

Notice of Modification

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the project approval referred to in Schedule 1, as set out in Schedule 2.



David Kitto
Executive Director
Resource Assessments and Business Systems

Sydney

3/5/19

2019

SCHEDULE 1

The Development Consent for the Hay Solar Project (SSD 8113) granted by then the Executive Director, Resource Assessments and Business Systems as delegate of the Minister for Planning, on 20 December 2017.

SCHEDULE 2

1. In the table of DEFINITIONS in Schedule 1, delete the definition for "EIS" and insert the following:

EIS	The environmental impact statement for Hay Sun Farm dated August 2017, the associated response to submissions on 27 October 2017 and the letter from the Applicant dated 18 December 2017, as modified by: <ul style="list-style-type: none">• <i>Request for Modification 1</i> prepared by EMM Consulting dated 29 January 2019;• <i>Request for Modification 2</i> prepared by Plains SF No1 Pty Ltd, dated 20 February 2019; and• <i>Hay Sun Farm Response to Submissions</i>, prepared by Plains SF No1 Pty Ltd, dated 26 March 2019.
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2. Delete condition 1 of Schedule 3 and insert:

Battery Storage Restriction

1. The capacity of the battery storage facility on the site must not exceed 30 MW.

3. In condition 5(a) of Schedule 3 after the word 'construction' insert:

Road Upgrade

- (a) "of the southern portion and the use of the southern access point (shown in Appendix 1)";

4. After condition 5(a) of Schedule 3, insert:

- (b) prior to the commencement of construction of the northern portion and use of the northern access point (shown in Appendix 1):
 - upgrade the intersection of Sidonia Road and the site entry point to provide a Basic Right Turn (BAR) treatment and a Basic Left Turn (BAL) treatment, to the satisfaction of Hay Shire Council, in accordance with the *Austroads Guide to Road Design* (as amended by RMS supplements), unless the relevant road authority agrees otherwise; and
 - restore any damage to Sidonia Road and the road reserve during construction and completion of road construction, to the satisfaction of Council.

5. Delete condition 21 of Schedule 3, insert:

Storage and Handling of Hazardous Materials

21. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

Note: In the event of an inconsistency between the requirements listed from (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

6. After condition 21 of Schedule 3 and insert:

Fire Safety Study

- 21A. Prior to commencing construction of the battery storage facility, unless otherwise agreed by the Secretary, the Applicant must prepare a Fire Safety Study of the development, to the satisfaction of Fire & Rescue NSW.

The study must:

- (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'*; and
- (b) NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems.

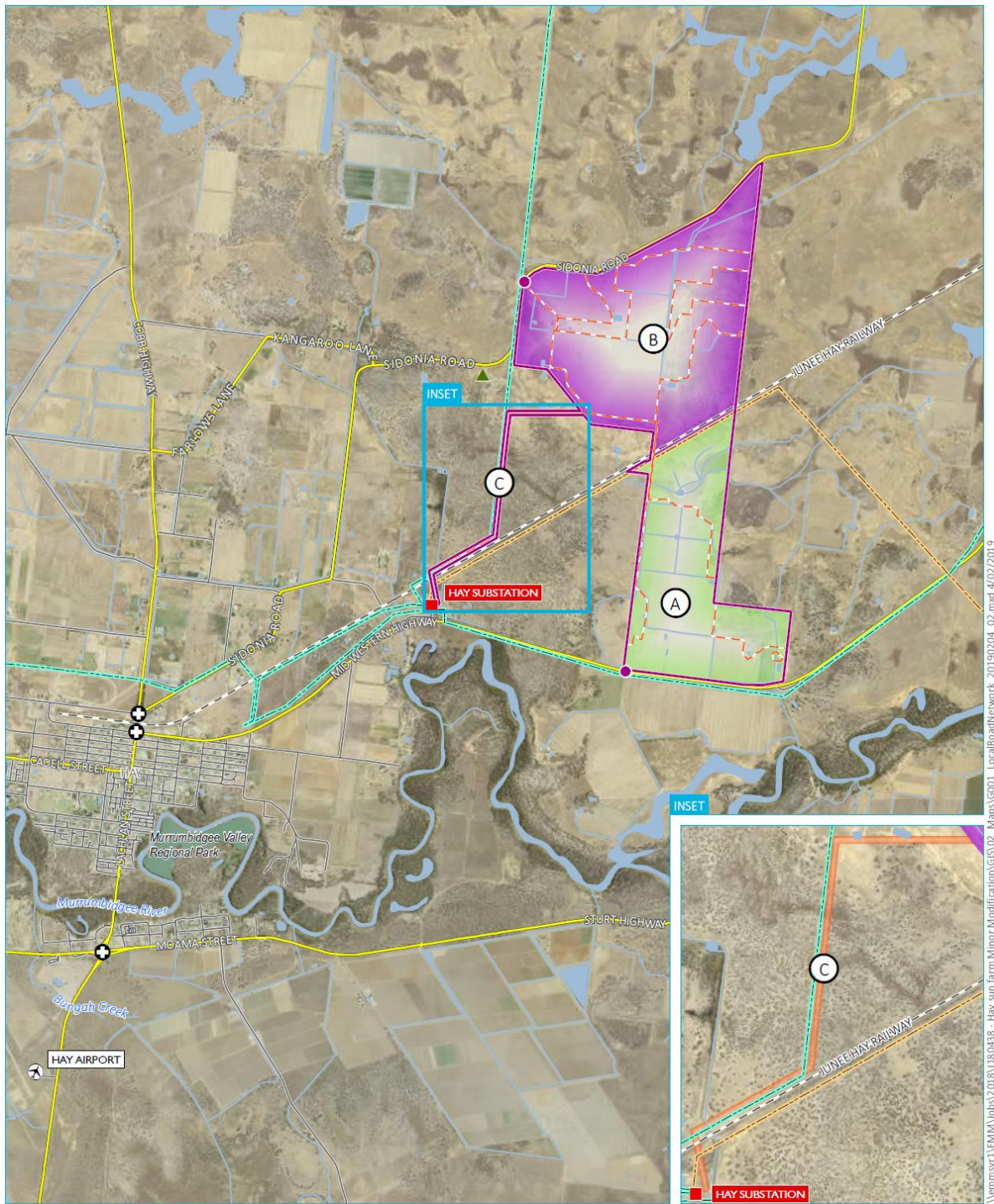
Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.

