

ASSESSMENT REPORT

Sunraysia Solar Farm

Site Access and Subdivision Modification (SSD 7680 Mod 1)

EXECUTIVE SUMMARY

Sunraysia Solar Project Pty Ltd is seeking a modification to the Sunraysia Solar Farm that primarily involves relocating the site entrance, constructing an additional laydown area and access track, and subdividing the site.

The Department's assessment found that, while some additional vegetation would need to be cleared for the additional laydown area and access track, the total vegetation required to be cleared for the project would be reduced. The Department also concluded that relocating the site access point would improve road safety.

The Department is satisfied that overall the modification would not result in any significant impacts beyond those that were previously assessed and approved.

1. BACKGROUND

Sunraysia Solar Project Pty Ltd (the Applicant) has approval to develop the Sunraysia Solar Farm (the project) approximately 17 kilometres (km) south of Balranald within the Balranald Local Government Area (see **Figure 1**).

The project was approved on 20 June 2017 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 1,000 hectare (ha) site comprised of six allotments. The project would have an initial capacity of 200 megawatts (MW) and include:

- approximately 750,000 solar panels;
- an on-site substation;
- inverter stations;
- laydown areas, internal access tracks, car parking, staff amenities, offices and security fencing; and
- a 2 km long 220 kilovolt (kV) overhead power line to connect to TransGrid's Balranald substation.

Construction of the project is expected to commence shortly.

2. PROPOSED MODIFICATION

The approved site access point would utilise an existing rural access driveway located directly off the Balranald-Tooleybuc road (Yanga Way), a classified road with a 100 kilometre/hour speed limit (see **Figure 1**).

An unsealed local road known as The Cut Line intersects with Yanga Way approximately 50 metres (m) south of the approved site access point on the existing rural access driveway.

The conditions of consent require the Applicant to upgrade the site access point in consultation with Roads and Maritime Services (RMS). During the Applicant's consultation with RMS regarding this upgrade, RMS raised concerns about road safety due to the proximity of the site access point to The Cut Line.

Accordingly, the Applicant is seeking to relocate the site access point from Yanga Way to The Cut Line, approximately 50 m west of its intersection with Yanga Way (see inset in **Figure 1**).

