



# Modification Application

MODIFICATION APPLICATION, GRIFFITH SOLAR FARM

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| Final v2 | 7/10/16 | Warren Woo         | Chris Leonard      | Chris Leonard      |
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# 1 BACKGROUND

Development Consent for the Griffith Solar Farm was issued by the Department of Planning and Environment (DPE) on the 14 June 2016. The approval allows for the construction, operation and decommissioning of the proposed photovoltaic (PV) 53 megavolt-ampere (MVA) or 60 Megawatt (MW) solar farm.

Since obtaining approval for the Griffith Solar Farm, the proponent Neoen has commissioned detailed engineering design work for the solar farm. This has identified minor changes to the access route and the site entry point on Poletta Road to the eastern area of the approved solar farm that are not consistent with the Development Consent. These include proposing an access way between the two site areas off Poletta Road and Mirrool Branch Canal Road. The minor change to the proposal will substantially be the same as the approved project, but will not be consistent with the existing Development Consent.

The changes proposed will meet the objectives of:

1. Reducing costs associated with development
2. Reduce impact and costs associated with road upgrades.

## 1.1 PLANNING CONTEXT

### ***Environmental Planning and Assessment Act 1979***

Under section 96 of the *Environmental Planning and Assessment Act 1979* (EPA Act), a State Significant Development (SSD) can be modified. This can be done where the modified development remains 'substantially the same' as the original approved development. An applicant can apply to the Minister for Planning to modify an SSD approval and lodge a request for assessment of a modification with the Department of Planning and Environment.

Clause 96 (1A) refers to modifications involving minimal environmental impact. It states that;

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)....*

### ***Conditions of consent***

Condition 2 of Schedule 2 of the Development Consent has approved construction of the Griffith Solar Farm and states that it be;

- (a) generally in accordance with the EIS; and*
- (b) in accordance with the conditions of this consent.*

Condition 3 of Schedule 3, titled *Access Route* requires that:

All vehicular traffic associated with the development shall travel to and from the project site via Irrigation Way, Hamilton Road and Poletta Road (shown as 'Route A' in the figure in Appendix 2) and the two site entry points.

Condition 5 of Schedule 3, titled *Road Upgrades – Preferred Access Route* requires that:

Prior to the commencement of construction, the Applicant shall:

- (b) upgrade the intersection of Hamilton Road and Poletta Road to the satisfaction of Council; and
- (c) upgrade Poletta Road from the intersection of Hamilton Road to the intersection of the site entry point to the satisfaction of Council, including paving and widening of the road to 8.4 metres.

Condition 6 of Schedule 6, titled *Road Upgrades – Alternative Access Route* requires that:

Prior to the commencement of construction, the Applicant shall:

- (c) upgrade the intersection of Hamilton Road and Poletta Road to the satisfaction of Council; and
- (d) upgrade Poletta Road from the intersection of Hamilton Road to the intersection of the site entry point to the satisfaction of Council, including paving and widening of the road to 8.4 metres.

Condition 8 of Schedule 3, titled *Site Access* requires that:

Prior to the commencement of construction, the Applicant shall:

- (a) construct the two new site entries (shown in the figure in Appendix 2) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, in accordance with the *Austrroads Guide to Road Design* and Council's *Engineering Guidelines - Subdivisions and Development Standards*;

While the proposed changes would remain 'substantially the same', as the approved development would be minor in nature and result in minimal environmental impact, the modified proposal would not meet condition 3, 5(b)&(c), 6(c)&(d), and 8(a) of Schedule 3 of the conditions of consent. They therefore require assessment (provided in this Modification Report) and a modification application to be approved by the DPE.

## 2 PROPOSED MODIFICATIONS

The modifications proposed on the solar farm are illustrated in Attachment 1 and are described below:

1. Install and upgrade the access way for both farm sites at the intersection of Poletta Road and Mirrool Branch Canal Road (see Attachment A). This would result in;
  - i Avoidance of the need to access via the intersection of Hamilton Road & Poletta Road, and to access via the mentioned intersection to the site entry point on Poletta Road.
  - ii Avoidance of the requirement to upgrade the intersection of Hamilton Road, and Poletta Road, and upgrade Poletta Road from the intersection of Hamilton Road to the intersection of the site entry point on Poletta Road.
  - iii All vehicles would enter via the site entry point on Hamilton Road.
  - iv Once vehicles have entered the site via Hamilton Road, all vehicles intending to continue to the access way to enter the eastern farm site, would travel along the western perimeter of the site.

## 3 JUSTIFICATION

### 3.1 ENGINEERING AND DESIGN

The modifications to the site access on Poletta Road has a number of technical and engineering advantages. These include a reduction in:

- a) Roads and associated infrastructure.
- b) Time and costs for logistics during constructions.

### 3.2 ENVIRONMENTAL BENEFITS

The approved second site entry point is off Poletta Road and the access route to this point is via the intersection of Hamilton Road and Poletta Road. The proposed access way will:

1. Reduce traffic on Hamilton Road and Poletta Road.
2. Reduce any impacts due to traffic for the surrounding environment.
3. Reduce disruption of existing traffic due to reduced road upgrades on Hamilton Road and Poletta Road.

## 4 CONSULTATION

Neoen have consulted with representatives from the Griffith City Council (GCC) to discuss this proposed modification and they have expressed that they have no objections. Correspondence was received from GCC on 9 September 2016. The focus of GCC's response to Neoen's request for permission was in relation to this proposed modification.

