



# ***Metz Solar Farm***

*State Significant  
Development  
Modification Assessment  
(SSD 7931 MOD 1)*

December 2018

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## ***Executive Summary***

Metz NewCo Pty Ltd (the Applicant) owns the Metz Solar Farm, located approximately 18 kilometres (km) east of Armidale in the Armidale local government area (LGA). The Applicant is seeking to modify the Metz Solar Farm development consent to change the solar panel arrangement which would increase the maximum solar panel height from 3 metres (m) to 4 m, while reducing the development footprint from 507 hectares (ha) to 280 ha.

The Department notified both Armidale Regional Council and Roads and Maritime Services (RMS), and neither objected to the proposed modification.

The Department's assessment has concluded that the modification would not result in any impacts beyond those that were already assessed and approved and would provide an additional visual buffer for the nearest residential receiver. As such, the Department considers that the proposal should be approved.



## ***1. Introduction***

Metz NewCo Pty Ltd (the Applicant) has approval to develop the project approximately 18 km east of Armidale in the Armidale local government area.

This report provides an assessment of an application to modify the State significant development consent (SSD 7931) for Metz Solar Farm. The modification application seeks approval for an increase in the maximum solar panel height from 3 m to 4 m, while reducing the development footprint from 507 ha to 280 ha.

The project was approved on 18 July 2017 by the Executive Director, Resource Assessments and Business Systems, as delegate of the Minister for Planning. The development consent permits for the construction, upgrading and decommissioning of a solar farm, including:

- approximately 400,000 solar panels and about 50 inverter stations;
- an onsite substation, containing a 132 kV transformer and associated switchgear and directly connected into the existing 132 kV transmission line;
- internal access tracks, staff amenities, offices, car parking and laydown area; perimeter security fencing; and
- vegetation screening along the southern and south-western boundaries of the site.

The Applicant has yet to commence construction of the project.



## 2. Proposed Modification

Since the development consent was granted, the Applicant has identified an opportunity to install a more efficient solar panel arrangement which would provide the same energy output but reduce the project's development footprint. This would involve increasing the maximum solar panel height from 3 m to 4 m, while reducing the development footprint from 507 ha to 280 ha.

The proposed arrangement would utilise a single axis tracking system orientated west to east to track the trajectory of the sun and the solar panel modules would be installed in double portrait configuration (i.e. two rows of PV modules in each row, one above the other as shown in the **Figure 1**).

The Applicant is seeking to increase the maximum height of the solar panels from 3 m to 4 m to allow the trackers to extend to their full rotation in the morning and the evening. The maximum height of 4 m would typically occur during early morning and late afternoon periods. The panels would also be stored in this position overnight. However, for most of the day the solar arrays would remain below the approved 3 m height.

In addition to decreasing the development footprint from 507 ha to 280 ha, this optimisation would also reduce the number of piles needed for the project from about 50,000 to approximately 30,000 as there would be less rows of solar arrays. No additional works are proposed in areas outside the approved development footprint.

The modification is described in detail in the Environmental Assessment (EA) submitted in support of the application (see **Appendix B**).



**Figure 1** | Example of double portrait configuration



## 3. Statutory Context

### 3.1 Scope of Modification

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.

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved;
- is substantially the same development as originally approved; and
- would reduce the development footprint.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 3.2 Consent Authority

The Minister for Planning is the approval authority for the modification application. However, under the Minister's delegation of 11 October 2017 the proposed modification application may be determined by the Director, Resource and Energy Assessments.



## 4. Engagement

The Department made the modification application publicly available on its website from 22 November 2018, and referred it to Armidale Regional Council and Roads and Maritime Services (RMS) for comment. Both agencies confirmed they did not have any concerns about the proposed modification.

While the Department did not formally exhibit the application, it consulted with the landowners of Residence R1 to understand their concerns about the proposed modification. The concerns raised were primarily related to the broader impacts of the approved project, rather than to the proposed modification, particularly in regard to land use compatibility, visual impacts and potential property devaluation.