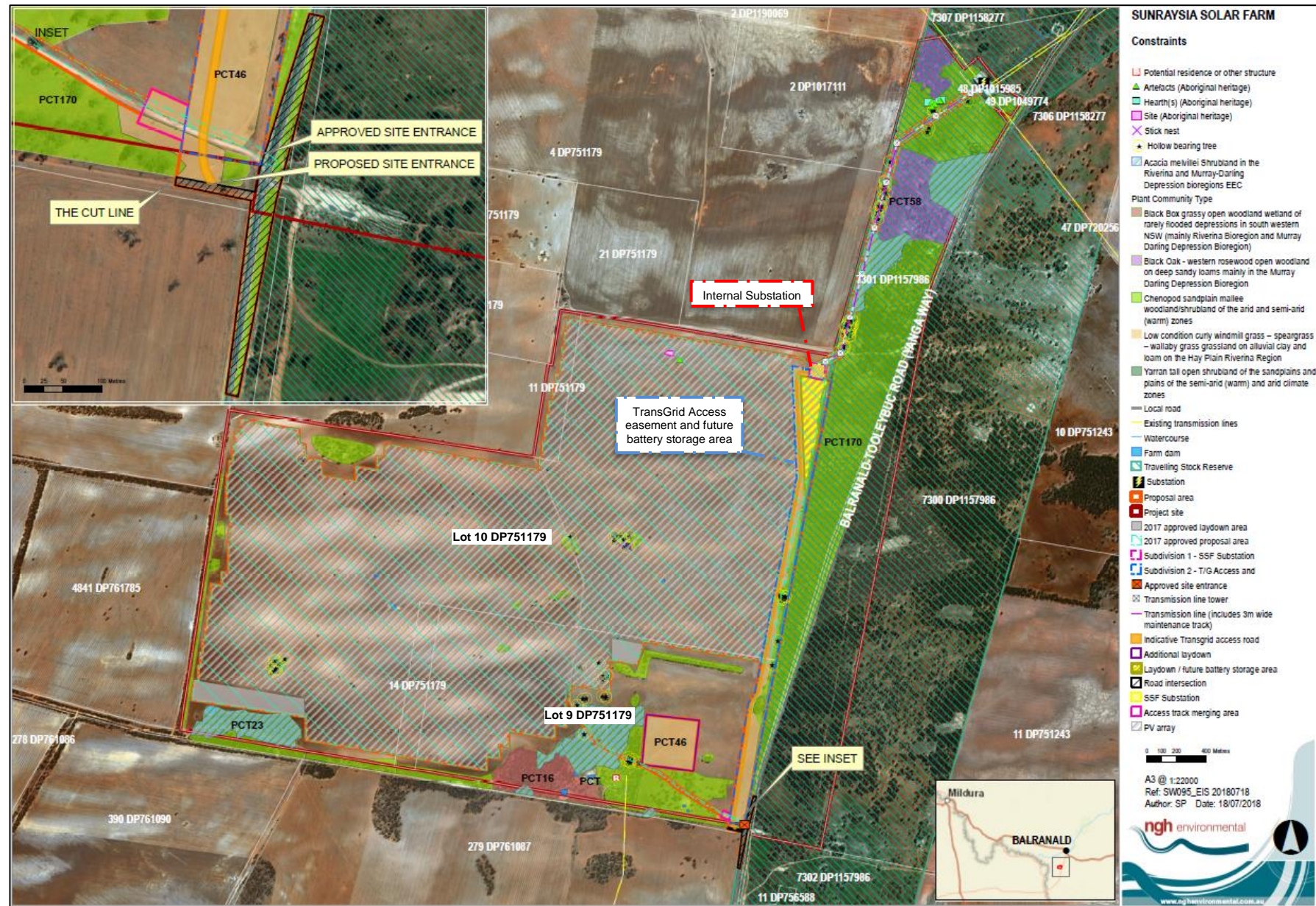


Figure 1: Modified Project Layout

The Applicant is also intending to transfer the on-site substation to TransGrid. To facilitate this, the Applicant is seeking to subdivide the project site to establish a separate allotment for the substation and an access easement for TransGrid along the eastern boundary of the project site.

In addition, the Applicant is proposing to:

- upgrade the existing farm track within the proposed TransGrid access easement;
- establish an additional temporary 10 ha laydown area to reduce traffic movements and conflict between delivery and construction vehicles on site (see **Figure 1**);
- increase the maximum permissible length of heavy vehicles from 19 metres (m) to 26 m, (and 35 m for one over-dimensional vehicle for the delivery of the substation transformer);
- increase the construction working hours to 6 am to 6 pm seven days a week (currently hours are limited to 7 am to 6 pm Monday to Friday, and 8 am to 1 pm on Saturdays); and
- change the Applicant name from 'Sunraysia Solar Project Pty Ltd' to 'Sunraysia Solar Project Pty Ltd as trustee for Sunraysia Solar Project Trust'.

A full description of the proposal is provided in the Applicant's Environmental Assessment (EA) (See **Appendix A**).

3. STATUTORY CONTEXT

The project was originally approved under Section 4.38 (previously Section 89E) 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.

Based on its assessment (see **section 5**), the Department is satisfied that the application can be characterised as a modification to the existing consent as the proposal would not significantly alter the approved layout or disturbance area 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, under the Minister's delegation dated 11 October 2017, the Director, Resource and Energy Assessments, may determine the proposed modification as Balranald Shire Council did not object to the proposal and a political disclosure statement has not been made.

4. CONSULTATION

The Department made the modification application and supporting documentation publicly available on its website from 22 June 2018. Given the minor nature of the application, the Department did not formally seek submissions on the application, but referred the application to relevant government agencies.

RMS supported the modification, noting that the use of larger vehicles would potentially decrease the amount of construction traffic, and that the additional laydown area could lead to efficiencies in the delivery of components to site that in turn could reduce driver fatigue. However, RMS advised that the intersection of Yanga Way and The Cut Line should be designed for 26 m B-Double vehicles, and that the Applicant must obtain the relevant approvals for the use of B-Double trucks and the over-dimensional vehicle.

The **Office of Environment and Heritage** (OEH) raised concerns about the biodiversity assessment methods used. However, the Applicant provided additional information and OEH accepted the revised ecosystem credit offset calculations.

Balranald Shire Council (Council) did not object to the modification, but recommended conditions requiring Lots 9 and 10 of DP 751179 be reconsolidated at the end of the project life. However, the Department advised Council that the intention is for TransGrid to continue to use the substation and access easement indefinitely, and Council raised no further concerns.

The **Department of Industry – Crown Lands** raised no concerns, noting that The Cut Line is a public road under Council control.

5. ASSESSMENT

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

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

The Department considers the key potential impacts would be to traffic and transport, and impacts on biodiversity from the additional ground disturbance.

The Department's consideration of these and other relevant issues are summarised in **Table 1**.

