September 2021.

4.2 Applicant's engagement

FRV detailed its community engagement in the Modification Report, including providing adjacent neighbours with project updates via email and updates to subscribers to the Walla Walla Solar Farm email database. FRV also consulted with relevant government agencies, Council and the Department during the assessment process.

4.3 Submissions and Submissions Report

During the exhibition period of the modification application, the Department received 67 unique submissions from the public (47 in support, 18 objections and two comments).

Advice was also provided by six government agencies, including comments from Council.

Full copies of the submissions are attached in **Appendix B**.

FRV responded to matters raised in submissions on the project and also provided additional information during the Department's assessment. The Submissions Report and additional information are discussed in **section 4.6**.

4.4 Key issues – Government agencies

Council requested that the planting of the vegetation screening occur with the commencement of the substation construction. Council also requested that all conditions of consent relating to transport be applied to the commencement of the construction of the substation (i.e. the preparation of a traffic management plan and dilapidation surveys). This issue is discussed further in **section 5.1**.

BCD requested FRV confirm whether the modification would require any additional clearing (over and above those already assessed). BCD advised that, if any such additional biodiversity impacts were likely, any impacts (including impacts on NSW and Commonwealth threat-listed species) would need to be assessed in detail in accordance with the Biodiversity Assessment Method. This issue is discussed further in **section 5.4**.

TfNSW noted that transportation of the substation facility may require approvals for over-size and over-mass vehicles to allow for transportation to site. This issue is discussed further in **section 5.4**.

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Crown Lands noted there is a Crown Public Road within the development area, which may be required to be transferred to Council, or an application made to close and purchase the road. This issue is discussed further in **section 5.4**.

No specific concerns or comments were raised by **Heritage NSW** or the **NSW EPA**.

4.5 Key issues – Community

Of the 67 submissions received from the public, 47 supported and 18 objected to the project. A summary of all submissions received from the public is provided in **Table 1**.

Table 1 | Summary of Community Submissions

Submitter	Object	Support	Comment	Total
< 2 km	3	2	0	5
2 – 5 km	4	3	0	7
5 – 25 km	2	15	0	17
> 25 km	5	15	0	20
Other*	4	12	1	17
Total	**18**	**47**	**1**	**66**

* Submitters that did not provide a valid address

The key issues raised in public submissions objecting to the modification are summarised in **Figure 3**. The most common issues raised in submissions objecting to the modification include the following:

- visual impacts about the placement of the substation, vegetation screening being in place before construction commences and the increase in panel height; and
- concerns around the use of unsealed local roads.

Other issues raised in objections included the development of productive agricultural land, inadequate consultation, health impacts and the waste generated by the project (including photovoltaic cells).

The key matters raised in the supporting submissions included views that:

- the local economy would benefit as a result of the project by creating local jobs and supporting local businesses; and
- the project would make a beneficial contribution to reducing NSW's carbon outputs from energy production, and make positive contributions to tackling climate change.

