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 10455
Project Name	Middlebrook Solar Farm which includes: · the construction and operation of a solar photovoltaic (PV) energy generation facility with an estimated capacity of up to 500 MW; · associated infrastructure, including grid connection and battery storage.
Location	Middlebrook Road and Marsden Park Road, 22 km south of Tamworth in the Tamworth Regional Local Government Area
Applicant	Middlebrook Solar Farm Pty Ltd
Date of Issue	29/05/2020
General Requirements	The Environmental Impact Statement (EIS) for the development must comply with the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000.* In particular, the EIS must include: · a stand-alone executive summary; · a full description of the development, including: - 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: - 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, 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: - relevant matters for consideration under the *Environmental Planning and Assessment Act 1979*, 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 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 detailed evaluation of the merits of the project as a whole. The EIS must also be accompanied by 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; and · certification that the information provided is accurate at the date of preparation. 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).
Key issues	The EIS must address the following specific issues: · **Biodiversity** – including: - 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) and documented in a Biodiversity Development Assessment Report (BDAR), unless BCD and DPIE 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 - if an offset is required, details of the measures proposed to address the offset obligation; · **Heritage** – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development and consultation with the local Aboriginal community in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents*; · **Land** – including: - an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including: o a consideration of agricultural land (including Biophysical Strategic Agricultural Land), flood prone land, Crown lands; 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: 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;* · **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, and any other ancillary infrastructure) on surrounding residences and key locations such as Goonoo Goonoo Station, scenic or significant vistas, air traffic and road corridors in the public domain 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 (including, but not limited to, Middlebrook Road, Marsden Park Road and New England Highway), 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; 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 authority;

- **Water** – including:
  - an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources (including Spring Creek, Banyandah Creek and Algona Creek traversing the site and surrounding water courses), 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:
  - Battery Storage – include a Preliminary Hazard Analysis 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 connection infrastructure against the International Commission on Non-Ionizing Radiation Protection (ICNIRP) *Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields;*

- **Socio-Economic** – including an assessment of the likely impacts on the local community, any 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.
Plans and Documents	A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at: · https://www.planningportal.nsw.gov.au/major-projects/assessments/policies-and-guidelines; and · http://www.environment.gov.au/epbc/publications#assessments
Consultation	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 and any exploration licence and/or mineral title holders. In particular, you must undertake detailed consultation with affected landowners surrounding the development and Tamworth Regional Council. 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.
Further consultation after 2 years	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.