

OUT24/18912

Megan Ramsdale
Department of Planning Housing and Infrastructure
Paramatta NSW

c/- Major Projects Portal

Swallow Tail Battery Energy Storage System (SSD-78039972) – SEARs

Dear Ms Ramsdale

I refer to your request of 21 November 2024 for advice on the Swallow Tail Battery Energy Storage System Secretary's Environmental Assessment Requirements (SEARs).

Agriculture plays a vital role in supporting state, regional and local economies, and strengthening the social bonds and character of rural communities. The NSW Department of Primary Industries and Regional Development, Agriculture and Biosecurity (the Department) collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

The Department's advice is guided by section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), where a consent authority is required to evaluate a project's potential environmental, social, and economic impacts and the public interest. Sections 1.3(a) and (b) of the EP&A Act emphasise the facilitation of ecologically sustainable development in land use decision-making. This promotes responsible resource management that benefits present and future generations.

The scoping report and draft SEARs provided have been reviewed. We note that the proposed site is approximately 40ha and located on Land and Soil Capability (LSC) Class 6 land approximately 70km (by road) from Goulburn. The site does not contain any Biophysical Strategic Agricultural Land (BSAL) areas, nor are there any BSAL areas in close proximity to the site. The site does not contain any land mapped via the draft State Significant Agricultural Land map.

The Department does note the Project has identified it may require at least one subdivision for the land to host the on-site substation and switchyard.

The draft SEARs will require the EIS to undertake an Agricultural Impact Assessment (AIA) Level 1 as described in the Department of Planning, Housing and Infrastructure (DPHI) Large-Scale Solar Energy Guideline and a Land Use Conflict Risk Assessment (LUCRA) for the overall development.

The proposal also requires the following matters to be addressed by the SEARs in addition to the matters contained in the draft:

Biosecurity

The NSW Biosecurity Act 2015 was introduced to prevent, eliminate and minimise biosecurity risks, including adverse effects on the economy, environment or community. The proponent should develop a comprehensive Biosecurity Risk Management Plan for the project, including (but not limited to):

- The management of the risk of introduction, presence, or spread of plant pests or diseases, weeds and pest and pest animals.
- Actions for plant, machinery and washdown areas to ensure they are free of weed seed/plant material.
- Arrangement for decontamination of vehicles entering the site, and onsite plant and equipment, if they have come into contact with food, organic or animal waste and have moved directly from an agricultural premise or facility (eg a dairy, feedlot or similar).

The Biosecurity Risk Management Plan should consider all potential biosecurity risks and identify appropriate strategies to prevent, eliminate or minimise those risks. Please refer the proponents to the Biosecurity Risk Management in Land Use Planning and Development Guide for consideration.

Decommissioning

The Department requires:

- Removal of infrastructure from the site to a depth of 500mm and recycling, reusing or disposing of materials and waste products. The site is to be returned to its pre-existing use and land and soil capability per the Land and Soil Capability Assessment Scheme (LSC) (Second Approximation) Class as identified in the Agricultural Impact Assessment (AIA) or better. It also involves disconnecting the development from the electricity network.
- Rehabilitation plans for all infrastructure during and post construction with appropriate groundcover management to limit dust and other land use conflict issues.

Should you require clarification on any of the information provided, please do not hesitate to contact me at 0427 060 181 or by email at landuse.ag@dpird.nsw.gov.au.

Land

The Department has concerns about the development of extra dwellings/residential accommodation on RU1 Primary Production zoned lands remote from towns or villages due to the potential for land use conflicts.

- Any subdivisions below the Minimum Lot Size (MLS) should not result in extra dwelling entitlements.

Sincerely

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

Helen Squires
Agricultural Land Use Planning
2 December, 2024