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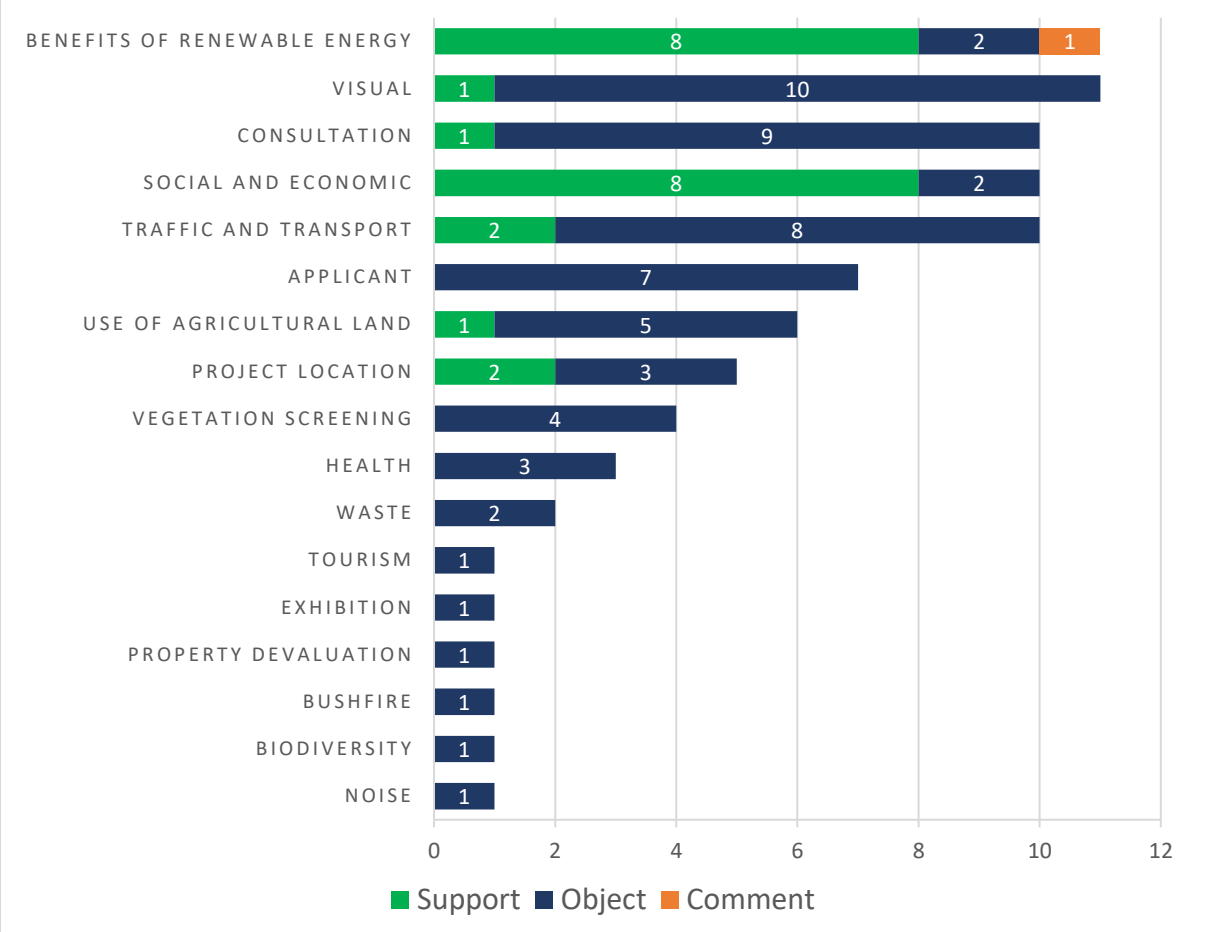

Figure 3 | Key Issues Raised in Public Submissions

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4.6 Submissions Report and Additional Information

In December 2021, FRV submitted a Submissions Report (**Appendix C**), providing a response to the issues raised in submissions, and outlining clarifications to the proposal including:

- commitment to installing and maintaining shade cloth/mesh screens in the vicinity of the substation and R1 during construction and/or until vegetation screen planting has occurred in accordance with the Landscaping Plan required under the existing conditions of consent;
- further information regarding the strategic need for the modification, including information about Transgrid requirements for the substation; and
- further information about the proposal to defer the landscaping until 3 months after the commencement of construction, and details of consultation Landcare groups and providers on preferred planting times.

The Department assessment of the proposal and FRV's responses to the issues raised in submissions is detailed in **section 5** of this report.

Following its review of the Submissions Report, the Department requested additional information relating to landscaping and visual impacts. In response, FRV provided information regarding suitability of the landscaping approach and supporting information from a Landscape Architect (**Appendix D**). This information is discussed in **section 5.1** of this report.

5 Assessment

The Department has considered the merits of the modification application in accordance with all the relevant matters for consideration described in **section 3.3**.

In assessing the merits of the proposed modification, the Department has considered the existing development consent, previous environmental assessments for the project, the modification application, applicable government policies and guidelines, agency advice and requirements of the EP&A Act.

