



Mrs Diana Mitchell
Principal Environmental Planner
LIGHTSOURCE DEVELOPMENT SERVICES AUSTRALIA PTY LTD
717 Bourke Street
Docklands Victoria 3008

01/02/2022

Dear Mrs Mitchell

**Goulburn River Solar Farm (SSD-33964533)
Planning Secretary's Environmental Assessment Requirements**

Please find attached a copy of the Planning Secretary's environmental assessment requirements (SEARs) for the preparation of an environmental impact statement (EIS) for the Goulburn River Solar Farm (see Attachment 1).

The SEARs have been prepared in consultation with relevant public authorities, based on the information you have provided. A copy of the advice from the public authorities is attached for your information (see Attachment 2). Any additional comments from National Parks and Wildlife Service, Rural Fire Service NSW and Transgrid will be forwarded at a later date.

Where relevant, the Planning Secretary may modify the SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

From 1 July 2021, all SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the Department at least three months prior to the expiry date.

If your Development Application (DA) and EIS is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Preparing your EIS

The Department wishes to emphasise the importance of effective and genuine community consultation. A comprehensive open and transparent community consultation engagement process must be undertaken during the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed, description of any potential impacts and they are actively engaged in issues of concern to them.

If your environmental impact statement (EIS) is submitted after 1 April 2022, it must be prepared having regard to the Department's new *State Significant Development Guidelines – Preparing an Environmental Impact Statement*. These guidelines and other relevant guides, including the *Undertaking Engagement Guidelines for State Significant Projects* are available at www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework.

Note - If you submit your EIS after 31 December 2022, a Registered Environmental Assessment Practitioner (REAP) will need to declare that your EIS meets certain standards in relation to compliance, completeness, accuracy and legibility.

Lodging your development application (DA)

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. We will also notify you of the DA fee for your project.

Please note that **your DA is not taken to be lodged until the DA fee has been paid**.

To minimise lodgement delays, please contact the Department at least two weeks before you submit your DA and EIS to confirm DA fee payment arrangements. This will give us sufficient time to ensure your fees can be determined quickly.

Information needed to determine the DA fee

Your application will need to be accompanied by a Quantity Surveyor's Report supporting the estimated cost of works for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

If your project involves any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

Public exhibition requirements

When you contact us, regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the DA and EIS will be required for public exhibition.

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Commonwealth Department of Agriculture, Water and the Environment to determine if you need approval under the EPBC Act (<http://www.environment.gov.au> or 6274 1111).

Your assigned planning officer is Kurtis Wathen. If you have any questions, please contact Kurtis Wathen on 02 8289 6981 or at kurtis.wathen@dpie.nsw.gov.au

Yours sincerely,



Nicole Brewer
Director

Energy Assessments

As delegate for the Planning Secretary

Attachment 1 – Planning Secretary's Environmental Assessment Requirements

Attachment 2 – Agency Advice

Guidelines for preparing assessment documentation relevant to the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) for proposals being assessed under the NSW Assessment Bilateral

Goulburn River Solar Farm (EPBC 2021/9102)

Introduction

1. On 2 February 2022, a delegate of the Federal Minister for the Department of Agriculture, Water and the Environment (formerly Department of Environment and Energy) determined Goulburn River Solar Farm was a controlled action under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act controlling provisions for the proposed actions are:
 - i. listed threatened species and communities (sections 18 and 18A)
2. The proposed action will be assessed in accordance with the bilateral assessment agreement Amending Agreement No. 1, and as such, is required to be assessed in the manner specified in Schedule 1 to that Agreement, including, addressing the matters outlined in Schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (EPBC Regulations).
3. The proponent must undertake an assessment of all protected matters that may be impacted by the development under the controlling provision identified in paragraph 1. The Commonwealth Department of Agriculture, Water and the Environment considers that the proposed action is likely to have a significant impact on threatened species and communities and migratory species listed in **Appendix A**.
4. The proponent must consider each of the protected matters under the triggered controlling provisions that may be impacted by the action. Note that this may not be a complete list and it is the responsibility of the proponent to undertake an analysis of the relevant impacts and ensure all protected matters that are likely to be impacted are assessed for the Commonwealth Minister's consideration.

General Requirements

Relevant Regulations

5. The Environmental Impact Statement (EIS) must address all matters outlined in Schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) and all matters outlined below in relation to the controlling provisions.

Project Description

6. The title of the action, background to the action and current status.
7. The precise location and description of all works to be undertaken (including associated offsite works and infrastructure), structures to be built or elements of the action that may have impacts on MNES.
8. How the action relates to any other actions that have been, or are being taken in the region affected by the action.
9. How the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts on MNES.

Impacts

10. The EIS must include an assessment of the relevant impacts of the action on the matters protected by the controlling provisions, including:
- i. a description and detailed assessment of the nature and extent of the likely direct, indirect and consequential impacts, including short term and long term relevant impacts;
 - ii. a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
 - iii. analysis of the significance of the relevant impacts; and
 - iv. any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

Avoidance, mitigation and offsetting

11. For each of the relevant matters protected that are likely to be significantly impacted by the action, the EIS must provide information on proposed avoidance and mitigation measures to manage the relevant impacts of the action including:
- i. a description, and an assessment of the expected or predicted effectiveness of the mitigation measures,
 - ii. any statutory policy basis for the mitigation measures;
 - iii. the cost of the mitigation measures;
 - iv. an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;
 - v. the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.
12. Where a significant residual adverse impact to a relevant protected matter is considered likely, the EIS must provide information on the proposed offset strategy, including discussion of the conservation benefit associated with the proposed offset strategy.
13. For each of the relevant matters likely to be impacted by the action the EIS must provide reference to, and consideration of, relevant Commonwealth guidelines and policy statements including any:
- i. conservation advice or recovery plan for the species or community;
 - ii. relevant threat abatement plan for the species or community;
 - iii. wildlife conservation plan for the species; and
 - iv. any strategic assessment.

Note: the relevant guidelines and policy statements for each species and community are available from the Department of the Environment Species Profiles and Threats Database.

<http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>

14. In addition to the general requirements described above, specific information is required with respect to each of the determined controlling provisions. These requirements are outlined in paragraphs 15-17.

Key Issues

Biodiversity (threatened species and communities and migratory species)

Assessment Requirements

15. The EIS must identify each EPBC Act listed threatened species and community and migratory species likely to be impacted by the action. For any species and communities that are likely to be impacted, the proponent must provide a description of the nature, quantum and consequences of the impacts. For species and communities potentially located in the project area or in the vicinity that are not likely to be impacted, provide evidence why they are not likely to be impacted.
16. For each of the EPBC Act listed threatened species and communities and migratory species likely to be impacted by the action the EIS must provide a separate:
 - a. description of the habitat (including identification and mapping of suitable breeding habitat, suitable foraging habitat, important populations and habitat critical for survival), with consideration of, and reference to, any relevant Commonwealth guidelines and policy statements including listing advice, conservation advice and recovery plans;
 - b. details of the scope, timing and methodology for studies or surveys used and how they are consistent with (or justification for divergence from) published Australian Government guidelines and policy statements;
 - c. description of the relevant impacts of the action having regard to the full national extent of the species or community's range; and
 - d. description of the specific proposed avoidance and mitigation measures to deal with relevant impacts of the action;
 - e. identification of significant residual adverse impacts likely to occur after the proposed activities to avoid and mitigate all impacts are taken into account;
 - f. a description of any offsets proposed to address residual adverse significant impacts and how these offsets will be established.
 - g. details of how the current published NSW Biodiversity Assessment Method (BAM) has been applied in accordance with the objects of the EPBC Act to offset significant residual adverse impacts; and
 - h. details of the offset package to compensate for significant residual impacts including details of the credit profiles required to offset the action in accordance with the BAM and/or mapping and descriptions of the extent and condition of the relevant habitat and/or threatened communities occurring on proposed offset sites.

