

APPENDIX A SECRETARYS ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Mr Rhyson Li
Director - Oxley Solar Development Pty Ltd
52 Dalton Road
ST IVES CHASE NSW 2075

02/08/2019

Dear Mr Li

Oxley Solar Farm (SSD-10346)
Planning Secretary's Environmental Assessment Requirements

I have attached the Environmental Assessment Requirements for the preparation of an Environmental Impact Statement (EIS) for the Oxley Solar Farm.

The requirements are based on the information you have provided to date, and have been prepared in consultation with the relevant government agencies. The agencies comments are attached for your information (see Attachment 2). Any additional agency comments will be forwarded at a later date, under separate cover.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the project within the next two years.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will also require approval under the Commonwealth's *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act).

This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal you should contact the Department of the Environment in Canberra (6274 1111 or www.environment.gov.au).

Please contact the Department at least two weeks before you plan to submit the development application and EIS for the project. This will enable the Department to:

- Confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- Determine the required number of copies of the EIS.

The Department will review the EIS for the project before putting it on public exhibition. If it fails to adequately address these requirements, you will be required to submit an amended EIS.

Yours sincerely,



Nicole Brewer

A/Director
Resource Assessments
as nominee of the Secretary

Enclosed: ATTACHMENT 1, ATTACHMENT 2

Environmental Assessment Requirements

State Significant Development

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* and Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 10346
Proposal	<p>The Oxley Solar Farm which includes:</p> <ul style="list-style-type: none"> the construction and operation of a solar photovoltaic (PV) energy generation facility with an estimated capacity of 300 MW; and associated infrastructure, including a grid connection and battery storage.
Location	Gara Road, approximately 10 km east of Armidale within the Armidale Local Government Area
Applicant	Oxley Solar Development
Date of Issue	2 August 2019
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> a stand-alone executive summary; a full description of the development, including: <ul style="list-style-type: none"> details of construction, operation and decommissioning; a site plan showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); a 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 other proposed or approved solar farms, rural residential development 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 development; 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 (including the approved Metz Solar Farm and the proposed New England, Salisbury Plains, Tilbuster, Olive Grove and Stringybark Solar Farms), taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice; 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; and the reasons why the development should be approved having regard to: <ul style="list-style-type: none"> relevant matters for consideration under the <i>Environmental Planning and</i>

	<p><i>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;</p> <ul style="list-style-type: none"> - relevant matters for consideration under the <i>National Parks and Wildlife Act 1974</i>; - 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 the consequences of not carrying out the development. <p>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.</p> <p>The EIS must also be accompanied by a report from a suitably qualified person providing:</p> <ul style="list-style-type: none"> - 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; and - certification that the information provided is accurate at the date of preparation. <p>The development application must be accompanied by the consent in writing of the owner/s of the land (as required in clause 49(1)(b) of the Regulation).</p>
<p>Specific Issues</p>	<p>The EIS must address the following specific issues:</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 <i>Biodiversity Conservation Act 2016</i> (NSW), the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR), unless OEH and DPE determine that 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; and - Heritage – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, including consultation with the local Aboriginal community in accordance with the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i>; - Land – including: <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"> o a consideration of agricultural land, flood prone land, Crown lands (including Crown Reserve 566), mining, quarries, mineral or petroleum rights, and traveling stock route and Oxley Rivers National Park; o a soil survey to determine the soil characteristics and consider the potential for erosion to occur; and o 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: <ul style="list-style-type: none"> o consideration of the zoning provisions applying to the land, including subdivision, and;

- o completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's *Land Use Conflict Risk Assessment Guide*; and
- a description of measures that would be implemented to remediate the land following decommissioning in accordance with *State Environmental Planning Policy No 55 - Remediation of Land*.
- **Visual** – including an assessment of the likely visual impacts of the development (including any glare, reflectivity and night lighting) on surrounding residences, scenic or significant vistas, air traffic and road corridors in the public domain, 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 (including New England Highway, Waterfall Way (Grafton Road), Gara Road and Silverton Road), site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads;
 - a cumulative impact assessment of traffic from nearby developments;
 - a description of any proposed road upgrades developed in consultation with the relevant road and rail authorities (if required); and
 - a description of the measures that would be implemented to mitigate any transport impacts during construction;
- **Water** – including:
 - an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources (including Gara River and Commissioners Waters (and their tributaries), drainage channels, wetlands, riparian land, farm dams, groundwater dependent ecosystems and acid sulfate soils), related infrastructure, adjacent licensed water users and basic landholder rights, and measures proposed to monitor, reduce and mitigate these impacts;
 - details of water requirements and supply arrangements for construction and operation; and
 - a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with *Managing Urban Stormwater: Soils & Construction* (Landcom 2004);
- **Hazards and Risks** – including:
 - a preliminary risk screening in accordance with State Environmental Planning Policy No. 33 (DoP, 2011), and if the preliminary risk screening indicates the development is “potentially hazardous”, a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazard Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011); and
 - an assessment of potential hazards and risks including but not limited to bushfires, spontaneous ignition, electromagnetic fields or the proposed grid

