

Applicant submission to JRPP DA 122/2017

Date: 9th March 2018

Introduction

The Southern Joint Regional Planning Panel (**JRPP**) is considering a development application (DA) for the Biala Wind Farm Transmission Line Connection and Substation Upgrade Project (DA 122/2017) (**Transmission Line DA**). The works proposed through this application support the previously approved Biala Wind Farm (SSD 6039) (**BWF Consent**) and is essentially complementary to the also approved and operational Gullen Range Wind Farm (**GRWF**) and Gullen Range Solar Farm (**GRSF**). Upper Lachlan Shire Council (**ULSC**) has recommended approval. This submission summarises the application for the benefit of the JRPP and requests minor amendments to the draft Conditions of Consent (CoC) proposed by ULSC to ensure they are practicable and clear.

This submission provides a brief background overview to ensure the context of the DA under consideration is clear and also provides a summary response to ULSC's proposed CoC.

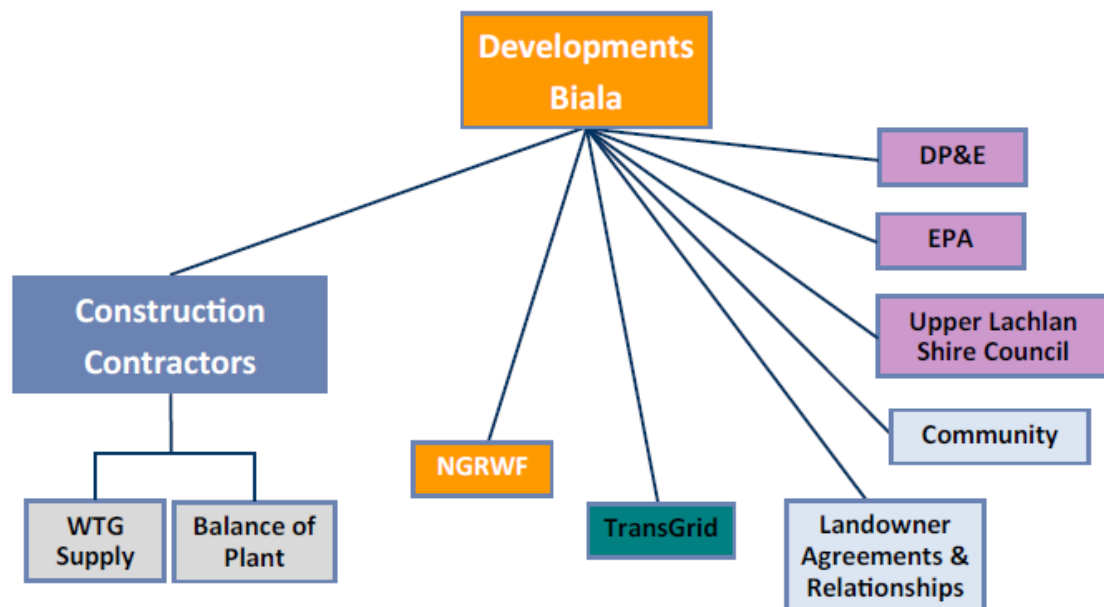
Project Overview

The Biala Wind Farm Project (comprising both the development approved under the BWF Consent and the development proposed in the Transmission Line DA) is being developed by Newtricity Developments Biala Pty Ltd (**Developments Biala**). Developments Biala was acquired by a subsidiary of Beijing Jingneng Clean Energy Company Limited (**BJCE**) in September 2017. BJCE owns the Biala Wind Farm through its ownership of Developments Biala and owns 75% of New Gullen Range Wind Farm Pty Ltd (**NGRWF**), the owners of the GRWF and GRSF.

The BWF Consent is subject to a deferred commencement condition which requires the approval of the Transmission Line DA prior to the consent becoming operable. As such, the Biala Wind Farm cannot be constructed without approval of the Transmission Line DA. Therefore an approval is required to enable the Biala Wind Farm to deliver the environmental, economic and social benefits outlined in the Biala Wind Farm EIS. The Biala Wind Farm Transmission Line Connection and Substation Upgrade Project will connect the Biala Wind Farm to the existing electricity grid, thereby facilitating supply of renewable energy to supplement NSW and National energy requirements and assist in reducing greenhouse gas emissions.

There are multiple project interfaces and components, which are described below to assist in understanding the planning considerations and potential impacts of the Biala Wind Farm Transmission Line Connection and Substation Upgrade Project, which is the subject of the current **Transmission Line DA**.