Note: For the purposes of approval under the EPBC Act, it is a requirement that offsets directly contribute to the ongoing viability of the specific protected matter impacted by a proposed action and deliver an overall conservation outcome that improves or maintains the viability of the MNES i.e. 'like for like'. In applying the BAM, residual impacts on EPBC Act listed threatened ecological communities must be offset with Plant Community Type(s) (PCT) that are ascribed to the specific EPBC listed ecological community. PCTs from a different vegetation class will not generally be acceptable as offsets for EPBC listed communities.

17. Any significant residual impacts not addressed by the BAM may need to be addressed in accordance with the EPBC Act 1999 Environmental Offset Policy.
<http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy>.

Other approvals and conditions

18. Information in relation to any other approvals or conditions required must include the information prescribed in Schedule 4 Clause 5 (a) (b) (c) and (d) of the EPBC Regulations 2000.

Environmental Record of person proposing to take the action

19. Information in relation to the environmental record of a person proposing to take the action must include details as prescribed in Schedule 4 Clause 6 of the EPBC Regulations 2000.

Information Sources

20. For information given in an EIS, the EIS must state the source of the information, how recent the information is, how the reliability of the information was tested; and what uncertainties (if any) are in the information.

REFERENCES

- *Environment Protection and Biodiversity Conservation Act 1999* - section 51-55, section 96A(3)(a)(b), 101A(3)(a)(b), section 136, section 527E
- *Environment Protection and Biodiversity Conservation Regulations 2000* Schedule 4
- Amending Agreement No. 1 (2020) - Item 18.1, Item 18.5, Schedule 1
- *Matters of National Environmental Significance - Significant impact guidelines 1.1* (2013) EPBC Act
- *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy October 2012

Appendix A

Protected matters relevant to the Goulburn River Solar Farm (EPBC 2021/9102) project

Based on the information in the referral documentation, the location of the action, species records and likely habitat present in the area, there are likely to be significant impacts to:

- White Box-Yellow Box-Blakley's Red Gum Grassy Woodland and Derived Native Grassland – Critically Endangered
- Regent Honeyeater (*Anthochaera phrygia*) – Critically Endangered

Additionally, there is some risk that there may be significant impacts on the following matters and further assessment to determine if the communities and species listed below are present in the proposed action area and, if so, the extent to which they may be impacted by the proposed action, is required:

- Central Hunter Valley Eucalypt Forest and Woodland – Critically Endangered
- Swift Parrot (*Lathamus discolor*) – Critically Endangered
- Painted Honeyeater (*Grantiella picta*) – Vulnerable
- Large-eared Pied Bat (*Chalinolobus dwyeri*) – Vulnerable
- Corben's Long-eared Bat (*Nyctophilus corbeni*) – Vulnerable
- Pink tailed Worm-lizard (*Aprasia parapulchella*) – Vulnerable
- Bluegrass (*Dichanthium setosum*) – Vulnerable
- *Homoranthus darwinioides* – Vulnerable

Several threatened species and ecological communities have been identified as priority management species following the 2019-20 bushfires. This includes the White Box-Yellow Box-Blakley's Red Gum Grassy Woodland and Derived Native Grassland threatened ecological community and the Regent Honeyeater (as discussed above), and the following listed species that may be impacted by the proposed action:

- Koala (*Phascolarctos cinereus*) (Combined Population of QLD, NSW and the ACT) – Vulnerable
- Greater Glider (*Petauroides Volans*) – Vulnerable
- Brush tailed Rock wallaby (*Petrogale penicillata*) – Vulnerable
- Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (*Dasyurus maculatus maculatus* (South-east mainland population)) – Endangered
- New Holland Mouse, Pookila (*Pseudomys novaehollandiae*) – Vulnerable
- Grey-headed Flying-fox (*Pteropus poliocephalus*) – Vulnerable

Further analysis of the impacts of the fires on those species and communities identified above should be undertaken during the assessment.

Note: uncertainty around the extent and number of protected matters that may be impacted will need to be resolved through the assessment process once final alignment and construction plans have been completed.

Note: this may not be a complete list and it is the responsibility of the proponent to ensure any protected matters under these controlling provisions are assessed for the Commonwealth decision-maker's consideration.

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-33951458
Project Name	Goulburn River Solar Farm which includes: <ul style="list-style-type: none"> the construction, operation and decommissioning of a solar photovoltaic (PV) energy generating facility with an estimated capacity up to 520 MW; and associated infrastructure, including battery storage of up to 260 MW / 520 MWh
Location	2335 Wollara Road, Merriwa, approximately 28 km south of Merriwa township within the Upper Hunter Shire Council Local Government Area
Applicant	Lightsource Development Services Australia Pty Ltd
Date of Issue	01/02/2022
General Requirements	<p>The environmental impact statement (EIS) must meet the minimum form and content requirements as prescribed by Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> stand-alone executive summary; a full description of the development, including: <ul style="list-style-type: none"> details of construction, operation and decommissioning; a high quality site plan at an adequate scale showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); a high quality detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development; a strategic justification of the development focusing on site selection and the suitability of the proposed site with respect to potential land use conflicts with existing and future surrounding land uses (including existing land use, other proposed or approved solar and major projects, rural/residential development, Crown lands within and adjacent to the project site, National Parks and Wildlife Service land and subdivision potential); an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including: <ul style="list-style-type: none"> a description of the existing environment likely to be affected by the

	<ul style="list-style-type: none"> - development using sufficient baseline data; - an assessment of the likely impacts of all stages of the development (which is commensurate with the level of impact), including any cumulative impacts of the site and existing or proposed developments in the region, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including the <i>Large-scale Solar Energy Guideline</i> (DPIE 2018, subject to revision) and <i>Cumulative Impact Assessment Guideline</i> (DPIE, July 2021); - a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development (including draft management plans for specific issues as identified below); and - a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • a detailed evaluation of the merits of the project as a whole having regard to: <ul style="list-style-type: none"> - the requirements in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development; - the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; and - feasible alternatives to the development and its key components (including opportunities for shared infrastructure with proposed developments in the region), and the consequences of not carrying out the development; • a detailed consideration of the capability of the project to contribute to the security and reliability of the electricity system in the National Electricity Market, having regard to local system conditions and the Department’s guidance on the matter; and • a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading. <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> • a report from a suitably qualified person providing a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created during the construction and operational phases of the proposed project; and • certification that the information provided is accurate at the date of preparation. <p>The development application must be accompanied by the consent of the owner/s of the land (as required in clause 49(1)(b) of the Regulation).</p>
<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Biodiversity – including: <ul style="list-style-type: none"> - an assessment of the biodiversity values and the likely biodiversity

impacts of the project in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* (NSW), the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR), unless BCS and DPIE determine the proposed development is not likely to have any significant impacts on biodiversity values;

- the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM;
 - an assessment of the likely impacts on listed aquatic threatened species, populations or ecological communities, scheduled under the *Fisheries Management Act 1994*, and a description of the measures to minimise and rehabilitate impacts, and
 - if an offset is required, details of the measures proposed to address the offset obligations.
- **Heritage** – including:
 - an assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and the Code of Practice for the *Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010);
 - evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010); and
 - assess the impact to historic heritage having regard to the NSW Heritage Manual.
 - **Land** – including:
 - a detailed justification of the suitability of the site and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints;
 - an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including:
 - flood prone land, Crown lands, mining, quarries, mineral or petroleum rights;
 - a soil survey to determine the soil characteristics and consider the potential for erosion to occur; and
 - a cumulative impact assessment of nearby developments;
 - an assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, including:
 - consideration of the zoning provisions applying to the land, including subdivision (if required);
 - completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's *Land Use Conflict Risk Assessment Guide*; and
 - a detailed assessment of the impact on agricultural resources and agricultural productivity, including:
 - an agricultural impact statement;
 - consideration of potential mitigation measures which may reduce