	<p>connection infrastructure against the International Commission on Non-Ionizing Radiation Protection (ICNIRP) <i>Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i>.</p> <ul style="list-style-type: none"> · Socio-Economic – including an assessment of the likely impacts on the local community, demands on Council infrastructure and a consideration of the construction workforce accommodation; 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.
Consultation	<p>During the preparation of the EIS, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners, exploration licence holders, quarry operators and mineral title holders.</p> <p>In particular, you must undertake detailed consultation with affected landowners surrounding the development and Armidale Regional Council.</p> <p>The EIS must 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, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
References	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Biodiversity	
	Biodiversity Assessment Method (OEH)
	Threatened Species Assessment Guidelines - Assessment of Significance (OEH)
	Biosecurity Act 2015
	Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI)
	Policy and Guidelines for Fish Habitat Conservation and Management (DPI)
Heritage	
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigations of Objects in NSW (OEH)
	Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH).
	NSW Heritage Manual (OEH)
Land	
	Primefact 1063: Infrastructure proposals on rural land (DPI)
	Establishing the social licence to operate large scale solar facilities in Australia: insights from social research for industry (ARENA)
	Local Land Services Act 2013
	Australian Soil and Land Survey Handbook (CSIRO)
	Guidelines for Surveying Soil and Land Resources (CSIRO)
	The land and soil capability assessment scheme: second approximation (OEH)
	Land Use Conflict Risk Assessment Guide (Dol – L&W)
Noise	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
Light	
	Dark Sky Planning Guideline: Protecting the observing conditions at Siding Spring (DPE)
Transport	
	Guide to Traffic Generating Developments (RTA)
	Austroroads Guide to Road Design & relevant Australian Standards
	Austroroads Guide to Traffic Management Part 12: Traffic Impacts of Development
Water	
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Floodplain Development Manual (OEH)
	Guidelines for Controlled Activities on Waterfront Land (DPI Water)
	Water Sharing Plans (DPI Water)
	Floodplain Management Plan (DPI Water)
	Guidelines for developments adjoining land and water managed by OEH (OEH)
	Guidelines for Watercourse Crossings on Waterfront Land (DPI Water)
Hazards and Risks	
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DPE)
	Multi-Level Risk Assessment (DPE)

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011)

Waste

Waste Classification Guidelines (EPA)

Electromagnetic Interference

ICNIRP Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields

Environmental Planning Instruments

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 55 – Remediation of Land
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Armidale Dumaresq Local Environmental Plan 2012

ATTACHMENT 2

Government Authority Responses to Request for Key Issues



Our Ref: DOC19/637912

Your Ref: SSD 10346

Ms May Patterson
Team Leader
Energy and Resource Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Patterson

Re: Request for Environmental Assessment Requirements – Oxley Solar Farm, Armidale (SSD 10346)

Thank you for your e-mail of 12 July 2019 inviting input from the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment for the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the Oxley Solar Farm proposal. I appreciate the opportunity to provide advice.

The Biodiversity and Conservation Division was formerly part of the Office of Environment and Heritage (OEH). It now forms part of the new Environment, Energy and Science Group (see <https://www.dpie.nsw.gov.au>). The Environment, Energy and Science Group works to protect and strengthen NSW's natural environment by managing the conservation of our environment and energy resources.

The Environment, Energy and Science Group has responsibilities relating to biodiversity (including threatened species and ecological communities, or their habitats), Aboriginal cultural heritage, National Parks and Wildlife Service (NPWS) estate, flooding, coastal management and estuary matters.

We note that the proposal will be assessed as State Significant Development in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Environmental Impact Statement (EIS) SEARs provided by the Biodiversity and Conservation Division are limited to Aboriginal cultural heritage, biodiversity, National Park estate, historic heritage, acid sulphate soils, flooding, stormwater and coastal erosion.

These SEARs, as they relate to biodiversity, have been issued with respect to the *Biodiversity Conservation Act 2016*.

The proponent should ensure that the EIS will be sufficiently comprehensive to enable unambiguous determination of the extent of the direct and indirect impact(s) of the proposal. In particular, the EIS should include detailed assessment of potential impacts on:

- a) riparian habitat for threatened amphibian species, booroolong frog (*Litoria booroolongensis*) and glandular frog (*Litoria subglandulosa*);
- b) local wildlife corridor functions, especially along the riparian zone of the Gara River; and
- c) threatened species habitat within adjoining NPWS Estate.

The full lists of our standard and project specific requirements that may need to be addressed in the EIS are provided in **Attachment A** and **Attachment B** respectively. In preparing the EIS, the proponent should refer to the relevant guidance material listed in **Attachment C**.

If you have any further questions about this issue, Mr Don Owner, Senior Conservation Planning Officer, Biodiversity and Conservation, can be contacted on 6659 8233 or at don.owner@environment.nsw.gov.au.