As attached in Appendix A, the GCC's correspondence stated that:

**"Council have no objections to the proposed access to the farm off Poletta Road and Mirrool Branch Canal Road provided the access is only to be used for travel between the two farms involved in the project."**

*Further details of the proposed access way will be required to be provided to Council for approval as part of a Construction Certificate application for the upgrade of the access ways and road. This will ensure traffic will not be compromised and vehicle manoeuvring is safe.*

*The TMP required for the project shall also address the traffic and safety aspects of the proposal. The TMP shall be submitted to Council for approval."*

## 5 ENVIRONMENTAL ASSESSMENT

Table 5-1 below provides an assessment of the magnitude of environmental impact, that would occur as a result of the proposed modifications to the existing Development Consent for the Parkes Solar Farm. It includes a reference to relevant sections of the EIS that assesses impact of the proposed solar farm on each environmental factor.

**Table 5-1** Assessment of the magnitude of environmental impact associated with the proposed modifications.

| Relevant EIS section | Environmental factor               | Discussion  | Net change |
|----------------------|------------------------------------|---|------------|
| 6.2                  | Aboriginal heritage                | Proposed modification would not result in changes impacts to additional recorded Aboriginal Heritage items.   | No change  |
| 6.3                  | Visual amenity                     | The visual appearance of the solar farm would not change as a result of the proposed modifications.   | No change  |
| 6.4                  | Biodiversity                       | Impacts would not change as a result of the proposed modifications.   | No change  |
| 6.5                  | Noise and vibration                | Construction noise levels would not change as a result of the proposed modification.  | No change  |
| 7.1                  | Hydrology                          | Hydrology impacts would not change as a result of proposed modifications.   | No change  |
| 7.2                  | Soil                               | Soil impacts would not change as a result of the proposed modifications.  | No change  |
| 7.3                  | Water use, and water quality       | Water use would not change as a result of proposed modifications.   | No change  |
| 7.4                  | Traffic, transport and road safety | Reduced traffic along Hamilton Road and Poletta Road, as there is no need to access the site entrance on Poletta road from the intersection with Hamilton Road. | Positive   |
| 7.5                  | Climate and air quality            | Climate and air impacts would not change as a result of the proposed modifications.   | No change  |
| 7.6                  | EMFs                               | It is not anticipated that EMFs would change as a result of the proposed modifications.   | No change  |
| 7.7                  | Land use                           | Land use impacts would not change as a result of the proposed modifications.  | No change  |
| 7.8                  | Socioeconomic and community        | Socioeconomic and community impacts would not change as a result of the proposed modifications.   | No change  |
| 7.9                  | Resource use and waste generation  | Impacts would not change as a result of the proposed modifications.   | No change  |
| 7.10                 | Fire and bush fire issues          | Impacts would not change as a result of the proposed modifications.   | No change  |

| Relevant EIS section | Environmental factor | Discussion  | Net change |
|----------------------|----------------------|---|------------|
| 7.11                 | Historic heritage    | Impacts would not change as a result of the proposed modifications. | No change  |

## 6 CONCLUSION AND MITIGATION

### 6.1 CONCLUSION

This assessment has demonstrated that the proposed modifications would have either an equivalent or lesser environmental impact than the Approved Project. In relation to the proposed access way for both sites, this would reduce traffic on Hamilton Road and Poletta Road, and thus improve traffic conditions.



## ATTACHMENT A: GENERAL LAYOUT OF DEVELOPMENT



## APPENDIX A GRIFFITH CITY COUNCIL CORRESPONDENCE

### Warren WOO

**From:** Mathew Vitucci <Mathew.Vitucci@griffith.nsw.gov.au>  
**Sent:** 23 September 2016 16:09  
**To:** Warren WOO  
**Cc:** MORGAN Maurice W; Joe Rizzo  
**Subject:** Re: Griffith Solar Farm: Access from West to East arrays.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Red Category

Warren,

Council have no objections to the proposed access to the farm off Poletta Road and Mirrool Branch Canal Road provided the access is only to be used for travel between the two farms involved in the project.

Further details of the proposed accessway will be required to be provided to Council for approval as part of a Construction Certificate application for the upgrade of the accessways and road. This will ensure traffic will not be compromised and vehicle manoeuvring is safe.

The TMP required for the project shall also address the traffic and safety aspects of the proposal. The TMP shall be submitted to Council for approval.

Regards,

Mathew Vitucci  
Senior Development Engineer  
Griffith City Council

Phone: (02) 6969 4856  
Mobile: 0438 715 443  
Fax: (02) 6962 7161  
Mathew.Vitucci@griffith.nsw.gov.au

▼ Warren WOO ---16/09/2016 05:42:50 PM---Dear Maurice & Matt, Per the conditions, the site entrance will be via Hamilton Road. In regards to

From: Warren WOO <warren.woo@neoen.com>  
To: MORGAN Maurice W <Maurice.MORGAN@rms.nsw.gov.au>, "Mathew Vitucci (mathew.vitucci@griffith.nsw.gov.au)" <mathew.vitucci@griffith.nsw.gov.au>  
Date: 16/09/2016 05:42 PM  
Subject: Griffith Solar Farm: Access from West to East arrays.

Dear Maurice & Matt,

Per the conditions, the site entrance will be via Hamilton Road. In regards to access to the site on the east, we propose to use to the bottom entry on the SE corner of the west array to the SW corner of the east array crossing Poletta Road, highlighted in yellow below. We believe this is within the confines of the conditions set out in the Development Consent, but wanted to verify with RMS and Griffith City Council. Please review and comment.