



ADVERTISED PLAN

LEVEL 12
120 COLLINS STREET
MELBOURNE VIC 3000

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Urbis Pty Ltd
ABN 50 105 256 228

16 March 2022 (reissued 26 June 2022)

Anthony Pollifrone
Senior Planner
DELWP
PO Box 500
East Melbourne VIC 8002
Sent via email to: development.approvals@delwp.vic.gov.au

Dear Anthony,

APPLICATION TO AMEND PERMIT PA1900745 – MOKOAN 2 SOLAR FARM

1. BACKGROUND

We act on behalf of Lightsource bp regarding planning permit PA1900745 issued 1 June 2021 for the Mokoan 2 Solar Farm located at Lot 1 Title Plan 903174T and Lot 3 Title Plan 903174T, Nelson Road, Winton. DELWP approved the Mokoan 2 Solar Farm under permit PA1900745. Upon review and discussion with DELWP at the time we have highlighted the following conditions that appear to have been drafted in error. Therefore, we have prepared this application to amend the permit in accordance with Section 72 of the Planning and Environment Act 1987.

2. PROPOSED AMENDMENTS

Address

Under 'Address of the Land' the permit lists the following roads:

- Benalla-Yarrawonga Road
- Nelson Road
- Bowers Road
- Lee Road Reserve
- VicTrack rail reserve

Benalla-Yarrawonga Road is not relevant to the site and should be removed from this list. It is 7km from the site and it will not form part of the access route.

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Condition 2

The use and development must be generally in accordance with the plans endorsed in accordance with this permit. The development plans endorsed under condition 1, and any other plan endorsed under a condition of this permit, must not be altered or modified without the written consent of the responsible authority.

The conditions that we seek to amend via this application are as follows.

Condition 23

Upon review and following discussions with Sam Mason and Joel Ingham from Rural City of Benalla Council, it has been confirmed that Condition 23 appears to have been applied in error and applies to another solar farm previously approved by DELWP. The condition reads as follows:

23. Prior to any construction works commencing on site, the developer must upgrade the road, drainage and other civil work from the intersection of Benalla Yarrowonga Road to 100 meters past the main subject site entrance along Nelson Road and to incorporate earthworks, pavement, sealing, gravelled shoulder, drainage, line-marking and environmental treatments across the frontage of the development, and in accordance with plans and specifications approved by the responsible authority in accordance with the Infrastructure Design Manual. Specific details are as follows:

- a. Fully sealed pavement (including turning lanes and passing lanes), gravelled shoulders, signage and vehicular crossings off Nelson Road (from the intersection of Benalla Yarrowonga Road/ Nelson Road - unsealed section to 100 meters past the secondary entrance to the subject site along Nelson Road).*
- b. Passing lane at the entrance for the safe movement of heavy vehicles.*
- c. Underground drainage.*
- d. Appropriate signage, intersection and traffic (control/mitigation) measures.*
- e. Stormwater retention and quality treatments.*
- f. Road drainage.*

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.

In response to the above, we point out that Benalla Yarrowonga Road is not proposed to form part of the access route for the Mokoan Solar Farm (formerly referred to as Mokoan and Mokoan 2). Refer to Figure 2 which was prepared for Mokoan 2 and shows the route which will be used for both sites which comprise the Mokoan Solar Farm to connect to the Hume Highway.

Further, the GTA report noted the following:

Due to the condition of Nelson Road to the west of the subject site, this option [for site access] was not considered. The required works to ensure Nelson Road is in the appropriate condition to cater for large trucks are substantial due to the presence of large dips and changes of grade along the road, as well as narrow bridges and low hanging trees.