Yours sincerely



KRISTER WEARN
A/Senior Team Leader Planning,
North East Branch, Biodiversity and Conservation

Contact officer: DON OWNER
6659 8233

Enclosures: Attachment A - BCD Standard Environmental Assessment Requirements (SSD 10346); Attachment B - BCD Project-specific Environmental Assessment Requirements (SSD 10346); Attachment C – Guidance Material (SSD 10346).

Attachment A – Biodiversity and Conservation Division Standard Environmental Assessment Requirements (SSD 10346)

<p>Biodiversity</p> <ol style="list-style-type: none"> 1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and Biodiversity Assessment Method, unless Biodiversity and Conservation Division and Planning and Assessment Group determine that the proposed development is not likely to have any significant impacts on biodiversity values. 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. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows; <ul style="list-style-type: none"> • 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. <p>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.</p> 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM. 5. 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 <i>Biodiversity Conservation Act 2016</i>. 	<p>Aboriginal cultural heritage</p> <ol style="list-style-type: none"> 6. 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 Investigations of Aboriginal Objects in NSW (OEH 2010), and guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and consultation with Biodiversity and Conservation Division regional branch officers. 7. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The
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significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.

8. 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 ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Biodiversity and Conservation Division.

Water and soils

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

10. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
- Existing surface and groundwater.
 - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - 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.
 - 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.
 - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>

11. The EIS must assess the impacts of the development on water quality, including:
- 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.
 - Identification of proposed monitoring of water quality.
 - Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)

12. The EIS must assess the impact of the development on hydrology, including:
- Water balance including quantity, quality and source.
 - Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.

<ul style="list-style-type: none"> 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. a. Identification of proposed monitoring of hydrological attributes.
<p>Flooding and coastal hazards</p>
<p>13. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:</p> <ul style="list-style-type: none"> a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas). d. Flood hazard
<p>14. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.</p>
<p>15. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
<p>16. Modelling in the EIS must consider and document:</p> <ul style="list-style-type: none"> a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies. b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood. c. 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, hazard categories and hydraulic categories. d. Relevant provisions of the NSW Floodplain Development Manual 2005.
<p>17. The EIS must assess the impacts on the proposed development on flood behaviour, including:</p> <ul style="list-style-type: none"> a. Whether there will be detrimental increases in the potential flood affection of other properties, assets and infrastructure. b. Consistency with Council floodplain risk management plans. c. Consistency with any Rural Floodplain Management Plans. d. Compatibility with the flood hazard of the land.

- e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- g. 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.
- h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
- i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
- j. 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 NSW SES.
- k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

Attachment B – Biodiversity and Conservation Division Project-specific Environmental Assessment Requirements (SSD 10346)

National Parks and Wildlife Estate

The EIS must:

- a. identify whether the proposal is consistent with the objects of the NPW Act (s. 3).
- b. address the matters in the *Guidelines for developments adjoining land and water managed by DECCW* (DECCW 2010) and include:
 - i. The nature of the impacts, including direct and indirect impacts.
 - ii. The extent of the direct and indirect impacts.
 - iii. The duration of the direct and indirect impacts.
 - iv. The objectives of the reservation of the land.
- c. identify measures proposed to prevent, control, abate, minimise and manage the direct and indirect impacts including an evaluation of the effectiveness and reliability of the proposed measures.
- d. identify residual impacts.

Attachment C – Guidance material (SSD 10346)

Title	Web address
<u>Relevant Legislation</u>	
<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
<u>Biodiversity</u>	
Biodiversity Assessment Method (OEH, 2017)	http://www.environment.nsw.gov.au/resources/bcact/biodiversity-assessment-method-170206.pdf
Biodiversity Development Assessment Report	https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12
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
Accreditation Scheme for Application of the Biodiversity Assessment Metho Order 2017	https://www.legislation.nsw.gov.au/regulations/2017-471.pdf
Biodiversity conservation actions	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf
Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf
Threatened Species Website	www.environment.nsw.gov.au/threatenedspecies/
NSW BioNet (Atlas of NSW Wildlife)	www.bionet.nsw.gov.au/
Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna -Amphibians (DECCW, 2009)	http://www.environment.nsw.gov.au/resources/threatenedspecies/09213amphibians.pdf

Title	Web address
Species credit threatened bats and their habitat – NSW survey guide for the Biodiversity Assessment Method (OEH 2018)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/species-credit-threatened-bats-nsw-survey-guide-for-biodiversity-assessment-method
NSW guide to surveying threatened plants (OEH 2016)	www.environment.nsw.gov.au/resources/threatenedspecies/160129-threatened-plants-survey-guide.pdf
Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DEC, 2004)	http://www.environment.nsw.gov.au/resources/nature/TBSAGuidelinesDraft.pdf
Threatened species survey and assessment guideline information	www.environment.nsw.gov.au/threatenedspecies/surveyassessmentguidelines.htm
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm
Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/
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
Guidelines for developments adjoining land managed by the Office of Environment and Heritage (OEH 2013)	http://www.environment.nsw.gov.au/resources/protectedareas/development-land-adjoining-130122.pdf
Aboriginal Cultural Heritage	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/comconsultation/09781ACHconsultreq.pdf
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	http://www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf
Aboriginal Site Recording Form	http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf
Aboriginal Site Impact Recording Form	http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf
Aboriginal Heritage Information Management System (AHIMS) Registrar	http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm
Care Agreement Application form	http://www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf
Water and Soils	
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/

Title	Web address
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

File No: NTH19/00168/01

Your Ref: SSD 10346

Team Leader
Energy and Resource Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: May Patterson

Dear Madam,

SEARS Request – SSD 10346. Oxley Solar Farm. Gara Road Armidale.