- project impacts on agricultural land;
 - detailed economic assessment of impacts on agricultural land, agricultural production and agricultural supply chains;
 - justification for the project considering other alternatives and site design which may have lesser impacts on agricultural land;
- **Visual** – including:
 - a detailed assessment of the likely visual impacts (including any glare, reflectivity and night lighting) of all components of the project (including arrays, transmission lines, substations, battery storage and any other ancillary infrastructure) on surrounding residences and key locations, scenic or significant vistas and road corridors in the public domain and on the Siding Spring Observatory in accordance with the *Dark Sky Planning Guideline* (2016); and
 - provide details of measures to mitigate and/or manage potential impacts (including a draft landscaping plan for on-site perimeter planting, with evidence it has been developed in consultation with affected landowners);
- **Noise** – including an assessment of the construction noise impacts of the development in accordance with the *Interim Construction Noise Guideline* (ICNG), operational noise impacts in accordance with the *NSW Noise Policy for Industry* (2017), cumulative noise impacts (considering other developments in the area), and a draft noise management plan if the assessment shows construction noise is likely to exceed applicable criteria;
- **Transport** – including:
 - an assessment of the peak and average traffic generation, including over-dimensional vehicles and construction worker transportation;
 - an assessment of the likely transport impacts to the site access route(s), site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance;
 - a cumulative impact assessment of traffic from nearby developments; and
 - provide details of measures to mitigate and / or manage potential impacts including a schedule of all required road upgrades (including resulting from heavy vehicle and over mass / over dimensional traffic haulage routes), road maintenance contributions, and any other traffic control measures, developed in consultation with the relevant road authorities;
- **Water** – including:
 - an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources and measures proposed to monitor, reduce and mitigate these impacts;
 - details of water requirements and supply arrangements for construction and operation; and
 - where the project involves works within 40 metres of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the *DPI Guidelines for Controlled Activities on Waterfront Land* (2018) and (if necessary) *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (DPI 2003), and *Policy & Guidelines for Fish Habitat Conservation & Management* (DPE, 2013); and
 - a description of the erosion and sediment control measures that would be

	<p>implemented to mitigate any impacts in accordance with <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom 2004);</p> <ul style="list-style-type: none"> • Hazards– including: <ul style="list-style-type: none"> - a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011); - a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011). The PHA must consider all recent standards and codes and verify separation distances to on-site and off-site receptors to prevent fire propagation and compliance with <i>Hazardous Industry Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning</i> (DoP, 2011); and - an assessment of potential hazards and risks including but not limited to bushfires, spontaneous ignition, electromagnetic fields or the proposed grid connection infrastructure against the <i>International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i>; • Social Impact – including an assessment of the social impacts in accordance with <i>Social Impact Assessment Guideline</i> (DPIE, July 2021); • Economic –including an assessment of the economic impacts or benefits of the project for the region and the State as a whole, and • Waste – identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.
<p>Plans and Documents</p>	<p>The EIS must include all relevant plans, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.</p>
<p>Legislation, Policies & Guidelines</p>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified.</p> <p>A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at:</p> <ul style="list-style-type: none"> • https://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework/Improving-assessment-guidance • https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines; and • http://www.environment.gov.au/epbc/publications#assessments
<p>Consultation</p>	<p>During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners and any exploration licence and/or mineral title holders.</p> <p>In particular, you must undertake detailed consultation with affected landowners surrounding the development, Upper Hunter Shire Council, Crown Lands, NSW</p>

	<p>Aboriginal Land Council and Transport for NSW.</p> <p>The EIS must:</p> <ul style="list-style-type: none">• detail how engagement undertaken was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> (DPIE, July 2021); and• describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided.
Expiry Date	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.</p>



Our ref: DOC21/1137261-3
Your ref: SSD-33964533

Kurtis Wathen

Environmental Assessment Officer
Energy Resource Assessments
Department of Planning, Industry and Environment
Kurtis.Wathen@dpie.nsw.gov.au

Dear Kurtis

Input into Secretary's Environmental Assessment Requirements – Goulburn River Solar Farm (SSD 33964533) – Upper Hunter Shire LGA

I refer to your Major Projects Portal request on 22 December 2021 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the Goulburn River Solar Farm, located at 2335 Wollara Road, Merriwa. This project area stretches across 44 lots and is 2000 hectares in size. The proposed development is within the Upper Hunter Shire local government area.

The Biodiversity Conservation Division (BCD) of the Department of Planning, Industry and Environment (the Department) understands that Lightsource bp are proposing the construction of a solar farm which will include an approximate 520 megawatt peak (MWp) of solar electricity generation with a Battery Energy Storage System with a 260 MWp and 520 megawatt hour capacity. The project will also include supporting infrastructure, such as a substation and connection to an existing 500 kilovolt transmission line which intersects with the property. BCD understands that the proposal is a State Significant Development (SSD-33964533) project under the *Environmental Planning and Assessment Act 1979*.

BCD has reviewed the document '*Goulburn River Solar Farm Scoping Report*' as prepared by Umwelt (Australia) Pty Ltd (dated 17 December 2021) and has prepared Standard SEARs which are presented in **Attachment A**. There are no project-specific SEARs provided for this project (**Attachment B**). Details of guidance documents are provided in **Attachment C**.

If you have any further questions in relation to this matter, please contact Jayme Lennon, Senior Conservation Planning Officer, on 9585 6935 or at huntercentralcoast@environment.nsw.gov.au.

Yours sincerely

STEVEN CRICK
Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division

23 December 2021

Enclosure: Attachments A, B, C

Attachment A – Standard Environmental Assessment Requirements

Biodiversity

1. Biodiversity impacts related to the proposed development (SSD-33951458) are to be assessed in accordance with the [Biodiversity Assessment Method 2020](#) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), *Biodiversity Conservation Regulation 2017* (s6.8) and [Biodiversity Assessment Method 2020](#).
 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the [Biodiversity Assessment Method 2020](#).
 3. The BDAR must include details of the measures proposed to address the offset obligation as follows;
 - The total number and classes of biodiversity credits required to be retired for the development/project;
 - The number and classes of like-for-like biodiversity credits proposed to be retired;
 - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
 - Any proposal to fund a biodiversity conservation action;
 - Any proposal to conduct ecological rehabilitation (if a mining project);
 - Any proposal to make a payment to the Biodiversity Conservation Fund.
- If seeking approval to use the variation rules, the BDAR must contain details of the [reasonable steps](#) that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

Water and soils

5. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems.
 - f. Proposed intake and discharge locations.

6. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - a. Existing surface and groundwater.
 - b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - c. Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the [ANZECC \(2000\) Guidelines for Fresh and Marine Water Quality](#) and/or local objectives, criteria or targets endorsed by the NSW Government.

7. The EIS must assess the impacts of the development on water quality, including:
 - a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
 - b. Identification of proposed monitoring of water quality.

8. The EIS must assess the impact of the development on hydrology, including:
- a. Water balance including quantity, quality and source.
 - b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
 - c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
 - d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
 - e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
 - f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
 - g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal erosion

9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
- a. Flood prone land.
 - b. Flood planning area, the area below the flood planning level.
 - c. Hydraulic categorisation (floodways and flood storage areas).

10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.

11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
- a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:
- a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
 - b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
 - c. Relevant provisions of the NSW Floodplain Development Manual 2005.

13. The EIS must assess the impacts on the proposed development on flood behaviour, including:

- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
- b. Consistency with Council floodplain risk management plans.
- c. Compatibility with the flood hazard of the land.
- d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
- h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
- i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

14. The [EIS/EA] must describe the potential effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), including sea level rise and climate change:

- a. On the proposed development
- b. Arising from the proposed development.

15. The [EIS/EA] must consider have regard to any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objectives described in the Coastal Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Coastal Management) 2018.