The Department has considered whether the proposed changes would result in any material increases in the impacts of the project. The key matters for the assessment of this modification are visual and traffic and transport impacts.

5.1 Visual

The modification proposes an increase in the maximum height of the solar panels and the substation transmission towers, with potential for increased visual impacts on nearby sensitive receivers. The modification also seeks approval to defer the start of landscaping works, which form a key component of the Landscaping Plan and visual impact mitigation, until after the commencement of construction, with potential to delay the effectiveness of vegetation screening.

The site and surrounds comprise generally flat cleared agricultural land with isolated patches of remnant native vegetation and undulating hills at greater distance from the site. The site includes remnant native vegetation, including two isolated stands in the south-east corner of the site, along Back Creek, and along much of the northern and eastern site boundaries, which would be retained.

The Department's assessment of the approved project considered visual impacts from the approved project, including 4 non-associated residences (R1a, R1b and R2 and R5a) within 2 km of the project site (see **Figure 4**). The assessment concluded:

- impacts to R1 and R2 would not be significant due to the topography, existing vegetation, increased setback proposed by FRV and proposed mitigation measures (vegetation screening); and
- R5a, which operates as a wedding and function venue (Orange Grove Gardens), may experience moderate unmitigated visual impacts, noting its function room would have primary views towards the solar farm, but that these impacts that would be substantially mitigated by an increased setback proposed by FRV, and vegetation screening.

FRV proposes to increase the maximum height of the solar panels from 4 m to 4.85 m, to allow the installation of higher efficiency 2.4 m panels in a paired 'two in portrait' configuration, rather than single axis tracker PV solar panels as approved. FRV also proposes to increase the maximum height of the substation transmission towers from 21 m to 36 m, to achieve safe clearance distances in accordance with Australian and Transgrid standards. Six 30 m poles and two 36 m poles are proposed to be installed, connecting the substation to the existing 330 kV transmission line.

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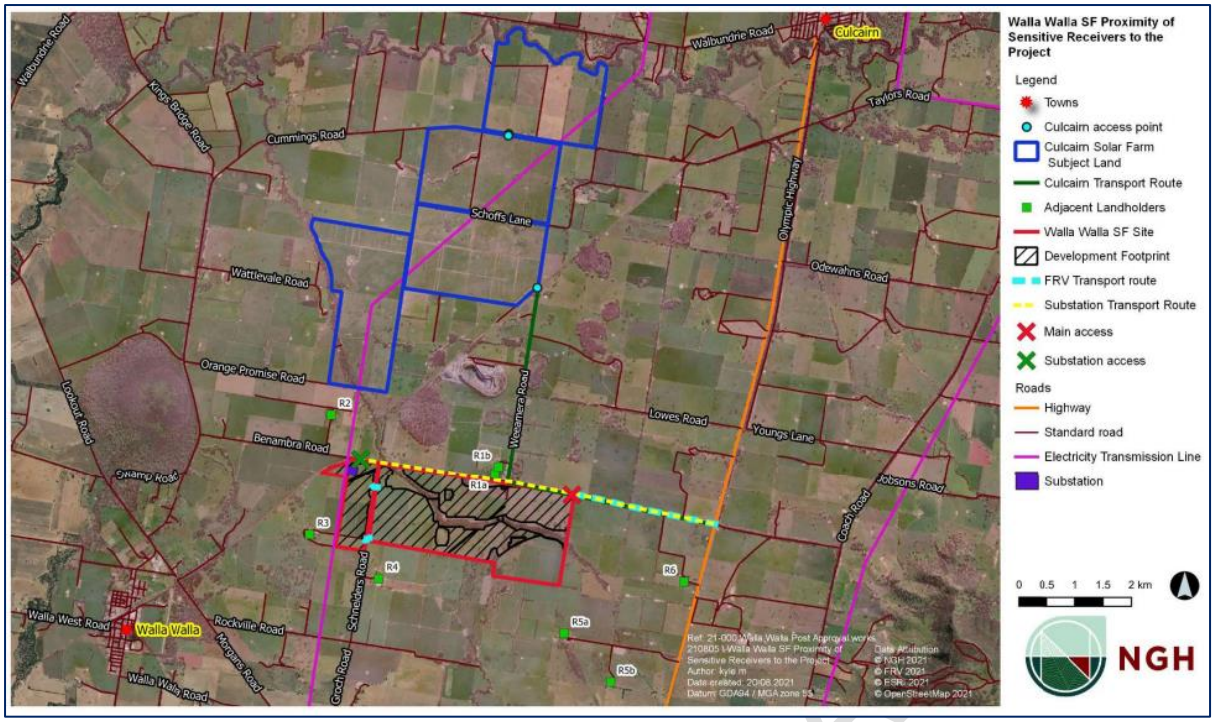