I refer to your email dated 12 July 2019 requesting input to the Secretary's Environmental Assessment Requirements (SEARs) for the subject state significant development.

Roles and Responsibilities

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure and the integration of land use and transport.

Waterfall Way (MR76) is a classified (State) road under the *Roads Act 1993* (Roads Act). Armidale Regional Council is the roads authority for all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the Roads Act. Roads and Maritime is the roads authority for freeways and can exercise roads authority functions for classified roads in accordance with the Roads Act. Any proposed works on a classified (State) road will require the consent of Roads and Maritime. Consent is provided under the terms of a Works Authorisation Deed (WAD).

It is emphasised that the below comments are provided on an informal and Pre-DA basis. They are not to be interpreted as binding upon RMS and may change following formal assessment of a submitted development application referred by the relevant consent authority.

Roads and Maritime Response

Roads and Maritime request that a Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary Roads and Maritime Supplement and RTA Guide to Traffic Generating Developments. The TIA should include, but not be limited to, the following;

- The total impact of existing and proposed development on the road network with consideration for a 10 year horizon.
- The volume and distribution of traffic generated by the proposed development and background traffic at key intersections along the transport routes between the New England Highway and the site.
- Identification of the transport routes and the types of vehicles that will be involved in construction and operational activities.
- Sight distance measurements at key intersections along the primary transport routes.
- Road authorities should be consulted to identify the timing of any proposed road works or local events.
- Provide details of swept paths for the largest vehicle at key intersections along the transport routes and accesses to the site.

- Consideration of turning lane warrants and identification of appropriate intersection treatments for the identified intersections along the proposed transport routes, based on Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A.
- Details of any proposed improvements to affected intersections.
- Review of recent crash records along the transport routes for at least five years.
- Details of existing, proposed access standards, servicing and parking arrangements.
- Impacts on public transport (public and school bus routes) and consideration for alternative transport modes such as walking and cycling.
- Impacts of road traffic noise and dust generated along the proposed haulage routes.
- Consideration of potential glare/reflectivity generated from onsite infrastructure towards public roads.
- A Construction Traffic Management Plan (CTMP) should be developed by a suitably qualified person to identify and manage the impacts of construction and operational traffic on the safety and efficiency of the transport routes. The CTMP may include temporary measures such as Traffic Control Plans (TCPs) to address construction related traffic at specific locations.
- The CTMP should include a Code of Conduct which may include, but not limited to the following:
 - A map of the primary transport routes highlighting critical locations
 - Safety initiatives for transport through residential areas and/or school zones.
 - An induction process for vehicle operators and regular toolbox meetings.
 - A complaint resolution and disciplinary procedure.
 - Any community consultation measures for the peak construction period.
- A Dilapidation Survey of the transport routes should be undertaken with the maintaining road authorities and a Decommissioning Plan prepared for when operations cease.

The current Austroads Guidelines, Australian Standards and Roads and Maritime Supplements are to be adopted for any proposed works on the classified road network.

Where road safety concerns are identified at a specific location along the proposed haulage routes, Roads and Maritime suggests that the TIA be supported by a targeted Road Safety Audit undertaken by suitably qualified persons.

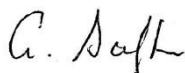
If the Developer is required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime for any works deemed necessary on the classified (State) road network. The developer would be responsible for all costs associated with the works and administration for the WAD.

Further information on undertaking private developments adjacent to classified roads can be accessed at:

<http://www.rms.nsw.gov.au/projects/planning-principles/index.html>

If you have any further enquiries regarding the above comments please contact Greg Sciffer, Development Assessment Officer on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully



For Matt Adams
A/Manager Development Assessment Northern

22 July 2019



OUT19/9467

May Patterson
Team Leader
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

may.patterson@planning.nsw.gov.au
cc rob.beckett@planning.nsw.gov.au

Dear Ms Patterson

Oxley Solar Farm Project (SSD 10346)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

I refer to your email of 12th July 2019 to the Department of Planning, Industry and Environment (DPIE) – Lands, Water and Department of Primary Industries (DPI) about the above matter.

The following advice for you to consider is from relevant branches of Lands & Water and DPI.

The SEARs should include:

DPIE – Water and Natural Resources Access Regulator

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of 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://www.industry.nsw.gov.au/water>).

DPI – Agriculture

NSW DPI Agriculture provides recommended SEARs (**Attachment 1**) and a range of guidelines and resources (**Attachment 2**) to assist consent authorities, community and proponents in addressing the recommended SEARs.