Attachment B – Project specific environmental assessment requirements

Biodiversity - nil
Water and soils - nil
Flooding and coastal erosion - nil

Attachment C – Guidance material

Title	Web address
Relevant legislation	
<i>Biodiversity Conservation Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Coastal Management Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Fisheries Management Act 1994</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
<i>Marine Parks Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N
<i>National Parks and Wildlife Act 1974</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<i>Wilderness Act 1987</i>	http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N
Biodiversity	
Biodiversity Assessment Method (OEH, 2020)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf
Surveying threatened plants and their habitats - NSW survey guide for the Biodiversity Assessment Method (DPIE, 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method
NSW Survey Guide for Threatened Frogs – A guide for the survey of threatened frogs and their habitats for the Biodiversity Assessment Method (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs
'Species credit' threatened bats and their habitats – NSW survey guide for the Biodiversity Assessment Method	https://www.environment.nsw.gov.au/research-and-publications/publications-search/species-credit-threatened-bats-nsw-survey-guide-for-biodiversity-assessment-method
Fisheries NSW policies and guidelines	http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm

Title	Web address
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
Flooding and coastal erosion	
Reforms to coastal erosion management	http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Guidelines for Preparing Coastal Zone Management Plans	Guidelines for Preparing Coastal Zone Management Plans http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf



OUT21/18518

Kurtis Wathen
Planning and Assessment Group
NSW Department of Planning and Environment

kurtis.wathen@planning.nsw.gov.au

Dear Mr Wathen

**Goulburn River Solar Farm (SSD-33964533)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)**

I refer to your email of 22 December 2021 to the Department of Planning and Environment (DPE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following advice for you to consider is from DPE Water and NRAR.

The SEARs should include:

- A description of the watercourses located within the vicinity of the development, including Strahler Stream Order as mapped by Spatial Services NS, and appropriate riparian setbacks in accordance with the *Guidelines for riparian corridors on waterfront land*. (https://www.dpie.nsw.gov.au/data/assets/pdf_file/0008/386207/licensing_approvals_controlled_activities_riparian_corridors.pdf).
- Details of water supply requirements and arrangements for the life of the project (both construction and operation);
- An assessment of the likely impacts (including flooding) on surface water and groundwater resources* and measures proposed to monitor, reduce and mitigate these impacts;
- A description of erosion and sediment control measures to mitigate any impacts in accordance with *Managing Urban Stormwater: Soils & Construction* (Landcom 2004);
- The proponent documents and addresses any sedimentation issues, through the development of an Erosion and Sediment Control Plan, in consultation with DPE Water.
- Consideration of any relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at <https://water.dpie.nsw.gov.au/home>).

* These water resources may include local streams/creeks, drainage channels, wetlands, riparian land, farm dams, floodplains, key fish habitat, groundwater dependent ecosystems and acid sulfate soils), related infrastructure, adjacent licensed water users and basic landholder rights.



Planning,
Industry &
Environment

Any further referrals to DPE Water and NRAR can be sent by email to water.assessments@dpie.nsw.gov.au. or to the following coordinating officer within DPE Water:

Alistair Drew, Project Officer, E: Alistair.drew@dpie.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads 'Liz Rogers'.

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning and Environment: Water
11 January 2022



OUT22/412

Kurtis Wathen
Energy Assessments
Planning & Assessments

C/- Major Projects Portal

Dear Mr Wathen

Secretary's Environmental Assessment Requirements– Goulburn River Solar Farm and Battery, (SSD-33964533) (Upper Hunter Shire Council)

Thank you for your correspondence dated 22 December 2021 requesting Secretary's Environmental Assessment Requirements (SEARs) for the above proposal for our response.

The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend. Issues of concern in relation to this project are due to the scale and location on highly productive agricultural land, the long-term impacts on agricultural resources and the ability to rehabilitate the land upon cessation of the development. It is important to note that while DPI Agriculture is required to issue SEARs in relation to this matter, it does not change our view that the subject site's highest and best use is continued agricultural production and not the development as proposed.

We have considered the Scoping Report as well as the draft SEARs provided. As the proposal is located on rural land zoned RU1 Primary Production, the following specific inclusions are required to be addressed in the Environmental Impact Statement in addition to the other matters required in the draft SEARs template:

- The site is predominantly cleared land that is developed and has been used for productive agriculture, with the majority of the 2,000ha Project Site being on Land and Soil Capability (LSC) class 2 and 3 land as described in the Scoping Report. Large parts of the site are also mapped as draft State Significant Agricultural Land as available on the DPI website.
- Due to the matters raised above, an Agricultural Impact Statement (AIS) is required. This is a proportionate requirement relative to the proposal's long-term removal of a large amount of LSC classes 2 and 3 from production. The AIS should include an assessment of agriculture on the site and locality, and the changes due to the solar development on agricultural enterprises and production values during construction and operation. The AIS should include an assessment of the state-wide scarcity of highly productive agricultural land and the relative amount of LSC classes 2 and 3 in the Merriwa locality, and address the cumulative impacts of this proposal and other energy generation and transmission infrastructure in the vicinity.
- Alternative site selection in relation to agriculture impacts is not explored in the Scoping Report. We refer to the Department's revised *Large Scale Solar Energy Guidelines*, where it is requested proponents avoid important agricultural land, consider the agricultural capability of the land during the site selection process and are strongly encouraged to select sites which have limited potential for sustained agricultural production. Accordingly,

the agricultural assessment required as part of the EIS should be detailed and substantial, in justifying site selection against the principles set out in the Guidelines.

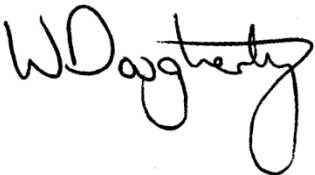
- In the operational and decommissioning plans, consideration should be given to underground cabling on the land. Our recommendation is such cabling be buried to a depth greater than 500 mm for this land use or be completely removed upon decommissioning. This will enable the land to return to full production including cropping.
- The Rehabilitation and Decommissioning/Closure Management Plan should include, but is not limited to, describing the potential design criteria of the final land use and landform, indicators which may be used to guide the return of the land back to agricultural production, along with the expected timeline for the rehabilitation program.
- Biosecurity management issues during and post construction must be assessed in relation to potential agricultural impacts in the EIS.

We note and support the commitment to undertaking a Land Use Conflict Risk Assessment with neighbouring landholdings in the Draft SEARs.

Provided following are recommended SEARs (Attachment 1) and a range of publications to assist consent authorities, community, and proponents in addressing the recommended SEARs (Attachment 2). The main considerations have been highlighted above, however the attached provide additional considerations.

Should you require clarification on any of the information contained in this response, please contact Helen Squires, Agricultural Landuse Planning Officer on 0437 645 719 or by email at landuse.ag@dpi.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'W Dougherty', with a large, stylized flourish at the end.

20/01/2022

Warwick Dougherty
A/Group Director, Agricultural Resources

Attachment 1: Environmental Assessment Requirements for Merriwa Solar Farm and Battery

Issue	Environmental Assessment Requirement for Environmental Impact Statement
Site Suitability	<ul style="list-style-type: none"> • Include a map to scale showing the above operational and infrastructure details including separation distances from sensitive receptors including agricultural land uses.
Consideration of impacts on agricultural resources and land	<p>Characteristics of Agricultural Land</p> <ul style="list-style-type: none"> • Describe the soil, slope, land capability, agricultural productivity, land characteristics and the history of agricultural land uses on the proposed development site. • Describe the current and historical agricultural land uses on surrounding land in the locality including the land capability and agricultural land uses and productivity of the surrounding land. <p>Impacts on Agricultural Land, Resources and Land Uses</p> <ul style="list-style-type: none"> • Detail the potential impacts from the proposed development on agricultural land and agricultural land uses on the site and in the locality. • Detail the location and areas of land to be temporarily/permanently removed from agricultural use, and those areas which are to be returned to agricultural use on completion of the development. • Consider possible cumulative impacts on surrounding agricultural enterprises and landholders. • Assess impacts on agricultural support services, processing and value adding industries. <p>Measures to mitigate impacts on Agricultural land</p> <ul style="list-style-type: none"> • Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated. • Detail the expected life span of the proposed development.
Suitable and secure water supply	<ul style="list-style-type: none"> • Outline any impacts to water use and access for agriculture and measures to mitigate against these impacts.
Biosecurity	<ul style="list-style-type: none"> • Detail the design of fencing and its adequacy to manage livestock out. • Undertake a biosecurity risk management plan. A biosecurity risk management plan must detail the considered risks and strategies developed to monitor, prevent, eliminate or minimize the following: <ul style="list-style-type: none"> - the introduction, presence, spread or increase of a pest or disease of plants - the introduction, presence, spread or increase of a pest animal - the introduction, presence, spread or increase of a weed - the introduction, presence, spread or increase of a pest or disease of animals - animals or animal products becoming chemically affected.