Figure 4 | Development Footprint and Surrounding Receivers

The Department acknowledges submissions expressed concern about the visual impacts of the taller panels. An Addendum VIA was undertaken as part of the Modification Report, focusing on the incremental visual impacts of the changes to solar panel and transmission tower heights at Receivers R1, R2 and R5. The Addendum VIA concluded:

- the increase in solar panel height would result in a small increase in the visibility of the project at R1, but these incremental impacts would be minor;
- the change in panel height would not result in a higher residual visual impact for R2 and R5 with the implementation of the proposed mitigation measures; and
- the increase to the substation transmission tower infrastructure is expected to result in a small increase in visibility for R2, although this impact would not result in a higher residual visual impact.

The Department notes that existing conditions of consent incorporate buffers between the solar panel arrays and sensitive receivers, and included requirements for a detailed landscaping plan incorporating FRV's commitments to vegetation screening and retaining boundary vegetation.

The Department considers that the changes in visual impact would be minimal given the distance from receivers and relatively flat landscape. For example, while receiver R1 would experience a small increase in visibility, **Figure** 5 to **Figure 7** demonstrate that the change in visibility would be limited. Overall, given this minor change, the Department accepts that the residual impacts of the project at each of the receivers would not increase as a result of the modification.

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Figure 5 | R1 approved project (panel height of 4 m) view prior to screening

Figure 6 | R1 proposed modification (panel height of 4.85 m) view prior to screening

Figure 7 | R1 proposed modification (panel height of 4.85 m) with vegetation screening
Source: Addendum VIA

In conclusion, the Department considers that the modified project would be consistent with the approved project, and remain acceptable, given the minor incremental impact of the height change, FRV's commitments to vegetation planting for visual screening and the requirements of existing conditions of consent, including buffers between the site and receivers.

The consent requires FRV to plant the required vegetation buffer prior to commencing construction. FRV seeks to amend this timing to reflect its proposed construction schedule and advice from the local Landcare group that identified a need to delay planting of the vegetation buffer for the most ideal climatic conditions to ensure the best possible health of the plants and the most effective future screening. As a result, FRV proposes to delay planting of the vegetation buffer to July (winter) 2022, 3 months after its proposed construction start date.

Submissions from the public and Council noted concerns about the delay of planting and the amount of time it would take for the proposed vegetation buffer to grow to a suitable height to screen the project. Council requested that the vegetation buffer be planted prior to the commencement of construction.

The Department requested FRV provide advice from a landscape architect to confirm the suitability of the landscaping approach to achieve the outcomes within the timeframes specified in the consent. Advice prepared by Moir Landscape Architecture (Moir) included a series of considerations for the effective establishment of a vegetation buffer and FRV committed to implementing the recommendations including:

- consulting with local Landcare groups and nurseries to select appropriate plant species;
- protecting plantings during establishment, maintenance and management of the vegetation buffer; and
- replacing any lost vegetation during the establishment period.

Moir concluded that the delayed planting until July 2022 (i.e. 3 months after the proposed commencement of construction) would not impact the effectiveness of the vegetation buffer to minimise views to the project within three years of the commencement of operation.