7. Delete condition 23 of Schedule 3 and insert:

Emergency Response Plan

23. Prior to the commissioning of the development, the Applicant must develop and implement a comprehensive Emergency Response Plan and detailed emergency procedures for the development. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:
- (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No.1, 'Emergency Planning'*;
 - (b) be prepared in consultation with Fire and Rescue NSW and NSW Rural Fire Service to their satisfaction;
 - (c) identify the fire risks and controls of the development; and
 - (d) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site.

8. Delete Appendix 1 and insert the following:



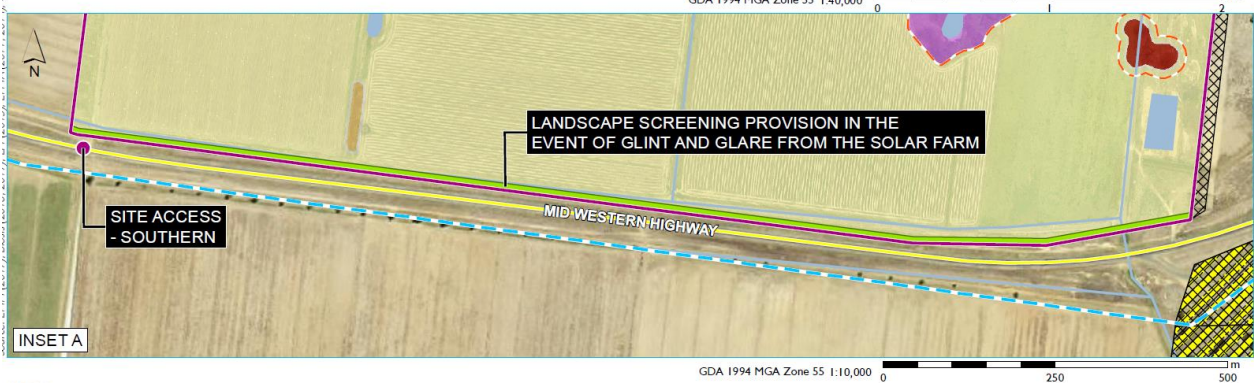
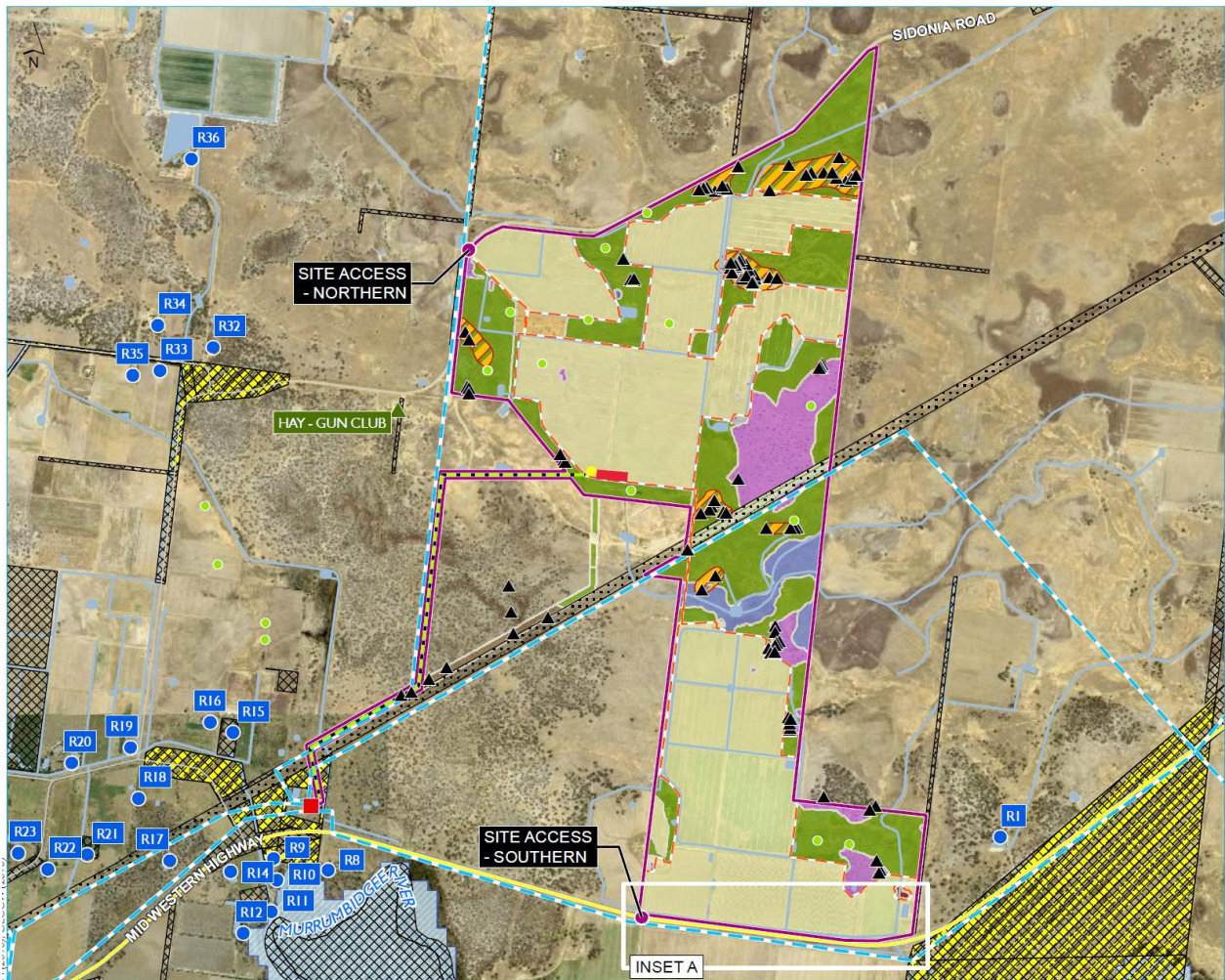
Source: EMM (2019); DFSI (2017); LPI (2015); LPMA (2011, 2014)

KEY

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| Site boundary | Hay Airport | Watercourse/drainage line |
| A - Southern Portion | Hay gun club | Waterbody |
| B - Northern Portion | Hay substation | NPWS reserve |
| C - Transmission Line Area | 132kV electricity transmission line | |
| Development footprint | 33kV electricity transmission line | |
| Proposed site access location | Rail line | |
| Key intersection | Main road | |
| | Local road | |

Local road network

Hay Sun Farm modification
Figure 4.1



KEY