Figure 1 Project Interfaces



Contractual Structure for Project Construction

The Biala Wind Farm Project will be constructed through two main contracts:

1. The manufacture, supply, delivery, erection and commissioning of the wind turbine generators (**WTGs**) (the **WTG supply contract**)
2. The balance of plant contract (**BoP contract**)

Developments Biala will maintain a full-time site presence during construction and will have a contract with an Owners Engineer who will provide technical and compliance advice throughout construction.

The BoP contractor will be responsible for the design and construction of everything but the WTGs, including both civil and electrical works (for the Wind Farm and Transmission Line Connection and Substation Upgrade). The WTG supply contractor will be responsible for the delivery, installation and commissioning of the turbines.

Both construction contractors will have an environmental policy in place which will be adhered to during construction. The requirements and conditions of the BWF Consent and the Transmission Line consent (if granted), as well as all associated management plans approved under those consents, will be incorporated into the construction contracts, such that each contractor is contractually bound to comply. The Project's Environmental Management Strategy (**EMS**), required by Condition 1 of Schedule 4 of the BWF Consent, provides further detail on the Project environmental management structure and roles and responsibilities.

Construction Schedule

The tender process is currently underway and the BoP contract will be awarded in May 2018, with construction scheduled to commence in June 2018 (subject to approval of the Transmission Line DA).

Key Project Components

Table 1 below provides a summary of the key Project components and their relevance to the current DA. **Figure 2** shows the location of the key Project components.