While the Department acknowledges these concerns, most of these issues were considered during the assessment of the original project and are not directly relevant to the assessment of the current modification that seeks to increase the maximum solar panel height while reducing the development footprint.



## 5. Assessment

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

- existing conditions of consent;
- the EIS for the project;
- modification application and supporting information;
- applicable government policies and guidelines; and
- requirements of the EP&A Act.

The project site is located in a rural setting along Waterfall Way, with 2 non-associated residences located within 2 km of the project boundary. The nearest residence, R1, is located approximately 220 m south of the project boundary and 550 m from the approved development footprint (see **Figure 2**).

The landowner of Residence R1 has raised concerns about the potential visual impacts of the modification and the ability of the vegetation screening to effectively screen their views of the project.

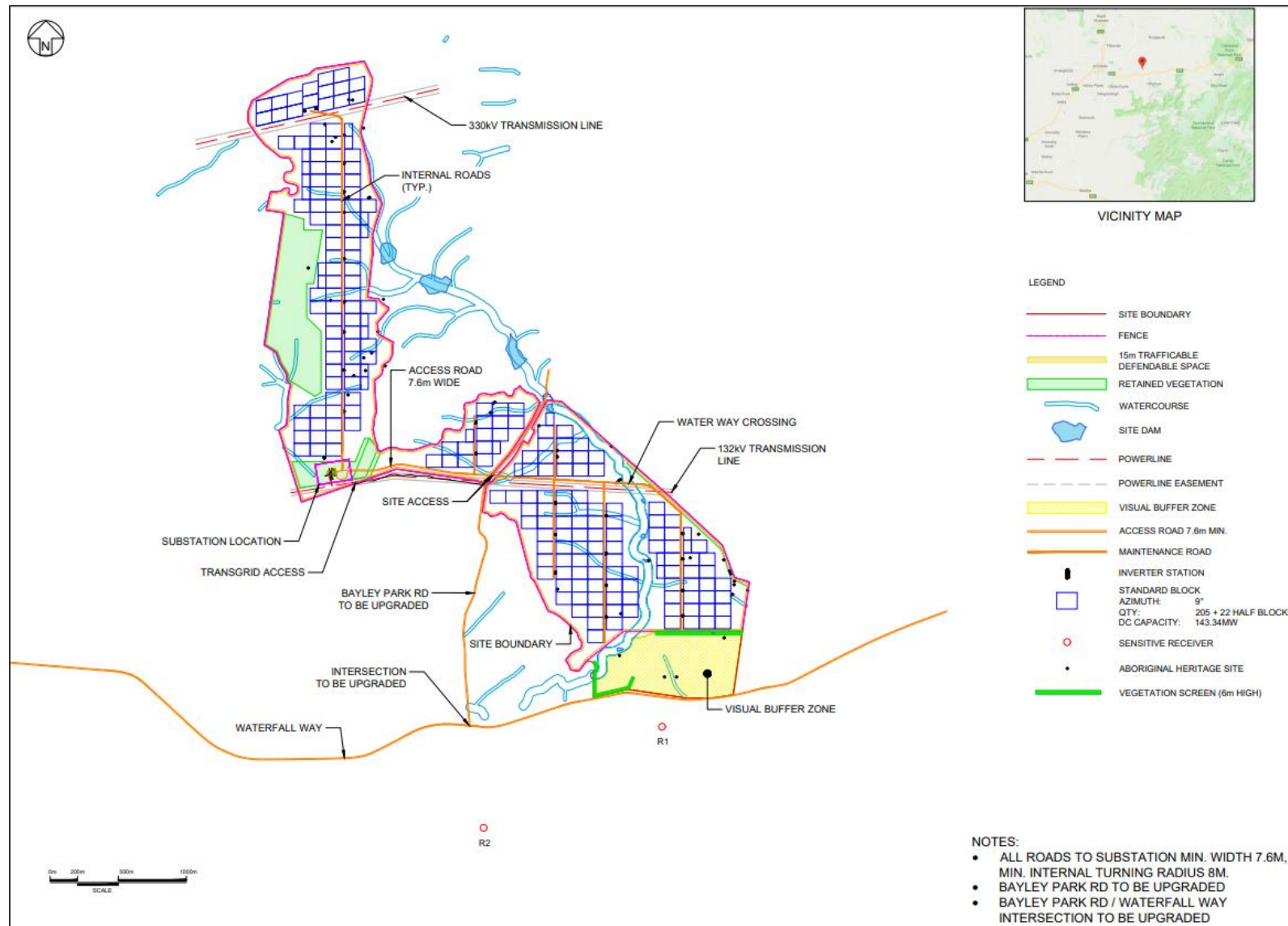
Due to existing vegetation, topography and distance, the views of the project as approved from both Residences R1 and R2 would be partially screened. Additionally, the existing development consent requires the Applicant to establish vegetation screening along the project's southern boundary to mitigate the residual visual impacts. The proposed modification involves increasing the setback of the development footprint a further 180 m from Waterfall Way, which increases the distance between Residence R1 and the development footprint from 550 m to 730 m.