	<ul style="list-style-type: none"> • Specific weed or pest animals for a region are addressed in the regional plans or strategies issued by NSW Local Lands Services.
Traffic movements	<ul style="list-style-type: none"> • Detail the volume and route of traffic movements for the proposed development and how potential impacts on surrounding agricultural land uses are proposed to be mitigated (eg noise, dust, volume of traffic). This should include consideration of Travelling Stock Reserves (TSR) and the movement of livestock or farm vehicles along / across the affected roads.
Land stewardship	<ul style="list-style-type: none"> • Describe the final proposed land use and land form. • Detail the proposed rehabilitation and decommissioning/closure measures to achieve this land use including the expected timeline for the rehabilitation program. Describe the nature of agricultural productivity post rehabilitation. • Outline the monitoring and mitigation measures to be adopted for rehabilitation remedial actions. • Detail the cropping history or capability for cropping of the land and how the proposed rehabilitation works will enable this land to be used for cropping in the future. This detail is expected to require that cables/pipes are to be buried at a depth >500mm to allow greater opportunity for agricultural activities to continue over the top, particularly for non-decommissioning cables/pipes once restoration is complete. • Where the land contains sodic soils detail the proposed management practices which should ensure that any trenching through sodic soils during construction is to include soil amendment with Gypsum at a minimum rate of 10t/ha (actual rates to be determined following soil testing (Clay content, ECEC and EC)).
Community consultation	<ul style="list-style-type: none"> • Consult with the owners / managers of affected and adjoining neighbours and agricultural operations in a timely and appropriate manner about the proposal, the likely impacts and suitable mitigation measures or compensation.
Emergency Management	<ul style="list-style-type: none"> • The proposal is to detail contingency plans to enable the operation to deal with emergency situations. The proposal is to detail Emergency Management procedures and responsibilities for responding to bushfire threats and other possible hazardous events.

Attachment 2: Guidelines for assessment

Title	Location
Infrastructure Proposals on Rural Land	https://www.dpi.nsw.gov.au/agriculture/lup/development-assessment2/infrastructure-proposals
Biosecurity Risk Management in Land Use Planning and Development	https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0018/1271241/managing-biosecurity-risks-in-land-use-planning-and-development-guide.pdf
Agricultural Impact Statements – technical notes	https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0010/463789/Agricultural-Impact-Statement-technical-notes.pdf
Draft State Significant Agricultural Land mapping	https://nswdpi.mysocialpinpoint.com/ssal
Land Use Conflict Risk Assessment (LUCRA) Guide	https://www.dpi.nsw.gov.au/agriculture/lup/development-assessment2/lucra

Public Authority Response

Wednesday, 22 December 2021 12:11:11 PM AEDT

Notes:

The project identifies a Preliminary Development Boundary. There are no Fisheries issues within the identified boundary footprint.



File Ref. No: FRN22/172 BFS22/125 8000019228
TRIM Doc. No: D22/3278
Contact: Station Officer Aaron Ross

19 January 2022

Kurtis Wathen
NSW Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 5022

Dear Kurtis Wathen

Re: Comment on Secretary's Environmental Assessment Requirements (SEARs) for Goulburn River Solar Farm (SSD-33964533)

Fire & Rescue NSW (FRNSW) acknowledge correspondence received on 22 December 2021, requesting input into the preparation of the SEARs for the Goulburn River Solar Farm (SSD-33964533).

FRNSW have reviewed the SEARS and Scoping Report and make the following recommendations:

FRNSW will not be providing comment at this time as there is currently insufficient information available regarding the fire safety and emergency response management aspects of the project.

We request that we be given the opportunity to review and provide comment once approvals have been granted and the project has progressed such that there is more relevant detailed information available. FRNSW note that a SEPP 33 screening process will be conducted for the proposal.

As additional details become available Fire & Rescue NSW requests to be consulted with respect to the proposed fire and life safety systems and their configuration at the project's preliminary and final design phases.

While there is currently no requirement for a fire safety study, FRNSW may request one be undertaken at a later stage should information be provided such it is deemed that the development poses unique challenges to the response to and management of an incident.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS22/125. Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Hawes', with a stylized flourish at the end.

Superintendent John Hawes
Manager
Operational Liaison and Special Hazards Unit

Cc: kurtis.wathen@dpie.nsw.gov.au

Hazards and Risks – A Preliminary Hazard Analysis (PHA), prepared in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* the Department's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'* and *Multi-level Risk Assessment* (DoP, 2011). The PHA must:

- Consider the most recent standards and codes such as and not limited to NFPA 855, AS 5139, IEC 62897, UL 9540, FM Global DS 5-33, and UL 9540A test reports when establishing separation distances;
- Demonstrate that the separation distances between BESS to on-site or off-site receptors and the separation distances between BESS sub-units (containers, modules, etc.) prevent fire propagation;
- Verify that the areas designated for BESS are sufficient taking into account separation distances between BESS sub-units; and
- Demonstrate that the fire risks from BESS can comply with the Department's *Hazardous Industry Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning*



Our reference: DOC21/1135472-1
Date: 23 December 2021

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Major Projects - New Request for Advice - Goulburn River Solar Farm (SSD-33964533) (Upper Hunter Shire)

1. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (DECCW 2010), and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (OEH 2011).
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Heritage NSW.
4. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR.
5. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
6. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.



Regional
NSW

Kurtis Wathen
Environmental Assessment Officer
Energy Resource Assessment
Department of Planning, Industry and
Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Our ref: DOC22/18926
Your ref: SSD-33964533

Emailed: via Planning Portal

20 January 2022

Dear Mr Wathen

Subject: Goulburn River Solar Farm (SSD-33964533) – Request for Secretary’s Environmental Assessment Requirements

Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Regional NSW – Mining, Exploration and Geoscience (MEG) – Geological Survey of NSW (GSNSW).

MEG-GSNSW has no additional requirements to those in the draft SEARs. We request to be consulted in relation to the proposed location of any biodiversity offset areas (both on and off site) or any supplementary biodiversity measures to ensure there is no consequent reduction in access to prospective land for mineral exploration, or potential for sterilisation of mineral or extractive resources.

Queries regarding the above information should be directed to the GSNSW - Land Use team at landuse.minerals@geoscience.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steven Palmer'.

Steven Palmer
Manager, Land Use Assessment
Geological Survey of NSW – Mining, Exploration & Geoscience.

19 January 2022

Department of Planning, Industry & Environment
Industry Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Kurtis Wathen

SSD 33964533

SEARS REQUEST – GOULBURN RIVER SOLAR FARM, WOLLARA ROAD MERRIWA

I refer to the request by the Department of Planning, Industry and Environment (DPIE) dated 22 December 2021 seeking input from Transport for NSW (TfNSW) to the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned development proposal.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy 2056*.

TfNSW requests that a Traffic Impact Assessment (TIA) be prepared by a suitably qualified person/s in accordance with the *Austrroads Guide to Traffic Management Part 12*, the complementary TfNSW Supplement and *Roads and Maritime Guide to Traffic Generating Developments*.

The TIA should be tailored to the scope of the proposed development and include, but not be limited to, the following:

- A map of the surrounding road network identifying the site access, relevant traffic route/s and connections to the classified (State) road network.
- Assessment of all relevant vehicular traffic routes and intersections for access to / from the subject properties.
- Current traffic counts for all relevant traffic routes and relevant intersections, including connections to the classified (State) road network.