Figure 2

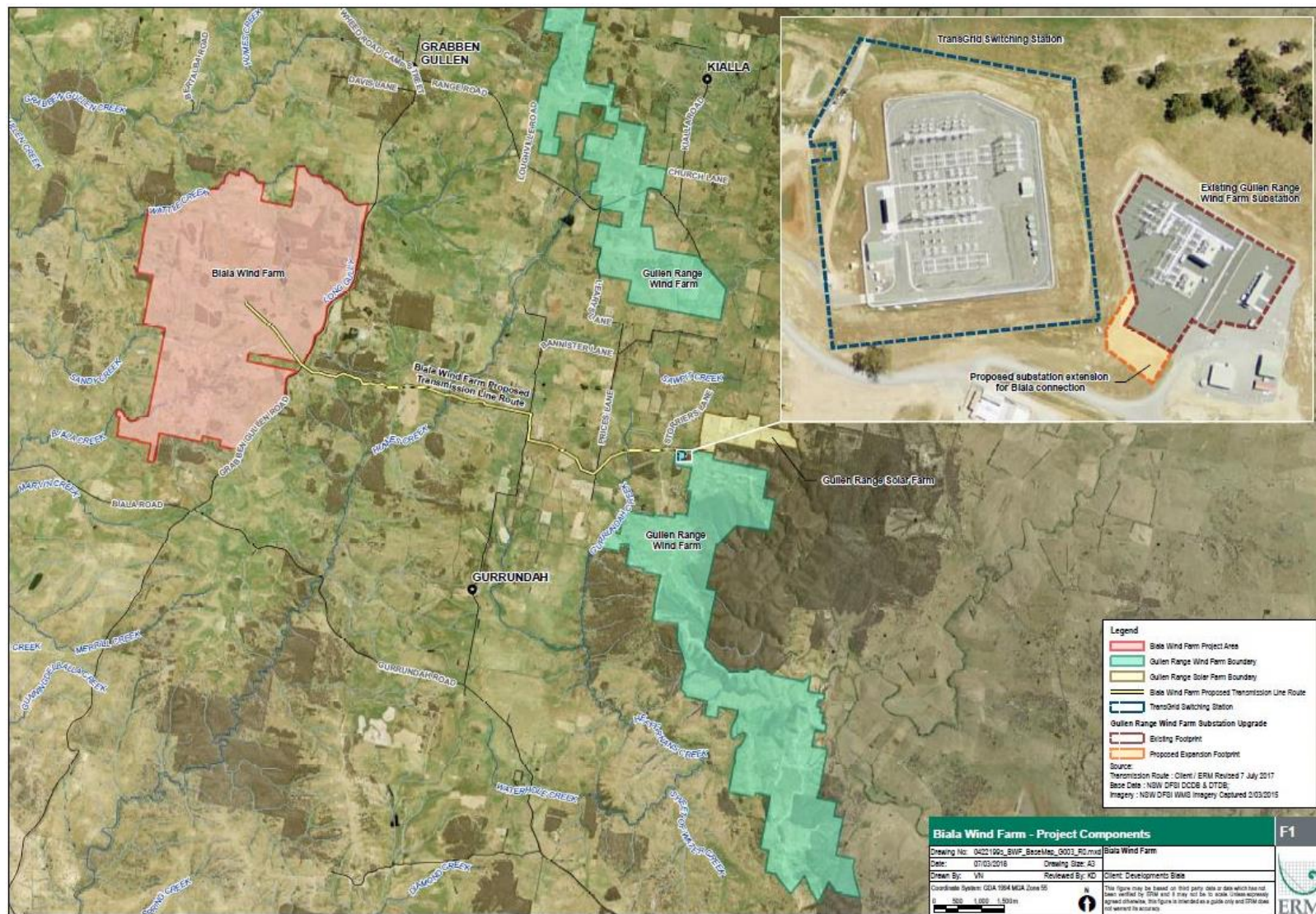


Table 1 Project Components

Project	Owner	Status	Relevance to Transmission Line DA
Biala Wind Farm	Developments Biala	<p>Approved via a State Significant Development (SSD) consent granted on 12 April 2017 (SSD 6039). Construction scheduled to commence in June 2018.</p> <p>The Biala Wind Farm consists of 31 wind turbine generators (WTGs) with an indicative generation capacity of 80 MW to 112 MW. Support infrastructure includes an electrical reticulation network, internal access roads and permanent operations and maintenance facilities together with a temporary concrete batching plant, site offices and equipment storage area during construction period.</p>	<p>The proposed transmission line will allow the power generation from Biala Wind Farm to enter the grid via the GRWF Substation. The GRWF Substation will need to be upgraded to handle the power generation from Biala Wind Farm.</p> <p>Condition 1 of Schedule 2 'Deferred Commencement' of the BWF Consent stipulates that the consent does not operate until the Biala Wind Farm Transmission Line Connection and Substation Upgrade Project has been granted development consent.</p>
Biala Wind Farm Transmission Line Connection and Substation Upgrade	Developments Biala	Subject of current DA. Proposed works include the construction and operation of a 12 km long, 33 kV underground transmission line and GRWF Substation upgrade works, including installation of one additional 33/330 kV transformer to increase the Substation's capacity.	n/a
Gullen Range Wind and Solar Farm	NGRWF	<p>The Wind Farm was approved by the Land and Environment Court in 2009. GRWF has been operational since December 2013 and consists of 73 WTGs and the GRWF Substation, which has two 33/330kV electrical transformers.</p> <p>The Solar Farm DA was approved in June 2016 by the Southern JRPP and the Solar Farm has been generating electricity since August 2017. It is located adjacent to the Wind Farm and comprises of a 10 MW solar photovoltaic (PV)</p>	<p>The proposed transmission line will connect into the existing GRWF Substation, which connects to the existing TransGrid 330 kV Yass to Goulburn transmission line. The proposed transmission line connection will require the current GRWF Substation facility to be upgraded to accommodate the increased energy supplied by Biala Wind Farm. Connection of the transmission line to the GRWF Substation will require the installation of one additional 33/330 kV transformer and other associated infrastructure at the Substation. This new</p>

		power plant and occupies an area of approximately 28 hectares. It connects to the national electricity grid through the GRWF Substation.	equipment (required by Biala Wind Farm but located either within the existing GRWF Substation area or the proposed substation extension area) will enable electricity to be stepped up to 330kV and then passed on to the national electricity grid via the TransGrid Switching Station.'
TransGrid Switching Station	TransGrid	<p>A TransGrid owned Switching Station is located adjacent to the west of the GRWF Substation and also connects to the existing TransGrid 330 kV Yass to Goulburn transmission line</p> <p>The Switching Station was constructed by TransGrid for the GRWF and entered operation at the same time as the GRWF. Key components include a compound with electrical switching and grid compensation equipment and service easements.</p>	<p>No works are proposed to the switching TransGrid Switching Station by Developments Biala to facilitate connection of Biala Wind Farm. The upgrade works proposed in this DA only involve the GRWF Substation.</p> <p>The Transgrid Switching Station is owned and operated by TransGrid and is on land owned by TransGrid. This is discussed further in the response to the draft conditions below.</p>

Response to Draft Conditions of Consent

The draft CoC as proposed by ULSC for the Biala Wind Farm Transmission Line Connection and Substation Upgrade Project were made available on the JRPP website on 2nd March 2018. Developments Biala are generally in agreement with the CoC, however we request minor amendments to the conditions listed in the table below. We have provided reasoning for each amendment in the table. Proposed deletions are shown as strikethrough text and additions in red text.