In addition, the Department notes that:

- FRV has proposed to erect temporary shade cloth screens in the vicinity of the substation during construction until the vegetation buffer planting has occurred, to further reduce any impacts at receiver R1;
- the conditions of consent require FRV to develop its detailed Landscaping Plan in consultation with receivers R1a, R1b, R2 and R5a.

In summary, the Department considers that the proposal to delay the commencement of vegetation planting by up to 3 months after construction commences to achieve optimum climatic conditions would be acceptable, subject to FRV including its commitments in the Landscaping Plan. The Department has recommended changes to the conditions of consent to reflect the commitment to timing of planting.

The Department also notes concerns raised by the public about the potential for increased glare impacts as a result of the increased solar panel height. The Department notes that its original assessment concluded that the potential for glare impacts would be low, and that the addendum VIA concludes the increase in solar panel height was not expected to have an effect on glare impacts. The Department considers that the existing conditions of consent include appropriate controls for glint and glare from panels, and that the overall impact would not be significant.

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Overall, the Department considers that any change in the visual impact of the project would be minor, and the rural character and visual quality of the area would not be significantly impacted beyond what is already approved and can be managed with the existing conditions of consent and Landscaping Plan.

5.2 Traffic and Transport

To enable the substation to be constructed first in the construction program, FRV seeks to amend the approved haulage route to allow all heavy vehicles associated with construction of the substation to access the site via the substation access point.

Eight public submissions raised concerns about traffic and transport impacts, specifically traffic safety and dust impacts on the unsealed section of Benambra Road.

The existing development consent requires all over-dimensional and heavy vehicles for the project to access the site via the Olympic Highway and Benambra Road. Site access for the majority of the project traffic is via the main access point located on Benambra Road in the north-eastern corner of the project site.

Notwithstanding the above, the consent allows over-dimensional vehicles transporting substation components (up to five vehicle movements during construction) to enter the site via the substation access point located on Benambra Road in the north-western corner of the project site. **Figure 8** shows access route from Olympic Highway to the project access points.

The section of Benambra Road between the intersections with the Olympic Highway and Weeamera Road is sealed, however the section of Benambra Road between the intersection with Weeamera Road and the substation access point is unsealed.

FRV estimates that a maximum of 10 heavy vehicles and 15 light vehicles per day would be added on Benambra Road and would use the dedicated substation site access point. The Addendum Traffic Impact Assessment provided as part of the Modification Report concludes that these movements would remain well within the capacity of the road network. Traffic impacts would occur for a period of approximately six months during civil works for the substation construction, and decrease once civil works have concluded. All other project-related traffic would use the main access point.

Given the low volume of additional construction traffic proposed by this modification, FRV does not propose to seal Benambra Road between the intersection with Weeamera Road and the substation access point. The Department notes that the existing development consent does not require upgrades on Benambra Road.