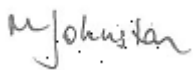
- The anticipated additional vehicular traffic generated from both the construction and operational stages of the project.
- The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
- Consideration of the traffic impacts on existing and proposed intersections, including access to the site, and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development during both the construction and operational stages.
- It is noted that within the Central West Orana REZ there are a number of projects Barneys Reef Wind Farm, Tallawang Solar Farm, Birriwa Solar Farm and Wollar Solar Farm that will utilise the Golden Highway and are likely to pass through the Merriwa locality as a part of the OSOM route. Barneys Reef Wind Farm, Tallawang Solar Farm and Birriwa Solar Farm are currently at SEARs stage while Wollar Solar is under construction. Consideration should be given within the TIA to the cumulative impacts on the road network from the surrounding projects.
- The Ringwood Road/Golden Highway intersection from a Google Earth review does not appear to have sufficient SISD or intersection treatments. An assessment of the SISD and intersection treatments potentially required by this development should form part of the TIA.
- It is noted in the scoping report that the workforce may come from Mudgee and will likely use the Ulan Road (Regional Road) or Wollar Road (Regional Road) to then continue onto Ringwood Road. Ulan and Wollar Road are heavily congested with light vehicle and heavy traffic that is associated with the three coal mines Wilpingjong, Moolarben and Ulan and the currently under construction Wollar Solar Farm. As a part of the TIA, consideration should be given to the implications of light and potentially heavy vehicles (if there is haulage from Mudgee for ancillary aspects to the solar farm) utilising this route from Mudgee.
- Haulage routes for the construction of ancillary aspects of the solar farm should be assessed as a part of the TIA.
- An assessment of turn treatment warrants in accordance with the Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A for relevant intersections along the identified transport route/s, including connections to the classified (State) road network.
- Identify the necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network for the development. In this regard, preliminary concept drawings shall be submitted with the EIS for any identified road infrastructure upgrades. However, it should be

noted that any identified road infrastructure upgrades will need to be to the satisfaction of Transport for NSW and Council.

- Traffic analysis of any major / relevant intersections impacted, using SIDRA or similar traffic model, including:
 - Current traffic counts and 10 year traffic growth projections
 - With and without development scenarios
 - 95th percentile back of queue lengths
 - Delays and level of service on all legs for the relevant intersections
 - Electronic data for TfNSW review.
- Relevant swept path analysis for the largest design vehicle accessing the site.
- Any other impacts to the road network including consideration of active transport and public transport facilities.
- Identification of necessary road upgrades that are required to mitigate the impact of the development. Preliminary concept drawings for any road upgrades shall be designed in accordance with Austroads Guidelines, Australian Standards and TfNSW Supplements and be submitted with the EIS. Road upgrades shall be to the satisfaction of TfNSW and/or Council in accordance with relevant Roads Act functions.
- Details of any Traffic Management Plan (TMP) proposed to address the construction phase of the proposed development. The TMP and associated Traffic Control Plans (TCPs) should be prepared by suitably qualified persons in accordance with the *TfNSW Traffic Control at Work Sites Manual*.

Should you require further information please contact Kate Leonard, Development Services Case Officer, on 02 4908 7688 or 0428 260 461 or by emailing development.north@transport.nsw.gov.au.

Yours sincerely



Marg Johnston
Team Leader Development Services
North Region | Community & Place
Regional & Outer Metropolitan

Upper Hunter Shire Council

Thank you for providing Upper Hunter Shire Council with an opportunity to provide input into the Planning Secretaries Environmental Assessment Requirements (SEARs) for the Solar development. I have now reviewed the documentation provided.

Based on the documentation the draft SEARs are considered to provide an adequate coverage of the environmental assessment requirements.

Should you require further information please contact myself in the first instance.

Goulburn River Solar Farm

The Department of Planning and Environment – Crown Lands has reviewed the Draft SEARs and Scoping Report for the subject proposal.

According to **Figure 4.2** of the **Scoping Report** all three “Potential Access Points” rely on access through a Crown reserve, being TSR 44841 for Travelling Stock, and part of this Crown reserve is also shown as being within the “Preliminary Development Boundary”.

Pursuant to clause 49 of the *Environmental Planning and Assessment Regulation 2000* the proponent requires the consent from the Department, as landowner, to lodge the development application, unless the development is designated as a public notification development. The Departments’ landowner’s consent application form can be found on our website here:

https://www.industry.nsw.gov.au/__data/assets/pdf_file/0003/144345/landowners-consent-application-form.pdf

TSR 44841 is managed by the Hunter Local Land Services (LLS) and is subject to the provisions of the *Local Land Services Act 2013*. Parts of the TSR are subject to undetermined Aboriginal Land Claims, made under the *Aboriginal Land Rights Act 1983*.

There are multiple Crown roads within the project area. If the proposal requires the use of these Crown public roads, they must be either closed and purchased, or transferred to Upper Hunter Shire Council so they can be managed within the local road network. Consent from DPE – Crown Lands must also be obtained prior to any works being undertaken on Crown roads. More information on the management of Crown roads can be found on the Department’s website here:

<https://www.industry.nsw.gov.au/lands/access/roads>

Regarding the SEARs, the Environmental Impact Statement (EIS) must include:

- An accurate description of Crown land within the development area, including Crown roads, and for Crown reserves should specify the land owner, reserve purpose, reserve manager, and any third-party interests, including other permit or licence holder(s), easements, aboriginal land claims and native title considerations and relevant legislation.
- A description of any works, including the construction, operation and maintenance activities, and any ancillary construction activities such as transmission lines, pipelines, bores, access, fencing, signage, storage, offsets and buffers, etc. proposed on the Crown land/roads.
- An assessment of the impact of the proposal on Crown land/roads, including any conflicts with the existing land use(s), and compatibility of the proposal with the notified purpose of the Crown land/road.
- A description of approvals or agreements required to authorise any proposed activity and/or use of the Crown land/roads.
- During preparation of the EIS the proponent is to consult with the Department, as an affected landowner, and the Hunter LLS as land manager.

If the proponent requires further information, or has any questions, please contact Mark Grace, NRM Project Officer in Crown Lands, on (02) 4937 9331 or at mark.grace@crowland.nsw.gov.au.

Yours sincerely



Mark Grace

NRM Project Officer

T 02 4937 9331 | **E** mark.grace@crowland.nsw.gov.au

Forestry Corporation of NSW

FCNSW advises that if there is to be disturbance of Tongo State forest as a result of road works on Wollar Road (see image), then authority from FCNSW must be obtained. Such authority may require the payment of compensation for timber and cost recovery for FCNSW staff time. The granting of authority could take 4-6 weeks.

Please advise ASAP whether disturbance is likely so FCNSW may allocate resources to your planning dept application.

SEARs Checklist

Table 1 Secretary's Environmental Assessment Requirements

Requirement	Addressed in EIS
General Requirements	
<ul style="list-style-type: none"> • stand-alone executive summary 	Executive Summary
<ul style="list-style-type: none"> • a full description of the development, including: <ul style="list-style-type: none"> ○ details of construction, operation and decommissioning; ○ a high quality site plan at an adequate scale showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); ○ a high quality detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development; 	Section 3.0 Figure 3.1 Figure 3.2
<ul style="list-style-type: none"> • a strategic justification of the development focusing on site selection and the suitability of the proposed site with respect to potential land use conflicts with existing and future surrounding land uses (including existing land use, other proposed or approved solar and major projects, rural/residential development, Crown lands within and adjacent to the project site, National Parks and Wildlife Service land and subdivision potential); 	Section 2.0 Section 9.1 Section 9.2
<ul style="list-style-type: none"> • an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including: <ul style="list-style-type: none"> ○ a description of the existing environment likely to be affected by the development using sufficient baseline data; ○ an assessment of the likely impacts of all stages of the development (which is commensurate with the level of impact), including any cumulative impacts of the site and existing or proposed developments in the region, taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including the <i>Large-scale Solar Energy Guideline</i> (DPIE 2018, subject to revision) and Cumulative Impact Assessment Guideline (DPIE, July 2021); ○ a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development (including draft management plans for specific issues as identified below); and ○ a description of the measures that would be implemented to monitor and report on the environmental performance of the development; 	Section 2.3 Section 6.0
<ul style="list-style-type: none"> • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; 	Appendix 5
<ul style="list-style-type: none"> • a detailed evaluation of the merits of the project as a whole having regard to: <ul style="list-style-type: none"> ○ the requirements in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development; ○ the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; and 	Appendix 3 Section 9.2 Section 2.6

