APPENDIX 1

SEARs Table and Checklist

Appendix 1 - SEARs Checklist

Table 1 Secretary's Environmental Assessment Requirements

Requirement	Addressed in EIS
General Requirements	
• a stand-alone executive summary;	**Executive Summary**
• a full description of the development, including: ○ details of construction, operation and decommissioning, including any staging of the development; ○ 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 2.7**
• 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 and subdivision potential)	**Section 2.0** **Section 7.1** **Section 7.2**
• 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 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 *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 2.5** **Section 6.0** **Appendix 4**
• a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS;	**Appendix 4**
• a detailed evaluation of the merits of the project as a whole having regard to:	**Appendix 3**

Requirement	Addressed in EIS
○ the requirements in Section 4.15 of 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 siting and project design alternatives to avoid areas of biodiversity value and the consequences of not carrying out the development	**Section 7.4** **Section 2.8**
• 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**
• a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading;	**EIS Declaration**
• Provide a detailed calculation of the capital investment value (CIV) of the development, prepared by an AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor in accordance with Planning Circular PS 21-020: Calculation of Capital Investment Value. The calculation of the estimated CIV is to be accurate at the date of application and includes details of all components and assumptions from which it is derived.;	**EIS Declaration**
• Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.	**Section 3.4** **Section 6.13**
• The development application must be accompanied by: ○ the consent of the owner/s of the land (as required in Section 23(1) of the EP&A Regulation); and ○ a declaration from a Registered Environmental Assessment Practitioner that the EIS includes the information specified in the Department's Registered Environmental Assessment Practitioner Guidelines.).	**EIS Declaration**
Key Issues	
Biodiversity	
• 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)(BC Act), the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR), including a detailed description of the proposed regime for avoiding, minimising, managing and reporting on the biodiversity impacts of the development over time, and a strategy to offset any residual impacts of the development in accordance with the BC Act, unless BCD and DPE determine the proposed development is not likely to have any significant impacts on biodiversity values	**Section 6.5** **Appendix 7**

Requirement	Addressed in EIS
• 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;	Aquatic Assessment is in Appendix E of the **BDAR** (**Appendix 7**)
• the BDAR must document the application of the avoid, minimise and offset framework in accordance with the BAM	**Section 6.5.4** **Appendix 7**
• if an offset is required, details of the measures proposed to address the offset obligations.	**Section 6.5.5**
Heritage	
• 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), including results of archaeological test excavations (if required);	**Section 6.6** **Appendix 8**
• 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	**Section 6.6.2.2** **Appendix 9**
• assess the impact to historic heritage having regard to the NSW Heritage Manual and comments from Upper Lachlan Shire Council.	**Section 6.7** **Appendix 9**
Land	
• 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, land contamination, permissibility, strategic context and existing site constraints;	**Section 2** **Section 6.10.3.8** **Section 7** **Appendix 13**
• an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including: ○ agricultural land, flood prone land, Crown lands, mining, quarries, mineral or petroleum rights; ○ a soil survey to determine the soil characteristics and consider the potential for salinity, acid sulfate soils and erosion to occur; and ○ a cumulative impact assessment of nearby developments;	**Section 2.2** **Section 6.9** **Section 6.10** **Appendix 11** **Appendix 13**

Requirement	Addressed in EIS
• an assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, 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; ○ assessment of impact on agricultural resources and agricultural production on the site and region.	**Section 6.10.3.1** **Section 2 of the SLAIA (Appendix 13)**
Landscape and Visual	
• a detailed assessment of the likely visual impacts of all components of the project (including transmission lines, substations and any other ancillary infrastructure) on surrounding residences and key locations, scenic or significant vistas and road corridors in the public domain and provide details of measures to mitigate and/or manage potential impacts	**Section 6.3** **Appendix 5**
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;	**Section 6.4.3** **Appendix 6**
Transport	
• an assessment of the peak and average traffic generation, including over-dimensional vehicles, construction worker transportation and transport of materials by rail;	**Section 6.8.3** **Appendix 10**
• 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 6.8.3** **Appendix 10**
• a cumulative impact assessment of traffic from nearby developments; and	**Section 6.16.3** **Appendix 10**
• 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; and	**Section 6.8.4** **Appendix 4**
• an assessment of impacts of all proposed road works, including heritage, noise, and biodiversity impacts	**Section 6.8.4**