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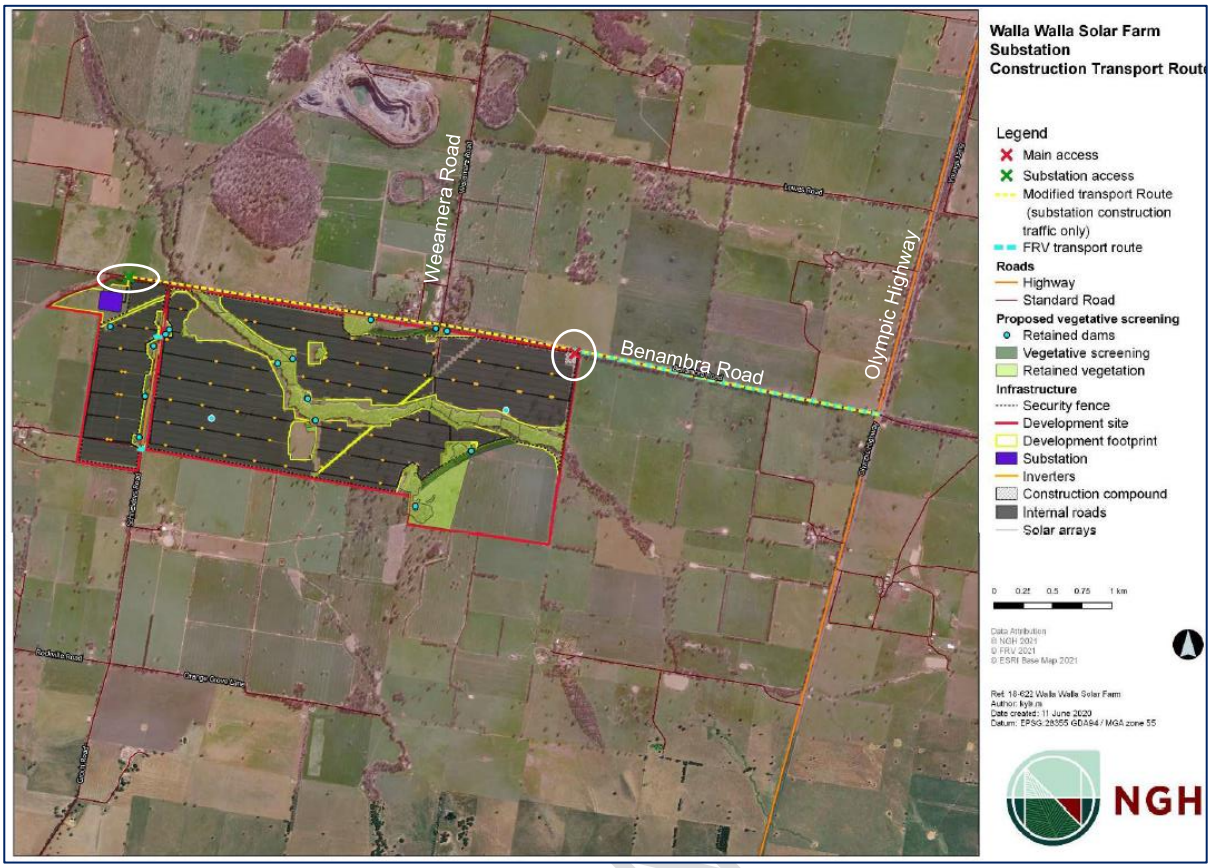

Figure 8 | Over-dimensional and Heavy Vehicles Access Route

The Department has considered the traffic and amenity impacts of the proposed modification to use the unsealed section of Benambra Road during construction of the substation, and notes:

- the additional movements are within the traffic capacity of the local road network and the construction period for the substation is around 6 months;
- the existing conditions of consent require FRV to undertake dilapidation surveys for Benambra Road and repair any damage caused by the project;
- FRV is also required to prepare and implement a Traffic Management Plan in consultation with TfNSW and Council;
- the existing conditions also include a requirement for FRV to manage dust impacts on Benambra Road between Weeamera Road and the entrance to the substation access point, with a specific objective to minimise dust impacts to R1a and R1b; and
- TfNSW and Council did not raise any concerns, providing the existing traffic conditions would apply to this modification.

The Department considers that the proposed changes to the access route would not result in significant traffic impacts, including additional impacts on amenity, such as traffic, noise or dust. Any potential impacts from the proposed modification would be managed and mitigated through the measures detailed in the Traffic Management Plan and compliance with the existing conditions of the development consent.

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5.3 Setback distance from Receiver R2

FRV seeks to amend the required setback distance for the substation infrastructure prescribed in the consent from 930 m to 900 m from Receiver R2, to address what it considers a typographic error in how the distance was originally recorded.

As part of the Submission Report, FRV noted the correct setback distance between Receiver R2 and the substation is 900 m, and advised that if the substation was erected at a 930 m setback, it would need to be built on the gas pipeline route, which was not planned for and would not be appropriate.

The Department considers that the additional information establishes that the correct setback distance between Receiver R2 and the substation should be 900 m. The Department is satisfied that amending the condition would simply correct a minor error in the consent, and would not result in additional or changed impacts to Receiver R2. On this basis, the Department recommends amending the setback distances in the consent as requested by FRV.