DPIE – Crown Lands

DPIE – Crown Lands notes that scoping report contains provisions for consulting with Crown Lands during preparation of detailed project design. The draft SEARs also require the proponent to assess potential impacts of the project on Crown land. DPIE – Crown Lands notes that consultation between the proponent and Crown Lands is specifically required for:

- The project's most northern boundary adjoins Crown reserve 566 for travelling stock, notified 22 February 1878 (being Lot 7003 DP 1060201). The project proposes to use an existing access track from Grafton Road to the project area via the reserve.
- The several Crown roads within the project area. It is unclear if access along these roads will be impacted.

Any further referrals to DPIE – Lands, Water and DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

Yours sincerely



Simon Francis
Senior Policy Officer, Assessments
DPIE Water – Strategic Relations
26th July 2019

Oxley Solar Farm Project (SSD 10346)
DPI Agriculture

SEARs Recommendations

Issue and desired outcome	Detail / Requirement
Site Suitable for development	<ul style="list-style-type: none"> • Detail that the proposal is consistent with relevant SEPPs, strategic plans and LEP requirements with respect to potential land use conflicts with existing and future surrounding land uses (including other proposed or approved solar farms, rural residential development and subdivision potential). • Complete a Landuse Conflict Risk Assessment (LUCRA) to identify potential landuse conflict, in particular relating to separation distances and management practices to minimise odour, dust and noise from sensitive receptors. A LUCRA is described in the DPI Land Use Conflict Risk Assessment Guide. • Include a map to scale showing the above operational and infrastructure details including separation distances from sensitive receptors.
Consideration for impacts to agricultural resources and land	<ul style="list-style-type: none"> • Describe the current agricultural status and productivity of the proposed development site and surrounding locality including the land capability as per the OEH The land and soil capability assessment scheme. • Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated. • Consider possible cumulative effects to agricultural enterprises and landholders as well as costing the forgone production over the life of the project. • Detail the expected life span of the proposed development • Outline strategies to manage impact of agricultural aerial spraying in the area. • Outline details of potential landuse sharing with agriculture.
Bushfire risk identified and managed	<ul style="list-style-type: none"> • Risk assessment level and mitigation plan developed to address bush fire risk.
Suitable and secure water supply	<ul style="list-style-type: none"> • Estimated water demand and water availability should be clearly outlined in the proposal. The source of water and any sanitisation methods to be detailed in the application. • Outline any impacts to water use from agriculture and mitigation measures if required.
Surface & Groundwater protected	<ul style="list-style-type: none"> • Proposed development design, operation and by-product management should be undertaken to avoid nutrient and sediment build up and minimise erosion, off site surface water movement and groundwater accession. • The proposal should detail how design and operation will be undertaken for by-product management in accordance with best practice to prevent

	<p>excess build-up of nutrients and salts in the soil profile and increase the risk of leaching. A monitoring program should be developed.</p>
Biosecurity Standards met	<ul style="list-style-type: none"> • Include a biosecurity (pests, weeds and disease) risk assessment outlining the likely plant, animal and community risks. • Develop a biosecurity response plan to deal with identified risks as well as contingency plans for any failures. Including monitoring and mitigation measures in weed, disease and pest management plans. • Details of adequate fencing to keep livestock out.
Suitable traffic movements	<ul style="list-style-type: none"> • Consideration of the route for movements needs to be taken into account so that impacts on sensitive receptors are minimised (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
Visual amenity achieved	<ul style="list-style-type: none"> • Amenity impacts are assessed in accordance with the methods outlined in the DPE's, Wind Energy: Visual Assessment Bulletin and any necessary response to mitigate visual impacts is described and illustrated. In particular night lighting, glare and any impacts on amenity for adjacent landholders.
Land stewardship met	<ul style="list-style-type: none"> • If any earthworks are proposed, an assessment of the overall footprint where the natural contours of the land will be modified, the total amount of material involved, how any stockpiled material will be managed and outline of how this material will or will not be used for rehabilitation purposes. • A full soil survey to be undertaken prior to works commencing as a benchmark for rehabilitation. • Develop a Rehabilitation and Decommissioning/Closure Management Plan that outlines the rehabilitation objectives and strategies to return the land to its pre-project status. This includes, but is not limited to removing all above and below ground infrastructure, describing the design criteria of the final landuse and landform, indicators to be used to guide the return of the land back to agricultural production, along with the expected timeline for the rehabilitation program. • Measures to remediate the land following decommissioning in accordance with State Environmental Planning Policy No 55 - Remediation of Land. • Outline monitoring and mitigation measures to be adopted for rehabilitation remedial actions. • Any land with a cropping history or land with a capability of category 3 or better as per <i>The land and soil capability assessment scheme: second approximation (OEH)</i>, all cables/pipes to be buried at a depth >500mm to allow greater opportunity for agricultural activities to continue over the top. • Trenching through sodic soils during construction must 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).
Adequate consultation with community	<ul style="list-style-type: none"> • Consult with relevant agencies such as on the design, construction and operation of the proposed infrastructure.