The Applicant undertook a visual impact assessment of the modified project using the same representative viewpoints as assessed for the approved project. The assessment concluded that the visual impacts at Residence R1 would be reduced from the modified project as the increased height of the solar panels would be mitigated by the additional setback. An increase in the development footprint setback would also increase the distance to Residence R2 from about 1.1 km to 1.3 km.

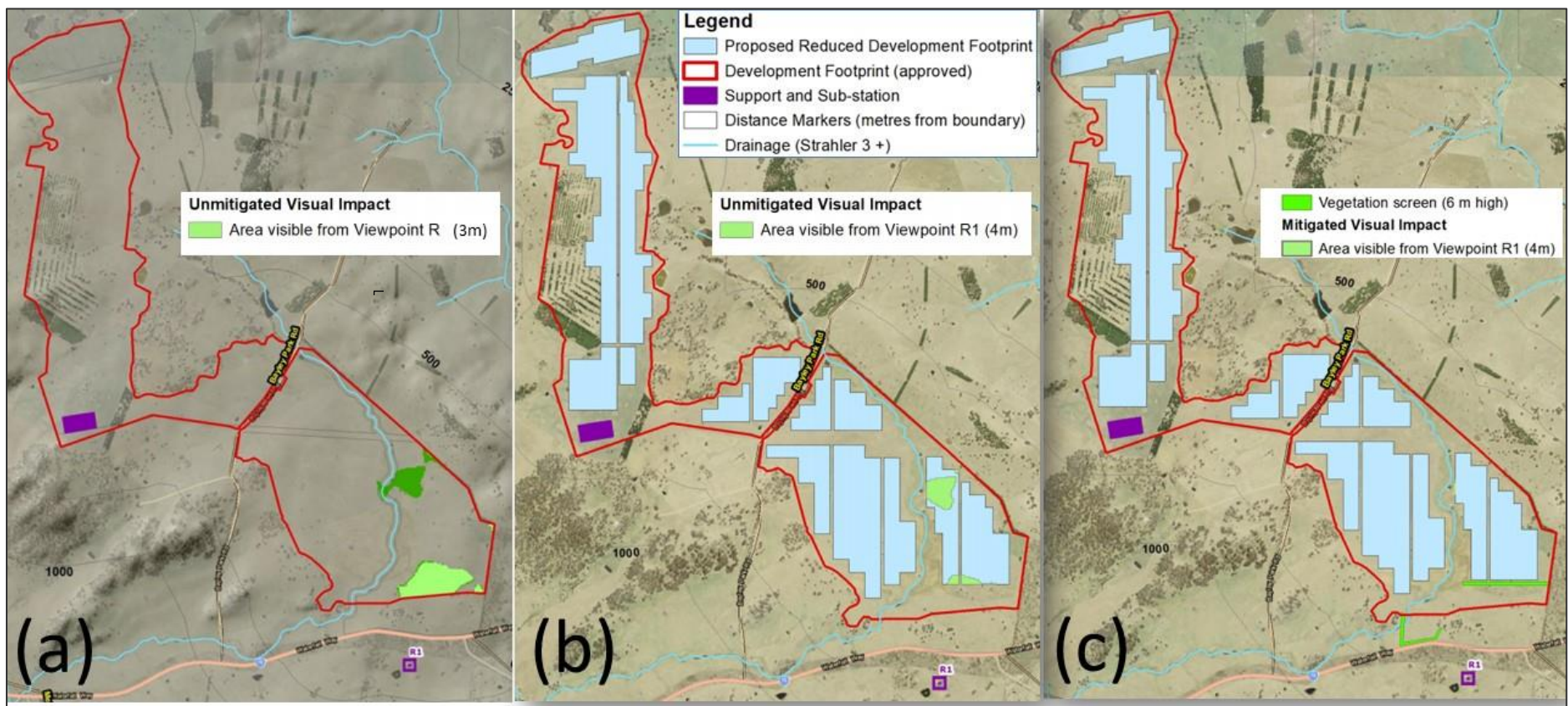
Additionally, with the required vegetation screening in place, the views of the project from both Residence R1 and Residence R2 would be entirely screened. Refer to **Figure 3** for a comparison of the potential visual impacts at R1 from the project as approved, the proposed modification without screening and the proposed modification with visual screening in place.