5.4 Other issues

Other issues are discussed in **Table 2.** The Department has also taken the opportunity to make other administrative updates to the consent described in **Appendix G**.

Table 2 | Other Issues

Issue	Findings	Recommendations
Agricultural land and site suitability	Community submissions expressed concerns that the project represents the loss of productive agricultural land. The Department acknowledges that concerns regarding socio-economic impacts and land use compatibility, specifically regarding use of agricultural land, were also the most common matters raised in the exhibition of the original application. The Department considers that the modification would not significantly increase the impact of the project on agricultural land. The modification does not propose to increase the approved development footprint, and the proposals to increase solar panel and transmission tower height would not affect the inherent agricultural capability of the land beyond that approved. Further, the modification does not affect FRV's commitment to return the land back to its pre-development state following decommissioning. The Department considers that the site would remain suitable for the project, and impacts on agricultural land uses can be managed under the existing framework in the conditions, including: • requirements for FRV to maintain the agricultural land capability of the site by establishing and maintaining groundcover and maintaining grazing on site where possible, and • implementing an approved Decommissioning and Rehabilitation Plan once operations cease.	No additional conditions recommended
Biodiversity	The Department accepts that, while the proposed modification proposes changes to construction vehicle routes, the proposal would not have any additional biodiversity impacts, as all vehicles would enter the site	The Department has formed the opinion that the modification would not increase the impact

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Issue	Findings	Recommendations
	via the approved substation access point and main access point and the proposed clearance footprint for the proposal would not be changed as a result of the modification. Because no additional clearing is proposed, the Department accepts that that the modification will not increase the impact on biodiversity values, and considers that a BDAR is not required for the modification under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016*.	on biodiversity values, and a BDAR is therefore not required. No additional conditions recommended
Heat Island Effect	Community submissions expressed concerns that a decrease in spacing between solar panels would result in increased heat effects on and off-site. In its Submissions Report, FRV concluded any heat increase: • would be minor and localised around the panels, and • would likely be negligible at 30 m from the development footprint based on recent studies, and further reduced by vegetation planting. The Department accepts that changes to heat effect resulting from the modification would be minor, and any impacts would be indiscernible off-site, noting the requirements for the project to comply with RFS setback requirements within the site, and setbacks from nearby residences established in the consent.	No additional conditions recommended
Waste	Community submissions expressed concerns about the impacts of waste from the development, during construction, operation and decommissioning, In its Submissions Report, FRV notes: • opportunities for local recycling would be investigated, • recyclable materials would be largely reused or recycled following decommissioning, and • the conditions of consent set out detailed waste management and decommissioning requirements that would be complied with. The Department considers that the existing conditions of consent would appropriately manage waste impacts of the project including any potential additional impacts from the modified project. The Department acknowledges the importance of addressing solar panel waste from both domestic PV and utility scale solar projects as the industry continues to grow. In this regard, the Department notes a number of Government initiatives are furthering opportunities for recycling and beneficial reuse of panel materials, including in the Riverina-Murray region. For instance, the EPA Circular Solar Trials program, which provides provided funding in 2021 to a Wagga Wagga company to 'develop technology that dismantles end-of-life solar panels into uncontaminated components and test the use of solar panel glass in greenhouses'.	No additional conditions recommended

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Issue	Findings	Recommendations
Health	Community submissions expressed concerns about potential health impacts from EMF and from damage to panels or inappropriate waste management. The Department accepts FRV's advice that the modification would not result in an increased impact on EMF from the project, which would comply with the International Commission on NonIodizing Radiation Protection (ICNIRP) guidelines for electric, magnetic and electromagnetic fields. The Department considers that the existing conditions of consent establish a strong framework for avoiding any off-site health risks. The consent includes requirements to: • maintain the solar farm infrastructure and actively manage the site in accordance with an environmental management strategy approved by the Planning Secretary, • prepare and implement a Safety Management Study, • classify and safely handle waste generated through the life of the project and dispose of any waste off-site as soon as practicable, and • rehabilitate the site to meet stated rehabilitation objectives, based on a plan to be developed to the satisfaction of the Planning Secretary.	No additional conditions recommended
Crown Land	The Department notes that a Crown Road is located on the eastern boundary of the site. In its Submission Report, FRV clarified that the Crown Road is outside the development site and would not be used or otherwise impacted by the Project. The Department accepts that the project would not impact on the Crown Road and that further approval would be required should this change.	No additional conditions recommended