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Figure 1 - Mokoan Solar Farm in relation to Benalla Yarrawonga Road (Source: Google Earth, 2022)

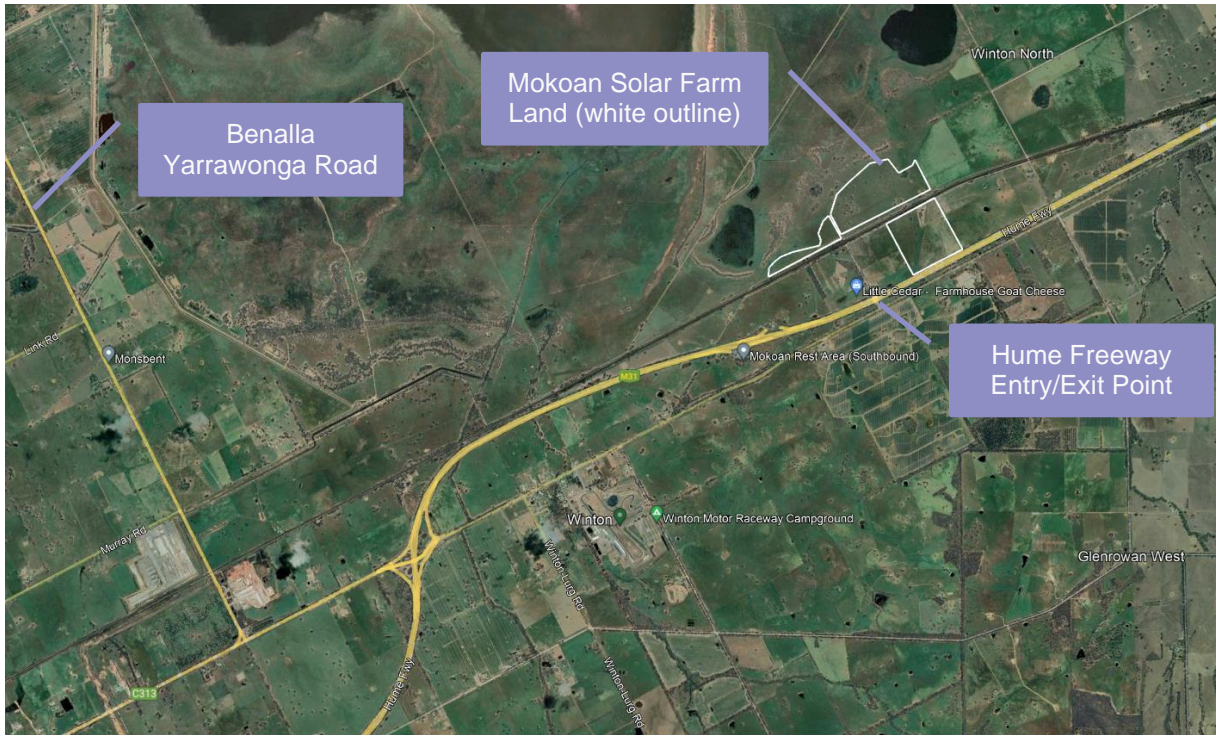
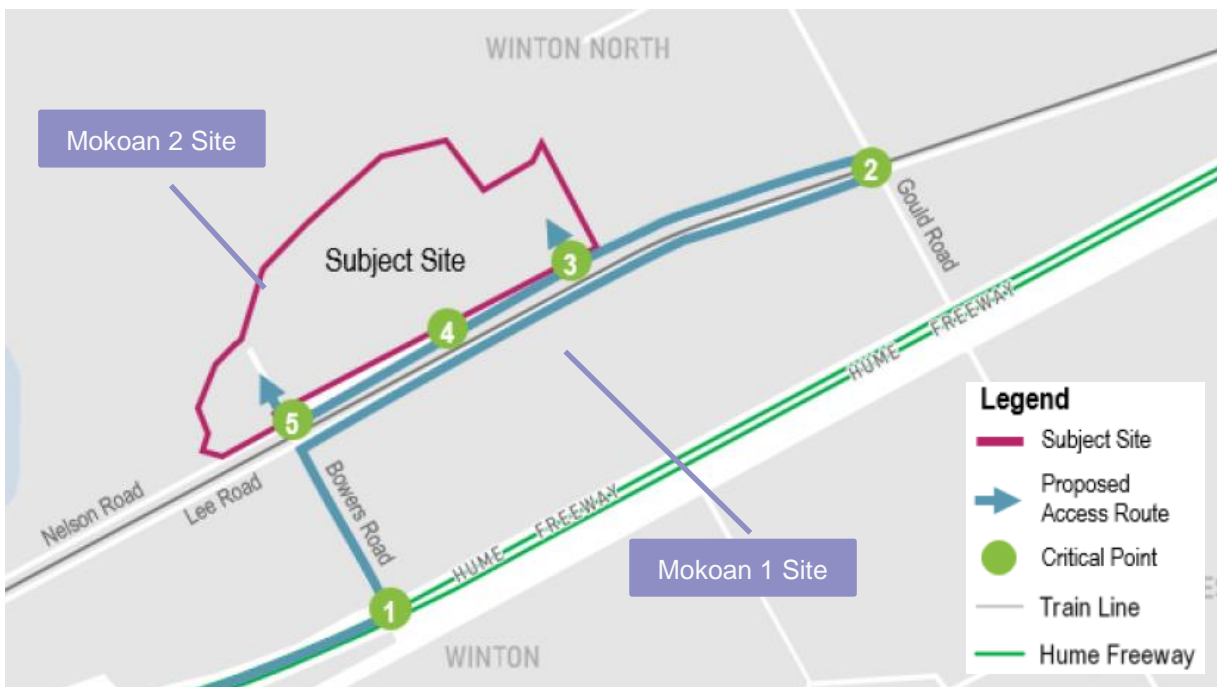


