

13 June 2018

Ellen Jones  
Planning Officer  
Resource Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ellen

**Re: Darlington Point Solar Farm (SSD 8392)**

I write in response to your department's recent request to review and provide comment on the Darlington Point Solar Farm (SSD 8392), located on Donald Ross Drive, Darlington Point, in the Murrumbidgee local government area.

Local Land Services provides consideration to, and comment in respect of, the zone of the land and native vegetation clearing. For our agency's purpose, the land is considered to be regulated land subject to authorisation for removal of native vegetation under the *Local Land Services Act 2013*.

The Environmental Impact Statement (EIS) includes the below, as noted:

- The land proposed for SSD 8392 is freehold and zone RU1 – primary production.
- The development proposed is deemed State Significant Development, a major project for NSW.
- I have reviewed the EIS with particular regard to clearing/removal of native vegetation.
- Vegetation is to be offset, consistent with a Biodiversity Offset Strategy included in the BAR.
- A Biodiversity Offset Plan (BOP) will be developed and implemented as part of the proposal and will include ongoing grassland monitoring in association with Charles Sturt University.

Local Land Services note that the key biodiversity issues of concern have been considered in the EIS.

Clearing provisions under the *Local Land Services Act 2013*, section 600 states:

For the purposes of this Part, the clearing of native vegetation in a regulated rural area is

**authorised under other legislation** in any of the following cases:

- (a) The clearing was authorised by:
  - (i) a development consent under **Part 4** of the *Environmental Planning and Assessment Act 1979*, or
  - (ii) a State significant infrastructure approval under Part 5.1 of that Act

The Darlington Point Solar Farm proposal, including vegetation clearing, is being assessed under **Part 4** of the EP&A Act. The potential impacts on native vegetation are discussed in section 7.1 of the report and in more detail in Appendix C.

Accordingly, as the EIS gives consideration for such clearing, LLS does not provide any additional consent as an agency.

In summary, the EIS completely addresses matters with respect to vegetation clearing, offsetting and biodiversity requirements and authorises activities via the Planning legislation pathway.

Local Land Services has no further comment in respect to matters under Part 5 of the *Local Land Services Act 2013*.

Kind regards,



Nicole Robinson