

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Jones
Director, Infrastructure Projects

Sydney

4 February

2014

SCHEDULE 1

Project Approval:

MP 10_0175 granted by the Minister for Planning and Infrastructure on 17 July 2011.

For the following:

Moree Solar Farm (BP Solar Site 3 Southern), including:

- 150 megawatt photovoltaic electricity generation facility;
- both above and underground electrical conduits and cabling connecting arrays and inverters;
- sets of inverters and transformers distributed around the site;
- on-site substation which will step the system voltage up from 22kv to 132kv in order to connect to the Moree Zone Substation;
- site administration and operations building;
- 132kv transmission line connecting the site to the 132kv Moree Zone substation;
- internal and perimeter access tracks, perimeter fencing and landscaping; and
- site services, reticulated potable water and a 200kl above-ground water holding tank.

Modification:

MP 10_0175 (Mod 1):

- Change the name of the Proponent from BP Solar Pty Ltd to Moree Solar Farm Pty Ltd;
- Deletion of solar generation and ancillary works on Lot 32 and 54 in DP 751791;
- Deletion of Condition C16 of the Approval as it is no longer proposed to have generation facilities installed on the subject road reserve and it can continue to be used as a Crown Road;
- Amendment of Condition C5 of the Approval by insertion of the words "If required," before "The Proponent";
- Amendment of Condition E1 by insertion of the words "If a biodiversity offset is required," prior to the words "Details of";
- Amendment of the powerline route as well as the powerline description as the voltage has been reduced from 132 kV to 66 kV; and
- Reduce the size of the facility from 150MWac to 56MWac (70MWdc).

SCHEDULE 2 CONDITIONS

Terms of Approval

Delete A1 and replace with:

- A1. The Proponent shall carry out the project generally in accordance with the:
- (a) Major Project Application 10_0175;
 - (b) Environmental Assessment Moree Solar Farm (BP Solar-Site 3 Southern), (February 2011);
 - (c) Submissions Report Proposed Solar Power Station Near Moree, NSW (Moree Solar Farm) (April 2011);
 - (d) Specialist Report Summary of Amended Project, Proposed Moree Solar Farm (November 2013);
 - (e) Response to Submissions – Moree Solar Farm (9 January 2014); and
 - (f) conditions of this approval.

Delete A2 and replace with:

- A2. In the event of an inconsistency between:
- (a) the conditions of this approval and any document listed from condition A1(a) to A1(e) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - (b) any document listed from condition A1(a) to A1(e) inclusive, and any other document listed from condition A1(a) to A1(e) inclusive, the most recent document shall prevail to the extent of the inconsistency.

PART C – PRIOR TO CONSTRUCTION

Biodiversity Offset Strategy

Delete C5 and replace with:

C5. The proponent is to consult with the OEHS to determine whether a biodiversity offset strategy and package is required. If it is determined that a biodiversity offset strategy is required, then the Proponent shall prepare a biodiversity offset strategy following final design, in consultation with OEHS and the landholder, to the satisfaction of the Director-General, to guide the development of the offset package required in condition E1. The offset strategy is to be prepared by an ecologist and submitted for approval prior to the commencement of construction and should include:

- (a) consideration of all native vegetation losses and the adequacy of the proposed offset;
- (b) demonstration of how the offset will aim to achieve 'improve or maintain' biodiversity values;
- (c) an offset proposal which is supported by a suitable metric (such as the Biobanking Assessment Methodology);
- (d) connectivity in its design;
- (e) details of the relative condition and values of communities on the offset site in comparison to those to be impacted;
- (f) proposed management actions and expected gains;
- (g) demonstration of how the strategy was prepared in accordance with OEHS's Principles for the Use of Biodiversity Offsets in NSW; and
- (h) measures to ensure in-perpetuity the conservation commitment.

Construction Environmental Management Plan

Delete C14 (n) and replace with:

(n) a flood management plan for the project area including a flood model for predicted water levels and shall include contingency measures for the site during potential floods, inclusive of measures for the removal of debris around the perimeter of the site to avoid alterations to floodpaths occurring as a result of debris build up.

Include after C15 (e)

(f) an **Aboriginal Heritage Plan** to monitor and manage Aboriginal heritage shall be developed in consultation with the OEH and registered Aboriginal stakeholders, and include the following:

- i. details of further archaeological investigations and/or salvage measures to be carried out prior to construction;
- ii. procedures for the management of identified objects within the project area;
- iii. procedures for dealing with unidentified objects and/or human remains consistent with condition D3;
- iv. Aboriginal cultural heritage induction processes for construction personnel; and
- v. procedures for ongoing Aboriginal consultation and involvement.

Delete C16 (**Crown Road Reservation**) and replace with:

Railway Corridor

C16. Prior to any construction within the railway corridor, approval is to be obtained from the Australian Rail Track Corporation for any works to be undertaken within the railway corridor, in particular the tunnelling of any cables beneath the existing railway line or the construction of any electricity transmission line passing over the existing railway line.

PART E – PRIOR TO OPERATIONS

Biodiversity Offset Package

Delete E1 and replace with:

E1. If it is determined that a biodiversity offset package is required under condition C5, details of the package shall be submitted for the approval of the Director-General prior to the commencement of operation or as agreed by the Director-General. The package shall:

- (a) describe how the offset shall be guaranteed and monitored in perpetuity;
- (b) ensure all cleared vegetation communities and native pastures are represented. Where this cannot be achieved demonstrate how an equivalent offset has been developed;
- (c) demonstrate how the offset ratio determined improves or maintains biodiversity values; and
- (d) include requirements for a post construction review to confirm the extent of clearing was commensurate with and not greater than that predicted. If clearing is greater, then the package shall demonstrate how the offset was modified and increased to the value of the actual biodiversity loss.