	<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. Establish a complaints register that includes reporting and investigating procedures and timelines, and liaison with Council in relation to complaint issues.
Contingency and Environmental Management Plan developed	<ul style="list-style-type: none"> Contingency plans should be developed to enable the operation to deal with emergency situations. Commitment to the preparation of an Emergency Management plan that outlines procedures and responsibilities for responding to bushfire threats and possible mass mortality events which might result from extreme climatic conditions, routine or emergency animal disease outbreaks.

END ATTACHMENT 1

ATTACHMENT 2

Recommended Guidelines and Resources

Title	Location
Land Use Conflict Risk Assessment Guide	www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/lucra
Agricultural Issues for Extractive industry Development	http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/extractive-industries
Infrastructure Proposals on Rural Land	http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/infrastructure-proposals
The land and soil capability assessment scheme: second approximation 2012 (OEH)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Land-and-soil/land-soil-capability-assessment-scheme-120394.pdf
Australian Soil and Land Survey Handbook (CSIRO)	
Guidelines for Surveying Soil and Land Resources (CSIRO)	
Wind Energy Visual Assessment Bulletin: December 2016	https://www.planning.nsw.gov.au/~/-/media/Files/DPE/Bulletins-and-Community-Updates/wind-energy-visual-assessment-bulletin-2016-12.ashx
Large Scale Solar Energy Guideline (DPE)	https://www.planning.nsw.gov.au/Policy-and-Legislation/Renewable-Energy/Large-scale-Solar-Energy-Guideline

END ATTACHMENT 2

From: [John Goodall](#)
To: [Rob Beckett](#)
Cc: [May Patterson](#)
Subject: RE: Oxley Solar Farm - Request for Input into the Planning Secretary's Environmental Assessment Requirements
Date: Friday, 26 July 2019 2:13:18 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Rob,

I refer to the Departments e-mail of 12 July 2019 and thank you for providing Council with the opportunity to comment and provide input into the SEARs for the Oxley Solar Farm proposal.

Following a review of the Draft SEARs it is considered that the majority of matters relevant to this proposal appear to have been identified and included for the proponent to address within the EIS documentation, but Council would also like to provide the following comments for consideration:

- It is advised that Council is in discussion with another developer regarding two other smaller solar farms which will adjoin the subject Oxley Solar Farm proposal, known as Stringybark and Olive Grove solar farms, both of which will be approximately 30MW in size. Both these projects are well underway in regards to scoping with two preliminary discussions between the developer and Council already undertaken, along with community consultation. It is expected that at least one of these proposals will be submitted for Council's consideration within the next fortnight. Both these developments are not considered to be SSD but will be regionally significant developments, under Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*, with the Northern Regional Planning Panel being the consent authority for each of these applications. From the information provided in the scoping report for this proposal, it would appear that the proponent for the Oxley Solar Farm has not taken these proposals into consideration with regard to solar developments under construction, under assessment or in the scoping phase and this will need to be considered as part of the strategic justification of the development in regards to site selection and cumulative impacts on the locality.
- In this regard, it is advised that Council has already been approached by a number of concerned residents and objectors to the Oxley solar farm development and both smaller developments, particularly in regards to visual and cumulative concerns. As such, it is advised that extensive community consultation needs to be undertaken, together with engagement of Council and the elected Councillors.
- Council would like to see a detailed visual assessment including montages from view corridors and from nearby residences undertaken and provided to community members and Council for assessment and consultation.
- Detailed assessment of the agricultural land/soil capability should be undertaken.
- It is advised that Lot 2 DP 253346 on page 1 of the Draft SEARs does not exist and is identified in the scoping report as being Lot 2 DP 1206469 and will need to be corrected

in the final SEARs.

- Part 2.1 & 2.2 of the scoping report prepared by ngh environmental, states that the development would be located mostly on Lot 5 DP 253346, but could also potentially cover parts of Lot 2 DP 1206469 and lot 6 DP 625427. Council considers that the impacted areas/lots needs to be accurately clarified and refined so that all relevant assessments required under the SEARs including community consultation are targeted to the appropriate areas.
- Part 7.1.5 addresses Aboriginal heritage. The report also states that further consultation will be undertaken with stakeholders. Council would strongly recommend early engagement with all key local aboriginal stakeholders who have been fairly vocal and critical of recent developments within the LGA with regard to what they believe as insufficient consultation being undertaken.
- Council would require a detailed assessment of the existing and proposed access to accommodate construction and operational traffic loads with any required upgrades to the satisfaction of the appropriate road authorities, ARC Gara Rd and RMS waterfall way.

Regards

John Goodall

Program Leader – Building & Development

P 02 6770 3609 **F** 02 6772 9275

E jgoodall@armidale.nsw.gov.au **W** armidaleregional.nsw.gov.au

135 Rusden Street | PO Box 75A Armidale NSW 2350

ARMIDALE
Regional Council

INVESTARMIDALE.COM.AU



Our reference: : EF13/5573; DOC19/603031
Contact: : Duncan McGregor – 02 6773 7000 – armidale@epa.nsw.gov.au
Date : 24 July 2019

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

Email: may.patterson@planning.nsw.gov.au

BY EMAIL

Attention: May Patterson

Dear Ms Patterson

RE: Request for input to Secretary's Environmental Assessment Requirements - Oxley Solar Farm (SSD 10346)

I refer to your email dated 12 July 2019 requesting the Environment Protection Authority's input for Secretary's Environmental Assessment Requirements (SEARs) for the Oxley Solar Farm ("the project").