Figure 2 - Site access route (Source: GTA Consultants, 2019)





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For clarity the details of critical points identified in Figure 2 are provided below.

A number of critical points along the access route were identified during the site inspection. A summary of these critical points and any required works to address them are outlined as follows:

- 1. The access arrangement consists of vehicles accessing Bowers Road. As noted in the Traffic Impact Assessment for the approved 116 Lee Road development [Mokoan 1], there is sufficient width in the freeway median to store a 19 metre semi-trailer without impact on through traffic. However, it is noted that a B-double cannot be accommodated within the existing median.*
- 2. A constrained traffic arrangement is currently in place at the Gould Road level crossing, with trucks accessing the site required to undertake two sharp turns and travel across a rail level crossing. Swept paths have been undertaken in Appendix A assessing the movement of a 19m semi-trailer and a B-Double, with annotations indicating road improvements required in order to complete the manoeuvre. It is recommended that a civil or geotechnical engineer be appointed to assess the ability for the railway crossing at Gould Road to support construction vehicles.*
- 3. The eastern access point to Nelson Road will need to be designed to fully accommodate the turning circle of the maintenance vehicles expected to access the site during operation. Swept paths have been undertaken in Appendix A which indicate the site is accessible for an 8.8m Medium Rigid Vehicle (MRV). An MRV is representative of the anticipated operational and maintenance vehicles required to access the site.*
- 4. The condition of Nelson Road is currently poor, with signage indicating it can only be used during dry weather. It is expected that articulated vehicles may have difficulty using the road even during dry conditions as it is currently unsurfaced. However, it is recommended that this is assessed and confirmed by a geotechnical engineer.*
- 5. The western access point to Nelson Road will need to be designed to fully accommodate the turning circle of the vehicles expected to access the site. Swept paths have been undertaken in Appendix A which indicate the site is accessible to an 8.8m MRV. An MRV is representative of the anticipated operational and maintenance vehicles required to access the site.*

Lightsource bp is seeking an amendment to the above condition through an application for a secondary consent and requests that the wording is amended to reflect the route shown in Figure 2 and excludes Benalla Yarrawonga Road.