Requirement	Addressed in EIS
<ul style="list-style-type: none"> ○ feasible alternatives to the development and its key components (including opportunities for shared infrastructure with proposed developments in the region), and the consequences of not carrying out the development; 	
<ul style="list-style-type: none"> ● a detailed consideration of the capability of the project to contribute to the security and reliability of the electricity system in the National Electricity Market, having regard to local system conditions and the Department’s guidance on the matter; and 	Section 2.1
<ul style="list-style-type: none"> ● a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading; 	EIS Declaration
<ul style="list-style-type: none"> ● a report from a suitably qualified person providing a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; 	Appendix 20
<ul style="list-style-type: none"> ● an estimate of the jobs that will be created during the construction and operational phases of the proposed project; and ● certification that the information provided is accurate at the date of preparation. 	Appendix 20
<ul style="list-style-type: none"> ● The development application must be accompanied by the consent of the owner/s of the land (as required in clause 49(1)(b) of the Regulation). 	Appendix 4
Key Issues	
Biodiversity	
<ul style="list-style-type: none"> ● an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2016</i> (NSW), the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR), unless BCS and DPIE determine the proposed development is not likely to have any significant impacts on biodiversity values; 	Section 6.2 Appendix 6, Appendix 7 and Appendix 8
<ul style="list-style-type: none"> ● the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM; 	Appendix 6, Appendix 7 and Appendix 8
<ul style="list-style-type: none"> ● an assessment of the likely impacts on listed aquatic threatened species, populations or ecological communities, scheduled under the <i>Fisheries Management Act 1994</i>, and a description of the measures to minimise and rehabilitate impacts, and 	Section 6.2.2 Appendix 8
<ul style="list-style-type: none"> ● if an offset is required, details of the measures proposed to address the offset obligations. 	Section 6.2.1.6 Section 6.2.1.7 Appendix 6 and Appendix 7
Heritage	
<ul style="list-style-type: none"> ● an assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) in accordance with the <i>Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW</i> (OEH, 2011) and the Code of Practice for the <i>Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010); 	Section 6.3 Appendix 9
<ul style="list-style-type: none"> ● evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for <i>Proponents</i> (DECCW, 2010); and 	Section 6.3.3 Appendix 9

Requirement	Addressed in EIS
<ul style="list-style-type: none"> • assess the impact to historic heritage having regard to the NSW Heritage Manual. 	Section 6.4 Appendix 10
Land	
<ul style="list-style-type: none"> • a detailed justification of the suitability of the site and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints; 	Section 6.5 Appendix 11
<ul style="list-style-type: none"> • an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including: <ul style="list-style-type: none"> ○ flood prone land, Crown lands, mining, quarries, mineral or petroleum rights; ○ a soil survey to determine the soil characteristics and consider the potential for erosion to occur; and ○ a cumulative impact assessment of nearby developments; 	Section 6.5 Appendix 11
<ul style="list-style-type: none"> • an assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, including: <ul style="list-style-type: none"> ○ consideration of the zoning provisions applying to the land, including subdivision (if required); ○ completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's Land Use Conflict Risk Assessment Guide; and 	Section 6.5 Appendix 11
<ul style="list-style-type: none"> • a detailed assessment of the impact on agricultural resources and agricultural productivity, including: <ul style="list-style-type: none"> ○ an agricultural impact statement; ○ consideration of potential mitigation measures which may reduce project impacts on agricultural land; ○ detailed economic assessment of impacts on agricultural land, agricultural production and agricultural supply chains; ○ justification for the project considering other alternatives and site design which may have lesser impacts on agricultural land; 	Section 6.5 Appendix 11
Visual	
<ul style="list-style-type: none"> • a detailed assessment of the likely visual impacts (including any glare, reflectivity and night lighting) of all components of the project (including arrays, transmission lines, substations, battery storage and any other ancillary infrastructure) on surrounding residences and key locations, scenic or significant vistas and road corridors in the public domain and on the Siding Spring Observatory in accordance with the Dark Sky Planning Guideline (2016); and 	Section 6.6 Appendix 12 and Appendix 13
<ul style="list-style-type: none"> • provide details of measures to mitigate and/or manage potential impacts (including a draft landscaping plan for on-site perimeter planting, with evidence it has been developed in consultation with affected landowners); 	Section 6.6 Appendix 12 and Appendix 13
Noise	
<ul style="list-style-type: none"> • including an assessment of the construction noise impacts of the development in accordance with the Interim Construction Noise Guideline (ICNG), operational noise impacts in accordance with the <i>NSW Noise Policy for Industry</i> (2017), cumulative noise impacts (considering other developments in the area), and a draft noise management plan if the assessment shows construction noise is likely to exceed applicable criteria; 	Section 6.7 Appendix 14

Requirement	Addressed in EIS
Transport	
<ul style="list-style-type: none"> an assessment of the peak and average traffic generation, including over-dimensional vehicles and construction worker transportation; 	Section 6.8 Appendix 15
<ul style="list-style-type: none"> an assessment of the likely transport impacts to the site access route(s), site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance; 	Section 6.8 Appendix 15
<ul style="list-style-type: none"> a cumulative impact assessment of traffic from nearby developments; and 	Section 6.8.4 Appendix 15
<ul style="list-style-type: none"> provide details of measures to mitigate and/or manage potential impacts including a schedule of all required road upgrades (including resulting from heavy vehicle and over mass/over dimensional traffic haulage routes), road maintenance contributions, and any other traffic control measures, developed in consultation with the relevant road authorities; 	Section 6.8.5 Appendix 15
Water	
<ul style="list-style-type: none"> an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources and measures proposed to monitor, reduce and mitigate these impacts; 	Section 6.9 Appendix 16
<ul style="list-style-type: none"> details of water requirements and supply arrangements for construction and operation; and 	Section 3.7.1 Section 6.9.3.3
<ul style="list-style-type: none"> where the project involves works within 40 metres of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the DPI Guidelines for Controlled Activities on Waterfront Land (2018) and (if necessary) Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI 2003), and Policy & Guidelines for Fish Habitat Conservation & Management (DPE, 2013); and 	Section 6.2.2 Appendix 6, Appendix 7 and Appendix 8
<ul style="list-style-type: none"> a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom 2004); 	Section 6.5 Appendix 11
Hazards	
<ul style="list-style-type: none"> a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011); 	Section 6.10.2 Appendix 17
<ul style="list-style-type: none"> a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011). The PHA must consider all recent standards and codes and verify separation distances to on-site and off-site receptors to prevent fire propagation and compliance with Hazardous Industry Advisory Paper No. 4, ‘Risk Criteria for Land Use Safety Planning (DoP, 2011); and 	Section 6.10.2 Appendix 17
<ul style="list-style-type: none"> an assessment of potential hazards and risks including but not limited to bushfires, spontaneous ignition, electromagnetic fields or the proposed grid connection infrastructure against the <i>International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i>; 	Section 6.10.3 Section 6.10.4

Requirement	Addressed in EIS
Social	
<ul style="list-style-type: none"> including an assessment of the social impacts in accordance with Social Impact Assessment Guideline (DPIE, July 2021); 	Section 6.11 Appendix 18
Economic	
<ul style="list-style-type: none"> including an assessment of the economic impacts or benefits of the project for the region and the State as a whole, and 	Section 6.12 Appendix 19
Waste	
<ul style="list-style-type: none"> identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. 	Section 6.13
Plans and Documents	
<ul style="list-style-type: none"> The EIS must include all relevant plans, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal. 	Provided
Legislation, Policies and Guidelines	
<ul style="list-style-type: none"> The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at: <ul style="list-style-type: none"> https://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework/Improving-assessment-guidance https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines; and http://www.environment.gov.au/epbc/publications#assessments 	Section 2.0 Section 6.0 Appendix 3
Consultation	
<ul style="list-style-type: none"> During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners and any exploration licence and/or mineral title holders. In particular, you must undertake detailed consultation with affected landowners surrounding the development, Upper Hunter Shire Council, Crown Lands, NSW Aboriginal Land Council and Transport for NSW. The EIS must: <ul style="list-style-type: none"> detail how engagement undertaken was consistent with the <i>Undertaking</i> Engagement Guidelines for State Significant Projects (DPIE, July 2021); and describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided. 	Section 5.0 Section 6.11 Appendix 18