Requirement	Addressed in EIS
Water	
• a detailed and consolidated site water balance and an assessment of the likely impacts of the development (including flooding) on surrounding watercourses (including their Strahler Stream Order) and groundwater resources and measures proposed to monitor, reduce and mitigate these impacts including water management issues;	**Section 6.9.1** **Section 6.9.2.3** **Section 4 of the WRIA (Appendix 11)**
• details of water requirements and supply arrangements for construction and operation; and	**Section 3.7.1** **Section 6.9.2.2.3** Sections 4-6 of the WRIA **(Appendix 11)**
• 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);	**Section 6.9.2.2**
• assessing the impacts of the development, including any changes to flood risk and overland flows on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required	**Section 6.9.2.2** Sections 5 to 7 of the WRIA **(Appendix 11)**
• 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 6.9.2.2** Sections 5 to 7 of the WRIA **(Appendix 11)**
• an assessment of the potential impacts of the development on the Sydney drinking water catchment, including consideration of Water NSW's current recommended practices and standards, a Water Cycle Management Study, stormwater quality monitoring (MUSIC), and whether the development can be constructed and operated to have a neutral or beneficial effect on water quality consistent with the provisions of State Environmental Planning Policy (Biodiversity and Conservation) 2021.	**Section 6.9** Section 4 to 7 of the WRIA **(Appendix 11)**
Hazards	
• A preliminary risk screening in accordance with the *State Environmental Planning Policy (Resilience and Hazards)* and *Applying SEPP 33 (DoP, 2011)*.	**Section 6.11.3** **Appendix 15**
• A Preliminary Hazard Analysis (PHA) 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	**Section 6.11.3** **Appendix 15**

Requirement	Addressed in EIS
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	
• An assessment of potential hazards and risks including but not limited to assessment of bushfire risk against the *RFS Planning for Bushfire Protection 2019*, 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 Field;*	**Section 6.11** **Appendix 12** **Appendix 14**
Social and Economic	
• an assessment of the social impacts in accordance with *Social Impact Assessment Guideline* (DPIE, Feb 2023), any benefits of the project for the region and the State as a whole, including consideration of any increase in demand for community infrastructure services, consideration of construction workforce accommodation, assessment of impact on agricultural resources and agricultural production on the site and region.	**Section 6.12** **Section 6.13** **Appendix 16** **Appendix 17**
Waste	
• a waste management plan to 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 6.14**
Plans and Documents	
• The EIS must include all relevant plans, diagrams and relevant documentation required under Part 3 of the EP&A Regulation. Provide these as part of the EIS rather than as separate documents.	**Included in EIS**
• In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.	**Included in EIS**
Legislation, Policies and Guidelines	
• 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: ○ 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**

Requirement	Addressed in EIS
Consultation	
• 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, and relevant government agencies including the relevant local Councils. • The EIS must: ○ detail how engagement undertaken was consistent with the *Undertaking* Engagement Guidelines for State Significant Projects (DPIE, 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 6.3** **Appendix 16**

Table 2 Summary of Assessment Requirement (Supplementary SEARs)

Requirement	Cross-Reference to EIS or BDAR
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 DCCEEW considers that the proposed action is likely to have a significant impact on threatened species and communities listed in Appendix A (listed below):	
Threatened Species and Communities	
Based on the information in the referral documentation, the proposed action is likely to have significant impacts on the following matters of national environmental significance:	Appendix A of the Biodiversity Development Assessment Report (BDAR) (**Appendix 7** of the EIS)
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland – Critically Endangered	
Gang-Gang Cockatoo (Callocephalon fimbratum) – Endangered	
Diamond Firetail (Stagonopleura guttata) – Vulnerable	
Additionally, there is some risk that there may be significant impacts on the following listed threatened species and communities and levels of impact should be further investigated:	
• Swift Parrot (Lathamus discolor) – Critically Endangered	