Table 1: Assessment of Issues

Issue	Consideration	Recommendations
Traffic and transport	<ul style="list-style-type: none"> • The Department is satisfied that the proposed relocation of the site access point would improve road safety. • Noting that RMS confirmed that Yanga Way is an approved route for B-Double vehicles, the Department considers that increasing the vehicle size would potentially reduce the number of road trips required for the construction of the project, which would also improve road safety. • The existing conditions require the site access point to be upgraded to the satisfaction of RMS. Given The Cut Line is a local road under Council control, the Department considers that Council should also be consulted regarding the appropriate road upgrade requirements, and has amended the conditions accordingly. • In regard to the site establishment works proposed to occur prior to upgrading the site access point, the Department notes that these activities involve the use of heavy vehicles accessing the site via the existing rural access driveway, effectively using two site access points for different stages of construction. • The Department considers that only one site access point should be used, and that the site access point should be upgraded to a standard suitable for heavy vehicle use before being used by any heavy vehicles. • The Department notes that this approach has been applied consistently across all State significant solar projects. Consequently, the Department recommends that the timing of the road and intersection upgrades should not be modified. 	<ul style="list-style-type: none"> • Relocate the site access point. • Upgrade the new site access point to the satisfaction of RMS and Council. • Increase the max length of heavy vehicles accessing the site. • No changes to the timing of road and intersection upgrades.
Biodiversity	<ul style="list-style-type: none"> • Vegetation surveys were undertaken for the new areas proposed to be disturbed, including the proposed laydown area, the new site access point and the new internal access track. • The assessment concluded that 0.55 ha of moderate to good low condition Chenopod sandplain mallee woodland would need to be cleared for the re-alignment of the site access track and new TransGrid access track. • However, the vegetation clearing requirements for construction of the transmission line were also reviewed following refined design of the transmission line. • The review concluded that a significant portion (4.94 ha out of 12.11 ha) of the native vegetation approved to be cleared could in fact be avoided, including 3.17 ha of moderate to good condition Chenopod sandplain mallee woodland. • Overall, the Department is satisfied that the modified project would disturb 4.4 ha less native vegetation than the approved project. • The Department and OEH accept that this would reduce the offset credit liability for the Chenopod sandplain mallee woodland from 291 credits to 226 credits, and the total credit liability would reduce from 391 credits to 272 credits. 	<ul style="list-style-type: none"> • Update the number and type of biodiversity offset credits to be retired.

Issue	Consideration	Recommendations
Subdivision	<ul style="list-style-type: none"> The Applicant is seeking to subdivide 1 ha from Lot 10, DP 751179 for the on-site substation, and 31 ha from Lots 9 and 10, DP 751179 for an access easement to the substation. The 31 ha lot would also include an area demarcated for potential future battery storage (although battery storage is not currently approved or proposed as part of this modification). The proposed subdivision is shown in Figure 1. The lots proposed to be subdivided are located on land zoned RU1 - Primary Production under the <i>Balranald Local Environmental Plan (LEP) 2010</i>. The proposed lots resulting from the subdivision would be below the minimum lot size of 40 ha for land zoned RU1. However, while the LEP restricts the granting of consent for subdivisions below the minimum lot size, that restriction does not prevent a modification under Section 4.55 of the EP&A Act, as a modification is not taken to be the granting of consent. Therefore, while the Department must consider the LEP's minimum lot size restriction in assessing the merits of the proposed modification, the restriction does not in itself prevent approval of the proposed modification. The Department considers that the proposed subdivision is consistent with the objectives of LEP as it: <ul style="list-style-type: none"> would not change the character of the location, site constraints and available services, facilities and infrastructure; 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; and is necessary for the on-going operation of the project as it would enable TransGrid to take ownership of the on-site substation and access track. Consequently, the Department supports the Applicant's request to subdivide the land. 	<ul style="list-style-type: none"> Subdivide the proposed lots subject to information being provided in accordance with the requirements of section 157 of the <i>Environmental Planning and Assessment Regulation 2000</i>.
Noise	<ul style="list-style-type: none"> The closest residence to the project site is located 1.4 km to the south of the site, and the Department considers that the additional hours are unlikely to impact the residence. However, the existing consent conditions allow the Applicant to seek the Secretary's approval to change the construction hours and the Department does not consider changes to the conditions are necessary. 	<ul style="list-style-type: none"> No changes to the conditions.

6. RECOMMENDED CONDITIONS

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

The modified conditions include:

- a revised project layout map;
- an updated biodiversity offset credit liability; and
- changes to the maximum vehicle length and the Applicant's name.

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

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 considers that the site access point should be upgraded to a standard suitable for heavy vehicles before use by any heavy vehicles, and that a single site access point should be used for the life of the project. Therefore, the Department does not support the proposed site establishment activities taking place prior to the road upgrades.

However, the Department's assessment has found that all other aspects of 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 subject to the aforementioned exception.

8. RECOMMENDATION

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

- **consider** the findings and recommendations of this assessment report;
- **determine** that the request falls within the scope of section 4.55(1A) of the EP&A Act;
- **modify** the development consent (SSD 7680); and
- **sign** the attached Notice of Modification (**Appendix B**).

Recommended by:

 26/7/18

Rose-Anne Hawkeswood
Senior 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 ASSESSMENT

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9415

APPENDIX B:

NOTICE OF MODIFICATION

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9415

APPENDIX C:

CONSOLIDATED CONSENT

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9415