The Department acknowledges that it may take time for the vegetation screening to become effective, however the conditions of consent require the screening to consist of species that facilitate the best possible outcome in terms of visual screening, and to be effective within 3 years of the commencement of construction. Additionally, the assessment concluded that the visual impacts to the motorists of Waterfall Way would remain unchanged and RMS confirmed it has no concerns about the impacts to motorists using Waterfall Way from the proposed modification.

As no additional works are proposed in areas outside of the approved development footprint, the Department considers the visual impacts of the modified project would be minor and is satisfied that the proposed modification would not result in any significant increase in the environmental or amenity impacts.



**Figure 2 |** Modified project layout and residences within 2 km of the project boundary



**Figure 3** | Visual Impacts to R1: (a) unmitigated from approved project (3m panel height), (b) unmitigated from proposed modification (4m panel height), (c) mitigated impact from proposed modification



## 6. Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act.

The Department's assessment has found that the proposed modification would not result in any significant impacts beyond those that were assessed and approved for the original project and would reduce the visual impacts to Residence R1.

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

The Department has prepared a recommended Notice of Modification (see **Appendix C**), and a consolidated version of the development consent (see **Appendix D**). The conditions have been updated with a new definition of the EIS and a revised figure with the modified development footprint.

The Applicant has reviewed the proposed changes to the conditions and does not object to them.



## 7. Recommendation

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

- **consider** the findings and recommendations of this report;
- **determine** that the application Metz Solar Farm Modification 1 falls within the scope of section 4.55(1A) of the EP&A Act;
- **accept and adopt** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **modify** the consent (SSD 7931); and
- **signs** the attached notice of modification (**Appendix C**).

Recommended by:

 21.12.2018

**Tatsiana Bandaruk**

Environmental Assessment Officer

Resource and Energy Assessments

Recommended by:



**Diana Mitchell**

A/Team Leader

Resource and Energy Assessments

21/12/18



## 8. Determination

The recommendation is: Adopted / Not adopted by:

*Clay Preshaw*

21/12/18

**Clay Preshaw**

Director

Resource and Energy Assessments



## ***Appendices***

## Appendix A – List of Documents

Metz Solar Farm Environmental Impact Statement, Infinergy Pacific Ltd, March 2017.

Metz Solar Site Design and Management Plan, Armidale Tree Group, June 2017.

Additional information supporting Metz Solar Farm, including Submissions Report, Infinergy Pacific Ltd, June 2017.

Metz Solar Farm - Modification Application Letter and associated Attachments, Clenergy Pty Ltd, November 2018.

## Appendix B – Environmental Assessment

See the Department's website at:

[http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9745](http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9745)

## Appendix C – Notice of Modification

See the Department's website at:

[http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9745](http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9745)

## Appendix D – Consolidated Consent

See the Department's website at:

[http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9745](http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9745)