

ASSESSMENT REPORT

Limondale Solar Farm

Panel Height and Subdivision Modification (SSD 8025 MOD 1)

EXECUTIVE SUMMARY

Limondale Sun Farm Pty Ltd is seeking to modify the Limondale Solar Farm to subdivide part of the project site to enable TransGrid to take ownership of their portion of the substation site, and to improve its energy generating efficiency by increasing its maximum panel solar height from 2 metres (m) to 4 metres.

The Department's assessment has concluded that the modification would not result in any significant impacts beyond those that were already assessed and approved.

1. BACKGROUND

Limondale Sun Farm Pty Ltd (the Applicant) has approval to develop the Limondale Solar Farm (the project) approximately 14 kilometres (km) south of the town of Balranald, and 230 km west of Griffith, in the Riverina region of south-western NSW. The site is located within the Balranald Local Government Area (LGA).

The project was approved on 31 August 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 2,049 hectare (ha) site comprised of several allotments. The project would have an initial capacity of 250 megawatts (MW) and include:

- approximately 868,000 solar panels;
- inverter stations;
- an on-site substation connecting to TransGrid's 220 kV transmission line which intersects the project site; and
- internal access tracks, underground cabling, staff amenities, offices, car parking, laydown areas and security fencing.

The Applicant has yet to commence construction of the project.

2. PROPOSED MODIFICATION

The Applicant has identified an opportunity to install a more efficient solar panel arrangement which increases the panel surface area while reducing the development footprint and amount of trenching and cabling. This optimisation would increase the energy generation output by approximately 0.9%.

Accordingly, the Applicant is seeking to modify the development consent to increase the maximum height of the solar panels from 2 m to 4 m. This would include a height increase to the solar tracking base frame from 1.2 m to 2.1 m, and utilises an alternate panel arrangement on each tracking row. No additional works are proposed in areas outside the approved development footprint.

As the solar panels would be built on a single axis tracking configuration to track the trajectory of the sun, the maximum proposed solar panel height of 4 m would typically only occur during early morning and late afternoon periods (see **Figure 1**).

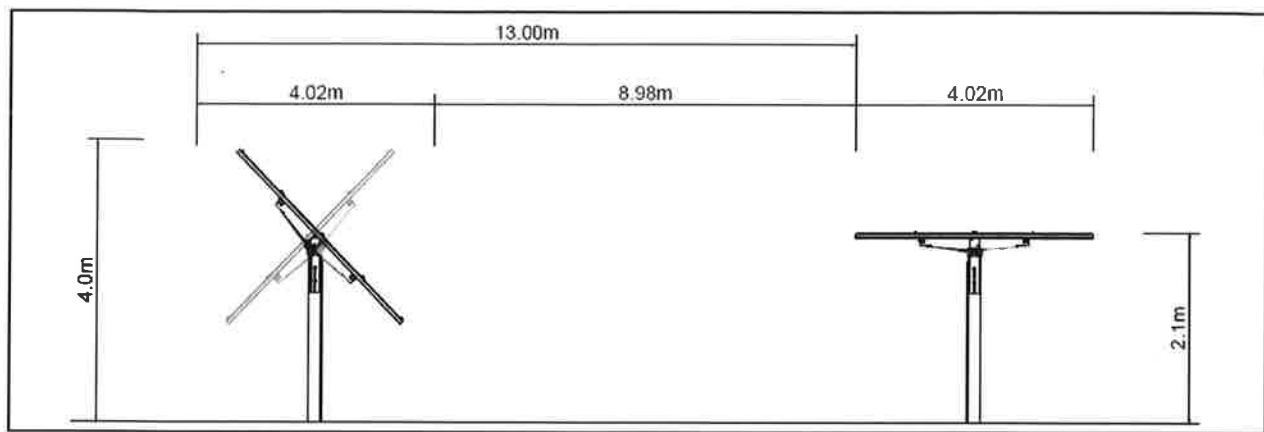


Figure 1: Proposed solar module tracking system dimensions

Additionally, the Applicant is seeking to subdivide Lot 12 DP751179 to allow enable TransGrid to take ownership of their portion of the substation site (see **Figure 2**).

The subdivision of Lot 12 DP751179 would result in the creation of:

- a 2 ha lot at the site of TransGrid's on-site substation; and
- a 17.8 ha residual lot which would contain project infrastructure.

The modification is described in detail in the Environmental Impact Statement (EIS) submitted in support of the application (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). As such, 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 disturbance area of the development would remain unchanged, and the environmental impacts of the development as approved would not increase.

The Minister for Planning is the approval authority for the modification application, however the proposal may be determined by the Director, Resource and Energy Assessments, under the Minister's delegation of 11 October 2017. This is because a political disclosure statement has not been made and Balranald Shire Council did not object to the proposal.

4. CONSULTATION

The Department notified Balranald Shire Council, TransGrid and Roads and Maritime Services (RMS) about the proposed modification on 29 June 2018 and made the application publicly available on its website. Council, RMS and TransGrid did not raise any concerns about the proposed modification.

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;
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act.