<p>Site boundary</p> <p>Development footprint</p> <p>Proposed site access location</p> <p>Hay substation</p> <p>Proposed transmission line</p> <p>Existing transmission lines</p> <p>Main road</p> <p>Local road</p> <p>Sensitive receptor</p> <p>Aboriginal heritage site (Biosis, 2017)</p> <p>Potential archaeological deposit (PAD) (Biosis, 2017)</p> <p>Disused rail corridor</p>	<p>Travelling stock reserve</p> <p>Crown land</p> <p>Waterway / canal / irrigation</p> <p>Waterbody</p> <p>Wetland (OEH, 2009)</p> <p>Landscape screening provision in the event of glint and glare from the solar farm</p> <p>Scattered paddock trees (hollow bearing)</p> <p>Battery Energy Storage System</p> <p>Hay Solar Farm Substation & Switchroom</p>	<p>Vegetation communities (Biosis, 2016)</p> <p>Cropped/modified</p> <p>Planted vegetation</p> <p>PCT 10 - River Red Gum - Black Box woodland wetland of the semi-arid (warm) climatic zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion)</p> <p>PCT 12 - Shallow marsh wetland of regularly flooded depressions on floodplains mainly in the semi-arid (warm) climatic zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion)</p>	<p>PCT 15 - Black Box open woodland wetland with chenopod understorey mainly on the outer floodplains in south-western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)</p> <p>PCT 16 - Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)</p> <p>PCT 44 - Forb-rich Speargrass - Windmill Grass - White Top grassland of the Riverina Bioregion</p>
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