RECOMMENDATION

6 Evaluation

The Department has assessed the modification application, Modification Report, submission Submissions Report and additional information provided by FRV and advice received from relevant government agencies. The Department has also considered the objectives and relevant considerations under sections 4.55 (3) and 4.15 of the EP&A Act.

The proposed modification seeks to make changes to the height of solar panels and substation transmission towers, and to substation construction traffic route, but does not seek to make changes to the approved development footprint.

The Department considers that the proposed increases to solar panel and transmission tower heights would have a minor incremental impact, and the overall visual impacts would be consistent with those approved, given the distance of the site from receivers, and existing requirements for vegetation screening. The proposal to delay the start of planting is acceptable, given the timing of planting would coincide with optimum climatic conditions and FRV would finalise its Landscaping Plan and establish screening vegetation in line with the existing conditions of consent.

The Department also considers that the proposal to allow substation construction vehicles to access the substation site directly would not result in significant traffic impacts, given the additional movements are within the traffic capacity of the local road network, and the 6 month construction period would be managed under an approved Traffic Management Plan. Any amenity and infrastructure impacts can be managed effectively in accordance with existing conditions that require dust management on Benambra Road, and dilapidation surveys and repair requirements for Benambra Road.

The Department's assessment also considered potential for impacts on agricultural land and site suitability, biodiversity, heat island effect, waste, human health and on Crown Land. The Department considers any impacts would be substantially the same as previously assessed and approved, and are manageable under the existing conditions of consent.

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

The Department considers that the modification would have a range of benefits, including enabling FRV to adopt updated solar panel technology. The modification would also allow FRV to finalise arrangements for delivery of the substation, and confirm planting schedules based on its expected construction program and in line with local Landcare advice.

On balance, the Department considers that the project achieves an appropriate balance between maximising the efficiency of the solar resource development and construction program, and minimising the potential impacts on surrounding land users and the environment.

The Department has drafted a Notice of Modification (see **Appendix E**) and consolidated version of the development consent (see **Appendix F**). FRV has reviewed the conditions and does not object to them.

The Department is satisfied that the proposed modification is in the public interest and should be approved subject to these conditions.

RECOMMENDATION

7 Recommendation

It is recommended that the Executive Director, Energy, Resources and Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **determines** that the application Walla Walla Solar Farm Modification 1 (SSD 9874 MOD 1) falls within the scope of section 4.55(2) 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;
- **modify** the consent SSD 9874 MOD 1; and
- **signs** the attached approval of the modification (**Appendix E**).

Recommended by:

Dominic Crinnion
Team Leader
Energy Assessments

Recommended by:

Nicole Brewer
Director
Energy Assessments

RECOMMENDATION

Appendices

Appendix A – Modification Report

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix B – Public Submissions and Agency Advice

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix C – Submissions Report

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix D – Additional Information

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix E – Recommended Notice of Modification

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix F – Recommended Consolidated Consent

https://www.planningportal.nsw.gov.au/major-projects/project/42341

Appendix G - Summary of Minor and Administrative Changes to Conditions

Condition Number	Minor and Administrative Changes	Reason for Change
Definitions	Update the definition of EIS in the consent	To include the Modification Report, Submissions Report and additional information provided to the Department in the assessment of the modification application
Schedules 2-4	Update new titles for the Department (Department of Planning and Environment), its agency head (Planning Secretary) and Minister (for Planning)	To reflect current Departmental and Ministerial titles and responsibilities
Appendix E	Include the updated heavy vehicle construction route map	To incorporate the latest mapping

RECOMMENDATION