Requirement	Cross-Reference to EIS or BDAR
• Regent Honeyeater (Anthochaera phrygia) – Critically Endangered	
• South-eastern Hooded Robin (Melanodryas cucullata cucullata) – Endangered	
• Greater Glider (southern and central) (Petauroides volans) – Endangered	
• Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) (Phascolarctos cinereus) – Endangered	
• Large-eared Pied Bat (Chalinolobus dwyeri) – Endangered	
• Key's Matchstick Grasshopper (Keyacris scurra) – Endangered	
• Brown Treecreeper (south-eastern) (Climacteris picumnus victoriae) – Vulnerable	
• Painted Honeyeater (Grantiella picta) – Vulnerable	
• Yellow-bellied Glider (south-eastern) (Petaurus australis australis) – Vulnerable	
• Pink-tailed Worm-lizard (Aprasia parapulchella) – Vulnerable	
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 EPBC Regulations 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**

Requirement	Cross-Reference to EIS or BDAR
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, Section 6.16 and Appendix 18**
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**
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;	BDAR Appendix A (**Appendix 7** of the EIS)
ii. a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;	BDAR Appendix A (**Appendix 7** of the EIS)
iii. analysis of the significance of the relevant impacts; and	BDAR Appendix A (**Appendix 7** of the EIS)
iv. any technical data and other information used or needed to make a detailed assessment of the relevant impacts.	BDAR Appendix A (**Appendix 7** of the EIS)
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:	BDAR Appendix A (**Appendix 7** of the EIS)
v. a description, and an assessment of the expected or predicted effectiveness of the mitigation measures;	
vi. any statutory policy basis for the mitigation measures;	
vii. the cost of the mitigation measures;	
viii. 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;	

Requirement	Cross-Reference to EIS or BDAR
ix. 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.	BDAR Appendix A (**Appendix 7** 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:	BDAR Appendix A (**Appendix 7** of the EIS)
x. conservation advice or recovery plan for the species or community;	
xi. relevant threat abatement plan for the species or community;	
xii. wildlife conservation plan for the species; and	
xiii. 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 15-18.	
Key Issues	
Biodiversity (threatened species and communities)	
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.	BDAR Appendix A (**Appendix 7** 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:	BDAR Appendix A (**Appendix 7** of the EIS)
xiv. 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;	
xv. 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;	

Requirement	Cross-Reference to EIS or BDAR
xvi. description of the relevant impacts of the action having regard to the full national extent of the species or community's range;	
xvii. description of the specific proposed avoidance and mitigation measures to deal with relevant impacts of the action;	
xviii. identification of significant residual adverse impacts likely to occur after the proposed activities to avoid and mitigate all impacts are taken into account;	
xix. a description of any offsets proposed to address residual adverse significant impacts and how these offsets will be established.	
xx. 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	
xxi. 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.	BDAR Appendix A (**Appendix 7** 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.	BDAR Appendix A (**Appendix 7**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.	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.	BDAR Appendix A (**Appendix 7** of the EIS)

Table 3 SEARs Advice

Agency / Requirement	Addressed in EIS and/or specialist report
BCD (ref: DOC23/911966-3) – 27 October 2023	
• The EIS must assess biodiversity impacts related to the project in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 using the Biodiversity Assessment Method (BAM) and must document this assessment in a Biodiversity Development Assessment Report (BDAR), unless ○ A BDAR waiver is granted, or ○ The site is on biodiversity certified land. • The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and the BAM.	A BDAR waiver is not being sort. The site is not on biodiversity certified land. Accordingly, a BDAR has been prepared in accordance with the BAM and section 7.9 of the BC Act
• The BDAR must apply the avoid, minimise and offset hierarchy including assessing all direct, indirect, uncertain and prescribed impacts in accordance with the BAM.	**Section 6.5.2** of the EIS and Measures taken to avoid and minimize impacts to biodiversity are provided in Section 7.0 Impacts of the Project are identified in Section 8.0 and Section 9.0. Summary of impacts and offsetting requirements are outlined in Section 10.0. (**Appendix 7** of the EIS)
• The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix K of the BAM	**To be submitted with EIS**
• 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; ○ 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;	**Section 6.5.3** of the EIS and Section 11 of the BDAR (**Appendix 7** of the EIS)