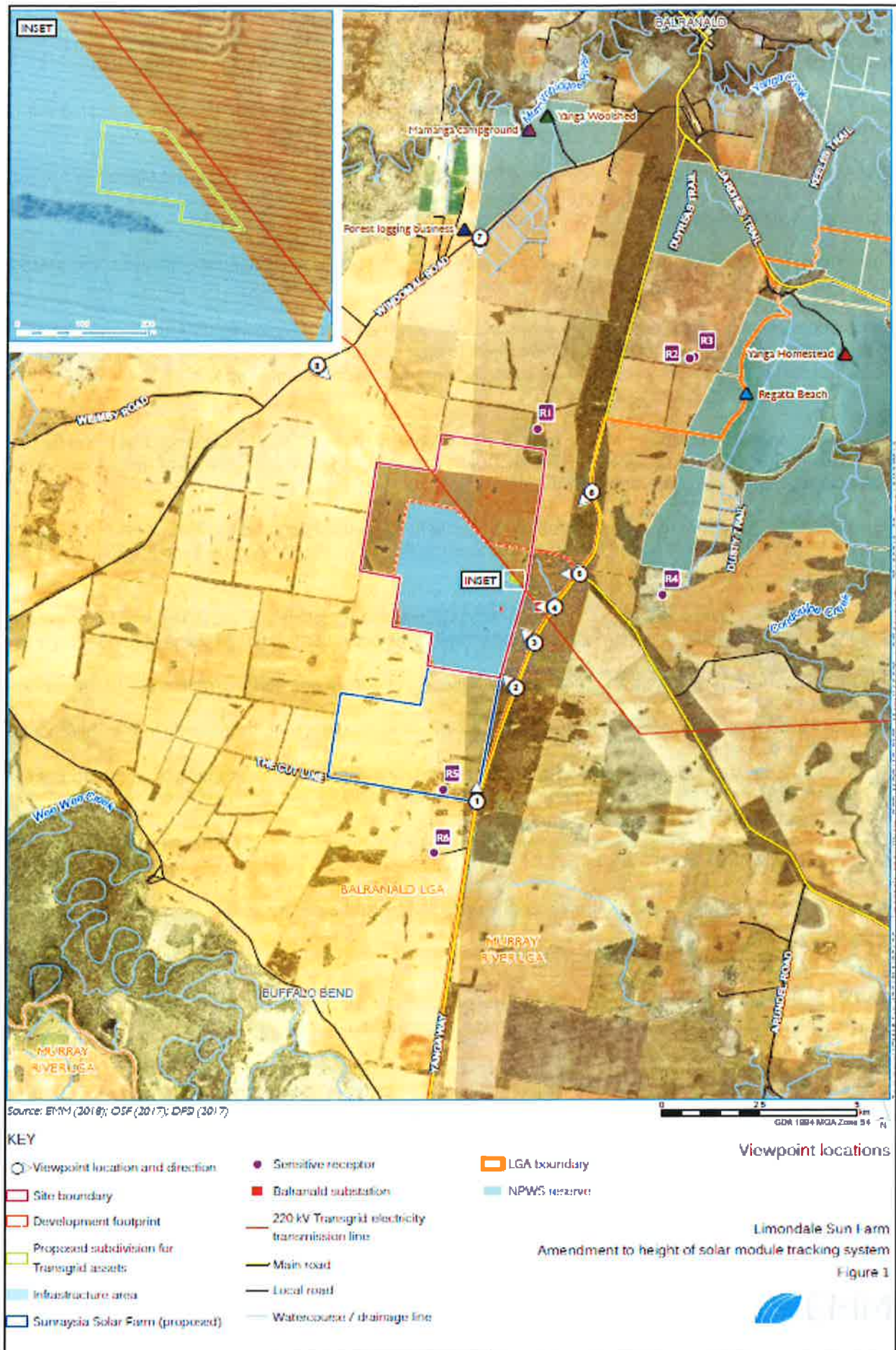


Figure 2: Project layout, residence and subdivision location

Solar panel height increase

The project site is set in a semi-rural setting along Yanga Way, with 16 residences located within 6km. The nearest residence, R1, is located approximately 3 km to the project's north-east (see **Figure 2**).

Due to existing vegetation, topography and distance, partial screening of the project as approved (i.e. 2 m panel height) is provided for most of these residences and motorists using Yanga Way.

The Applicant undertook a visual assessment of the proposed 4 m high panels using the same representative viewpoints as assessed for the approved project. The assessment concluded that there would be minor increases in visibility along portions of Yanga Way and at the nearest residence, R1.

The landowner of residence R1 has provided a letter in support of the proposed modification, and RMS has not raised any concerns about the impact to motorists using Yanga Way.

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

Subdivision

The lots proposed to be subdivided are located on land zoned RU1 - Primary Production under the *Balranald Local Environmental Plan (LEP) 2010*. 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 the *Balranald LEP 2010* as:

- it would encourage sustainable economic growth and development, particularly in the Balranald and Euston townships;
- it would encourage development that is in accordance with sound management and land capability practices, that takes into account the environmental sensitivity and biodiversity of the locality;
- it would support the local rural community; and
- it is necessary for the on-going operation of the project as it would enable TransGrid to take ownership of the substation site.

As such, the Department supports the Applicant's request to subdivide the land.

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 amended conditions would 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*.

Additionally, the conditions have been updated with a new definition of the EIS and a revised figure with the location of the proposed subdivision.

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 documents relating to the original project.

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.

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

8. 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 request falls within the scope of section 4.55(1A) of the EP&A Act;
- **modify** the development consent (SSD 8025); and
- **sign** the attached notice of modification (**Appendix B**).

Recommended by:



Ellen Jones
Environmental Assessment Officer
Resource and Energy Assessments

Recommended by:

 26/7/18

Diana Mitchell
A/Team Leader
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 IMPACT STATEMENT

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8025

APPENDIX B:

NOTICE OF MODIFICATION

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8025

APPENDIX C:

CONSOLIDATED CONSENT

See website at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8025