The Environment Protection Authority (EPA) has reviewed the applicant's Scoping Report dated June 2019. Based on that report, the project will not need an Environment Protection Licence if it is approved. As such, the EPA will not provide SEARs for the project.

Please contact Indumini Kariyawasam on (02) 6773 7000 or by email to armidale@epa.nsw.gov.au if you would like to discuss this matter further.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'DMcGregor', written over a light blue horizontal line.

DUNCAN MCGREGOR
Acting Head Regional Operations Unit
Environment Protection Authority

Email: armidale@epa.nsw.gov.au
PO Box 494 Armidale NSW 2350
85 Faulkner Street, Armidale NSW 2350
Tel: (02) 6773 7000 Fax: (02) 6772 2336
ABN 43 692 285 758
www.epa.nsw.gov.au



May Patterson
Team Leader
Resource & Energy Assessments
Planning & Assessment Division
NSW Planning, Industry & Environment

Our ref: DOC19/630188
Your ref: SSD10346
File: SF19/70136

may.patterson@planning.nsw.gov.au

31 July 2019

Dear Ms Patterson

Subject: Oxley Solar Farm SSD10346 – Request for SEARs

Thank you for your email of 12 July 2019 seeking agency SEARs for the Oxley Solar Farm project (SSD10346). This is a response from the Department of Planning & Environment – Division of Resources & Geoscience (the Division).

The Division is responsible for providing strategic advice relating to the current and potential future uses of land in NSW pursuant to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 and the *Environmental Planning & Assessment Act 1979*. The Division's role is to ensure that proposals, including associated electricity transmission infrastructure do not unnecessarily preclude access to known resources or exploration for future resource discovery and extraction. The Division will also assess the application with respect to biodiversity offset considerations.

The Division has not identified any mineral, coal or petroleum titles over the proposal site. The central area of the site is considered prospective for gold mineralisation however remains largely untested. This assessment has been validated recently through prospectivity analysis conducted by the Geological Survey of NSW.

The proponent should continue to identify any new title holders (if any) in the EIS and consult with the operators or title holders to establish if the proposal is likely to have a significant impact on future exploration for, and extraction of, mineral resources. The EIS should also document any way the proposed development may be incompatible with existing or approved uses, or current or future extraction or recovery of resources under the land use compatibility requirements of Part 3 (13) of the Mining SEPP.

In fulfilling the requirements of the Draft SEARs, GSNSW requires the following project specific requirements:

- Environmental Impact Statement (EIS) must include a dated mineral, coal and petroleum titles and applications search through the Division's MinView application, with results shown on a map(s) including the location and extent of the project site and any electricity transmission infrastructure and transmission lines. Current mining and exploration titles and applications can be viewed at:
<http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/geoscience-information/services/online-services/minview>
- GSNSW specifically requires the proponent to check for new mineral and energy titles that may be granted in the vicinity of the subject site (including areas proposed for electricity transmission infrastructure and transmission lines) during all decision-making stages of the project to ensure that other stakeholders (such as title holders) with interest in the area are aware of the solar farm project.



- GSNSW 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.