Table 2 Summary of Assessment Requirement (Supplementary SEARs)

Requirement	Addressed in the EIS or BDAR
<p>3. The proponent must undertake an assessment of all protected matters that may be impacted by the development under the controlling provision identified in paragraph 1. The Commonwealth Department of Agriculture, Water and the Environment considers that the proposed action is likely to have a significant impact on threatened species and communities and migratory species listed in Appendix A.</p>	
<p>Threatened Species and Communities</p>	
<p>Based on the information in the referral documentation, the location of the action, species records and likely habitat present in the area, there are likely to be significant impacts to:</p>	<p>Appendix C of the Solar Farm Biodiversity Assessment Development Report (BDAR) (Appendix 6 of the EIS)</p>
<p>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland – Critically Endangered</p>	
<p>Regent Honeyeater (<i>Anthochaera Phrygia</i>) – Critically Endangered</p>	
<p>Additionally, there is some risk that there may be significant impacts on the following matters and further assessment to determine if the communities and species listed below are present in the proposed action area and, if so, the extent to which they may be impacted by the proposed action, is required:</p>	
<p>Central Hunter Valley Eucalypt Forest and Woodland – Critically Endangered</p>	
<p>Swift Parrot (<i>Lathamus discolor</i>) – Critically Endangered</p>	
<p>Painted Honeyeater (<i>Grantiella picta</i>) – Vulnerable</p>	
<p>Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>) – Vulnerable</p>	
<p>Corben's Long-eared Bat (<i>Nyctophilus corbeni</i>) – Vulnerable</p>	
<p>Pink tailed Worm-lizard (<i>Aprasia parapulchella</i>) – Vulnerable</p>	
<p>Bluegrass (<i>Dichanthium setosum</i>) – Vulnerable</p>	
<p><i>Homoranthus darwinioides</i> – Vulnerable</p>	
<p>Several threatened species and ecological communities have been identified as priority management species following the 2019–2020 bushfires. This includes the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland threatened ecological community and the Regent Honeyeater (as discussed above), and the following listed species that may be impacted by the proposed action:</p>	
<p>Koala (<i>Phascolarctos cinereus</i>) (Combined Population of QLD, NSW and the ACT) – Vulnerable</p>	<p>Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)</p>
<p>Greater Glider (<i>Petauroides Volans</i>) – Vulnerable</p>	
<p>Brush tailed Rock wallaby (<i>Petrogale penicillata</i>) – Vulnerable</p>	
<p>Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (<i>Dasyurus maculatus maculatus</i> (South-east mainland population)) – Endangered</p>	
<p>New Holland Mouse, Pookila (<i>Pseudomys novaehollandiae</i>) – Vulnerable</p>	
<p>Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>) – Vulnerable</p>	

Requirement	Addressed in the EIS or BDAR
Further analysis of the impacts of the fires on those species and communities identified above should be undertaken during the assessment.	
4. The proponent must consider each of the protected matters under the triggered controlling provisions that may be impacted by the action. Note that this may not be a complete list and it is the responsibility of the proponent to undertake an analysis of the relevant impacts and ensure all protected matters that are likely to be impacted are assessed for the Commonwealth Minister's consideration.	
Relevant Regulations	
5. The Environmental Impact Statement (EIS) must address all matters outlined in Schedule 4 of the Environment Protection and Biodiversity Conservation Regulations 2000 (Cth) and all matters outlined below in relation to the controlling provisions.	Noted
Project Description	
6. The title of the action, background to the action and current status.	Section 1.0
7. The precise location and description of all works to be undertaken (including associated offsite works and infrastructure), structures to be built or elements of the action that may have impacts on MNES.	Section 3.0
8. How the action relates to any other actions that have been, or are being taken in the region affected by the action.	Section 2.0 and Section 6.5
9. How the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts on MNES.	Section 3.0 and Section 6.2
Impacts	
10. The EIS must include an assessment of the relevant impacts of the action on the matters protected by the controlling provisions, including:	
i. a description and detailed assessment of the nature and extent of the likely direct, indirect and consequential impacts, including short term and long term relevant impacts;	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
ii. a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;	
iii. analysis of the significance of the relevant impacts; and	
iv. any technical data and other information used or needed to make a detailed assessment of the relevant impacts.	
Avoidance, Mitigation and Offsetting	
11. For each of the relevant matters protected that are likely to be significantly impacted by the action, the EIS must provide information on proposed avoidance and mitigation measures to manage the relevant impacts of the action including:	
i. a description, and an assessment of the expected or predicted effectiveness of the mitigation measures;	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
ii. any statutory policy basis for the mitigation measures;	
iii. the cost of the mitigation measures;	

Requirement	Addressed in the EIS or BDAR
iv. an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;	
v. the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.	
12. Where a significant residual adverse impact to a relevant protected matter is considered likely, the EIS must provide information on the proposed offset strategy, including discussion of the conservation benefit associated with the proposed offset strategy.	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
13. For each of the relevant matters likely to be impacted by the action the EIS must provide reference to, and consideration of, relevant Commonwealth guidelines and policy statements including any:	
i. conservation advice or recovery plan for the species or community;	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
ii. relevant threat abatement plan for the species or community;	
iii. wildlife conservation plan for the species; and	
iv. any strategic assessment.	
14. In addition to the general requirements described above, specific information is required with respect to each of the determined controlling provisions. These requirements are outlined in paragraphs 15–17.	
Key Issues	
Biodiversity	
15. The EIS must identify each EPBC Act listed threatened species and community and migratory species likely to be impacted by the action. For any species and communities that are likely to be impacted, the proponent must provide a description of the nature, quantum and consequences of the impacts. For species and communities potentially located in the project area or in the vicinity that are not likely to be impacted, provide evidence why they are not likely to be impacted.	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
16. For each of the EPBC Act listed threatened species and communities and migratory species likely to be impacted by the action the EIS must provide a separate:	
a. description of the habitat (including identification and mapping of suitable breeding habitat, suitable foraging habitat, important populations and habitat critical for survival), with consideration of, and reference to, any relevant Commonwealth guidelines and policy statements including listing advice, conservation advice and recovery plans;	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
b. details of the scope, timing and methodology for studies or surveys used and how they are consistent with (or justification for divergence from) published Australian Government guidelines and policy statements;	
c. description of the relevant impacts of the action having regard to the full national extent of the species or community's range; and	
d. description of the specific proposed avoidance and mitigation measures to deal with relevant impacts of the action;	

Requirement	Addressed in the EIS or BDAR
e. identification of significant residual adverse impacts likely to occur after the proposed activities to avoid and mitigate all impacts are taken into account;	
f. a description of any offsets proposed to address residual adverse significant impacts and how these offsets will be established;	
g. details of how the current published NSW Biodiversity Assessment Method (BAM) has been applied in accordance with the objects of the EPBC Act to offset significant residual adverse impacts; and	
h. details of the offset package to compensate for significant residual impacts including details of the credit profiles required to offset the action in accordance with the BAM and/or mapping and descriptions of the extent and condition of the relevant habitat and/or threatened communities occurring on proposed offset sites.	
17. Any significant residual impacts not addressed by the BAM may need to be addressed in accordance with the EPBC Act 1999 Environmental Offset Policy. http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy .	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
Other approvals and conditions	
18. Information in relation to any other approvals or conditions required must include the information prescribed in Schedule 4 Clause 5 (a) (b) (c) and (d) of the EPBC Regulations 2000.	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)
Environmental Record of person proposing to take the action	
19. Information in relation to the environmental record of a person proposing to take the action must include details as prescribed in Schedule 4 Clause 6 of the EPBC Regulations 2000.	Submitted as part of the Referral for the Project under the EPBC Act
Information Sources	
20. For information given in an EIS, the EIS must state the source of the information, how recent the information is, how the reliability of the information was tested; and what uncertainties (if any) are in the information.	Appendix C of the Solar Farm BDAR (Appendix 6 of the EIS)