CoC No.	Proposed change to draft condition	Reason for proposed change to draft condition
8	<p>The development shall not be permitted to commence operation unless:</p> <p>(a) Landscaping treatments have been implemented to screen the substation and associated switching station(s) on Lot 2 DP1168750</p> <p>(b) Colour treatment has been applied to perimeter fencing for the substation and associated switching station(s) on Lot 2 DP1168750 to minimise glare to the satisfaction of Council.</p> <p>The landscaping treatments referred to in paragraph (a) shall employ all practicable mitigation measures and utilise mature plantings to screen the substation and switching station(s) from surrounding non-associated properties and public places, including roads. Following the installation of the landscaping treatments, the applicant shall maintain them over the life of the project.</p>	<p>Developments Biala proposes that draft condition 8 should be amended to remove the requirements for landscaping and colour treatments for the TransGrid Switching Station on the basis that:</p> <ul style="list-style-type: none"> the proposed minor upgrade works only relate to the GRWF Substation, and no works are proposed to the Switching Station as part of the Transmission Line DA. the Switching Station is owned by TransGrid and Developments Biala does not have access to TransGrid's land or service easements; and the conditions of the GRWF Approval already require screening and landscape treatments to the TransGrid Switching Station, which have been implemented.
13	<p>The consent does not permit provision of any additional vehicle access driveway from any public road. For the avoidance of doubt, this condition does not prevent the applicant from accessing the proposed Corridor from a public road for the purpose of carrying out the development in accordance with this consent.</p>	<p>Developments Biala proposes that draft condition 13 should be amended to clarify that it is permitted to access the proposed Corridor from public roads.</p> <p>Section 2.5 of the SoEE states "The proposed transmission line alignment intersects the following public roads which can be utilised for access by personnel and machinery during construction activities..." and "Internal access along the proposed transmission line location during construction will be via existing access tracks or along the transmission line route."</p> <p>As indicated in the SoEE, Developments Biala intends to access the transmission line using existing tracks where possible. However, if this is not possible, access to the</p>

CoC No.	Proposed change to draft condition	Reason for proposed change to draft condition
		transmission line will occur from the public road. No permanent driveways will be created.
16	No component of the development shall be permitted to commence operation unless a lease agreement has been reached between the applicant and Council, and associated charges of leasing the land have been paid land tenure has been secured between the applicant and the relevant roads authority in relation to the land where the transmission line traverses public roads. This may include a lease under section 149 of the Roads Act 1993.	<p>Developments Biala proposes that draft condition 16 should be amended to clarify the circumstances where the obligation to enter into a lease agreement arises.</p> <p>ULSC have clarified that the reference to a 'lease agreement' is a reference to the requirement to lease the land beneath the public road (where the cable traverses the road reserve) in accordance with section 149 of the <i>Roads Act 1993</i>.</p>
17	The consent does not permit any: (a) Demolition, moving or alteration of any "Aboriginal object" as defined by Upper Lachlan Local Environmental Plan 2010; (b) Disturbance or excavation of any "archaeological site" or any "Aboriginal place of heritage significance" as defined by Upper Lachlan Local Environmental Plan 2010	<p>Developments Biala proposes that draft condition 17 be deleted in its entirety, in lieu of draft condition 49. This is to avoid any conflict between conditions.</p> <p>Actions may be taken around "Aboriginal objects" in accordance with an Aboriginal Heritage Impact Permit. The requirement for an Aboriginal Heritage Impact Permit is included as draft condition 49(a).</p>
31	No work in the development shall be permitted to commence unless the applicant has upgraded all internal site access roads as necessary for temporary use by heavy vehicles, to a standard endorsed by Council and to the practicable requirements of Council.	<p>Developments Biala proposes that draft condition 31 should be amended to clarify that the upgrade works only relate to internal site access roads (as opposed to public roads used to access the site).</p> <p>No road upgrade works for the purpose of the Transmission Line DA have been identified in either the SoEE or ULSC Assessment. Further, the maintenance of the current road conditions is adequately addressed in draft condition 29 which requires Developments Biala to:</p> <ul style="list-style-type: none"> • commission a qualified person to undertake a Road Dilapidation Report; and

CoC No.	Proposed change to draft condition	Reason for proposed change to draft condition
		<ul style="list-style-type: none"> to restore relevant roads to the state identified in the Road Dilapidation Report.
47	<p>The development shall be carried out in accordance with the requirements of Water NSW as detailed in its attached letter of 11 January 2018. Namely:</p> <p>(a) The site layout and works shall be as specified in the Statement of Environmental Effects prepared by ERM (dated 21/11/2017) (SoEE). No revised site layout (other than by micro-siting within the Corridor as described in the SoEE) or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.</p>	<p>Developments Biala proposes that draft condition 47 be amended to clarify the operation of the condition. The SoEE indicates that “micro-siting will be undertaken to define the final alignment which will be anywhere within the Corridor and cause no greater ecological impacts than assessed”. The purpose of the amendment is to clarify that draft condition 47 is not intended to remove this flexibility.</p>