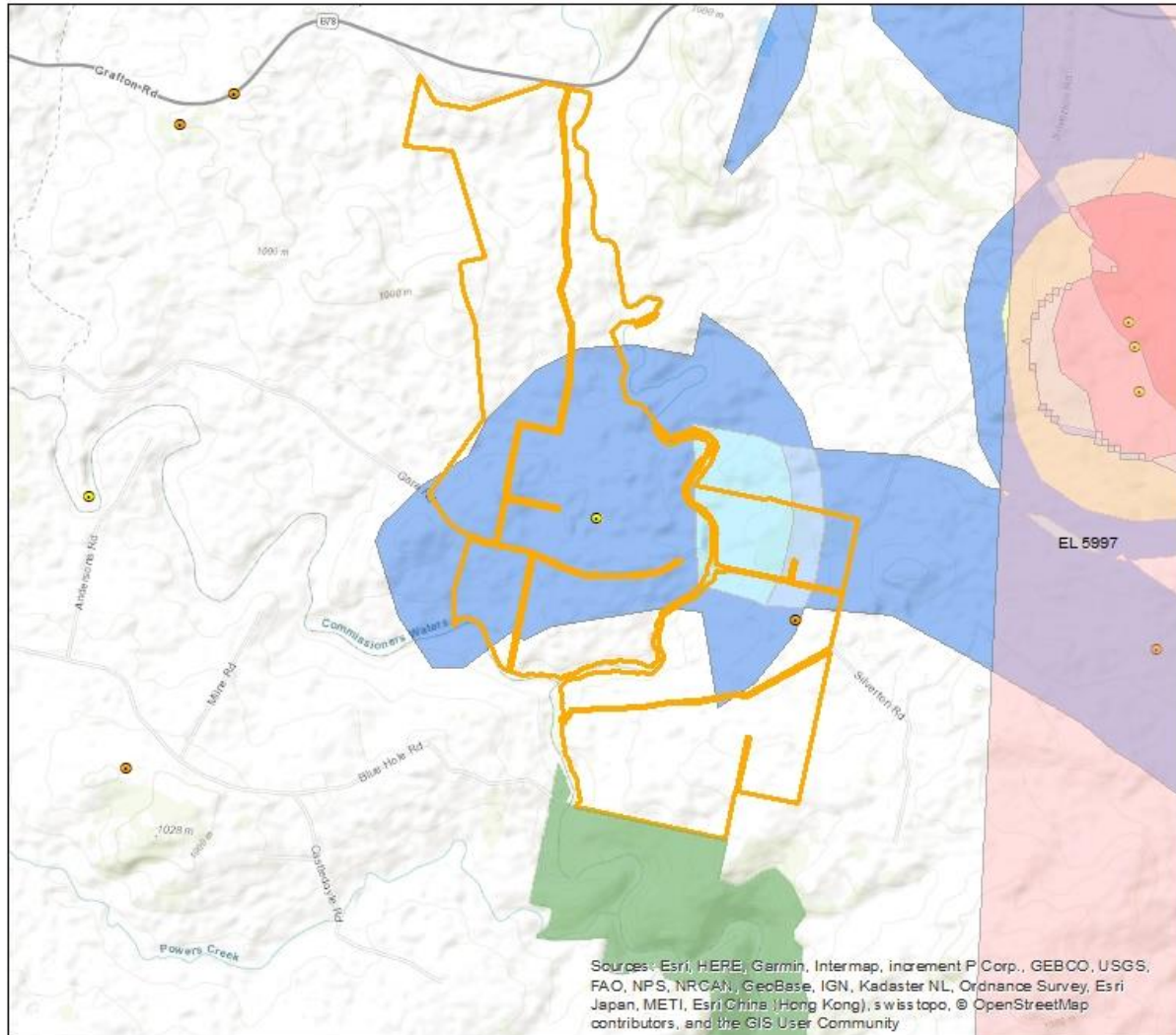
Queries regarding the above information, should be directed to the GSNSW Land Use team at landuse.minerals@geosceince.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sam F. ...'.

A/Manager Landuse Assessment
Geological Survey of NSW
Division of Resources & Geoscience

Figure 1 - Oxley Solar Farm Project SSD10346



Legend

- Oxley Solar Farm project SSD10346
- Construction materials
- Metallic minerals
- Current Minerals Titles
- NATIONAL PARK

0 1 2
Kilometres

SNEO_Mineral potential mapping OroG GRIDCODE

- Not Prospective
- Prospective
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- Highly Prospective

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NSW RURAL FIRE SERVICE



The Secretary
NSW Planning & Environment
GPO Box 39
Sydney NSW 2001

Your Ref: SSD 10346
Our Ref: D19/2387
DA19071719622 AB

ATTENTION: Rob Beckett

30 July 2019

Dear Mr Beckett

Agency Comment - SEARs for Oxley Solar Farm Project (SSD 9874)

I refer to your correspondence dated 12 July 2019 seeking NSW Rural Fire Service (NSW RFS) input to the SEARs for the above State Significant Development proposal.

The subject land is part mapped as bush fire prone land by Armidale Regional Council and can include unmanaged grassland vegetation. The NSW RFS is also the primary response agency for fighting structural fires within the site and surrounding locality.

The NSW RFS recommends that the SEARs for the project include a requirement to address the following, having regard to the requirements of '*Planning for Bush Fire Protection 2006*':

- potential bush fire threats to the facility;
- potential hazards to fire fighters;
- management of bush fire (including grass fire) impacting on and structural fire emanating from, the proposed solar farm and its associated infrastructure;
- fire fighting water supplies;
- vehicle access and defensible space around the solar array;
- land and vegetation management opportunities; and
- proposed emergency management procedures.

Ultimately, as part of any consent issued for the project, the NSW RFS will require the proponent to develop a Fire Management Plan, in consultation with the local NSW RFS District Fire Control Centre.

Postal address

Records
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

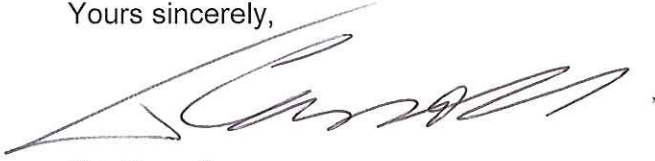
Street address

NSW Rural Fire Service
Planning and Environment Services (North)
Suite 1, 129 West High Street
COFFS HARBOUR NSW 2450

T (02) 6691 0400
F (02) 6691 0499
www.rfs.nsw.gov.au
Email: pes@rfs.nsw.gov.au

For any queries regarding this correspondence, please contact Alan Bawden on 6691 0400.

Yours sincerely,

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

Tim Carroll

Manager – Planning and Environment Services North

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.