The wording should reflect the following, which Lightsource bp is willing to undertake:

- Widening the shoulders at the intersections of Lee Road/Gould Road and Nelson Road/Gould Road to accommodate heavy vehicles turning onto the level crossing at Gould Road (as per the swept path analysis in the GTA Report)
- Upgrade Nelson Road between Gould Road and the site access points, including grading and an all-weather seal, to accommodate heavy vehicles.
- Construct site access points off Nelson Road to accommodate heavy vehicles.
- Allowing early works to be undertaken prior to the road upgrades. Lightsource bp have been in negotiation with council via a site meeting undertaken on 21st March 2022 and via email on 21st



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March and the 31st May and 10th June. To this end Benalla Rural City Council have agreed to the following early works occurring prior to the road upgrade being complete:

- Site establishment works, including general survey and set out;
- Vegetation clearing and earthworks, including weed management;
- Construction of internal roads, including grading and stormwater management/drainage;
- Construction of all-weather pad for construction compound and laydown areas;
- Laying out of temporary buildings (construction compound);
- Dust suppression as required;
- Commencement of perimeter fencing works;
- Some piling works (would occur further down the track, depending on how the road upgrade schedule progresses. Piling rigs are relatively small vehicles that would be brought in on a trailer).
- Widening the shoulders at the intersections of Lee Road/Gould Road and Nelson Road/Gould Road to accommodate heavy vehicles turning onto the level crossing at Gould Road (as per the swept path analysis in the GTA Report)

Therefore based on the outcomes of this agreement we suggest that Condition 23 is amended to state:

23. Prior to any construction works commencing on site excluding the following early works;

- *Site establishment works, including general survey and set out;*
- *Vegetation clearing and earthworks, including weed management;*
- *Construction of internal roads, including grading and stormwater management/drainage;*
- *Construction of all-weather pad for construction compound and laydown areas;*
- *Laying out of temporary buildings (construction compound);*
- *Dust suppression works;*
- *Commencement of perimeter fencing works;*
- *Minor piling works*

the developer must upgrade the road, drainage and other civil work from the intersection of Nelson Road/Gould Road the westernmost subject site entrance along Nelson Road and to incorporate earthworks, all weather sealing, gravelled shoulder, drainage, line-marking and environmental treatments across the frontage of the development, and in accordance with plans and specifications approved by the responsible authority in accordance with the Infrastructure Design Manual. Specific details are as follows:

- a. All weather sealing (including turning lanes and passing lanes), gravelled shoulders, signage and vehicular crossings from Nelson/Gould Road intersection to the westernmost subject site entrance
- b. Passing lane at the entrance for the safe movement of heavy vehicles.
- c. Underground drainage.
- d. Appropriate signage, intersection and traffic (control/mitigation) measures.
- e. Stormwater retention and quality treatments.
- f. Road drainage.

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.

Condition 66

Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:

- i. a security agreement signed by both parties, and
- ii. a management plan detailing the 10-year management actions and ongoing management of the site

This condition refers to a 'first party offset' whereas a 'third party offset' is proposed. The condition should be amended to reflect this and change the wording from first party offset to third party offset.

Note 3

Historical aerials have identified a structure that may have heritage value. A heritage assessment is recommended if any impacts to it are proposed.

There are no registered historical cultural heritage places within the site, as confirmed by the Mokoan Solar Farm Expansion Stage 2 Cultural Heritage Assessment prepared by Eco Logical Australia (2019). This condition relates to a different site and was applied in error to this permit and therefore should be removed.

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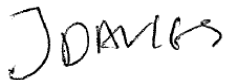
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SUMMARY

The proposed amendment has no impact upon the physical nature of the development and is logical therefore it is respectfully requested that the application for the amendment of the conditions detailed above is approved.

If you have any questions please don't hesitate to contact me on (02) 8233 9926.

Yours sincerely,



Joel Davies
Senior Consultant