Agency / Requirement	Addressed in EIS and/or specialist report
○ 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.	
• 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.	The BDAR has been prepared by an accredited BAM assessor as acknowledged in the declaration. A list of ecologists who prepared this BDAR and their qualification is provided in Section 1.3 of the BDAR (**Appendix 7** of the EIS.
• The EIS must contain a summary of the commitments set out in the BDAR to avoid, minimise and mitigate the biodiversity impacts of development that are to be implemented, post approval, by their inclusion in a Biodiversity Management Plan (BMP). The preparation of a BMP to fulfil the avoid and minimise requirements of the BDAR must be included as a condition of consent/approval, unless otherwise agreed with BCD. The BMP must include detailed measures to minimise impacts on biodiversity, monitoring and reporting requirements, proposed adaptive management measures, performance criteria recommended to meet states outcomes, remedial actions to be undertaken if actions fail to achieve stated outcomes, and any additional actions relevant to the management of biodiversity.	**Section 6.5.2** and **Section 6.5.3** of the EIS
• If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	
• The EIS must map the following features relevant to water and soils including: b. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map) c. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method) d. Wetlands as described in s4.2 of the Biodiversity Assessment Method. e. Groundwater f. Groundwater dependent ecosystems	**Figure 2.3, Figure 6.9** and **Figure 6.15** of the EIS Figure 3.12, Figure 3.17 and Figure 6.2 In the WRIA (**Appendix 11**)

Agency / Requirement	Addressed in EIS and/or specialist report
g. Proposed intake and discharge locations	
• 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. Where locally derived indicators and guideline values are not available for the relevant Water Quality Objectives, the EIS must refer to the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG, 2018).	**Section 6.9.1, Section 6.9.2.2, Section 6.9.3** and **Appendix 11** of the EIS
• 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, using the *Risk-based framework for considering waterway health outcomes in strategic land use planning decisions*. b. Identification of proposed monitoring of water quality or required changes to existing monitoring programs c. How the development meets the objects of the *Coastal Management Act 2016* and management objectives of relevant Coastal Management Areas defined under this Act d. Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)	Section 3.5, Section 4.6.4, of the WRIA **(Appendix 11)**
• EIS must assess the impact of the development on hydrology, including: a. Water balance including quantity, quality and source	**Section 6.9.1, Section 6.9.2.2, Section 6.9.3, Section 6.9.3.3** and **Appendix 11** of the EIS

Agency / Requirement	Addressed in EIS and/or specialist report
b. Effects to downstream rivers, wetlands, estuaries, marine waters (including marine protected areas) 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	
• The EIS shall include a flood impact and risk assessment (FIRA). As a minimum the FIRA must: a. Consider the relevant provisions of the NSW Flood Risk Management Manual (2023) and associated guides, and existing council and government studies, information and requirements b. Identify and describe existing flood behaviour on the site and its surrounding areas for the full range of events, including 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP and provide an assessment of the compatibility of the development and its users with flood behaviour. This may require flood modelling where existing flood information is not available c. Determine and describe changes in post development flood behaviour, impacts of flooding on existing community and on the development and its future community for full range of events, 5% AEP, 1% AEP, PMF and 0.5% AEP or 0.2% AEP. This will typically require flood modelling d. Consider impacts of climate change due to both sea level rise and increase in rainfall intensities considering relevant Council and government advice. The 0.5% AEP or 0.2% AEP events can be used to provide an understanding of the scale of change of flood behaviour relative to the 1% AEP event	**Section 6.9.3.2** and **Appendix 11** of the EIS

Agency / Requirement	Addressed in EIS and/or specialist report
e. Propose and assess the effectiveness of management measures required to minimise the impacts and risks of flooding to the development and its users and existing community Note: • The scope of a FIRA is intended to be consistent with the Draft EHG FIRA Guide, which is being finalised currently. • The FIRA will need to be tailored to suit the project being considered, whilst maintaining consistency with the FIRA guide.	
• Based on the development footprint, BCD considers the following SAII entities are likely to be impacted: ○ White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, Southeastern Highlands, NSW Southwestern Slopes, Southeast Corner and Riverina Bioregions ○ *Caladenia tessellatae* Thick Lip Spider Orchid ○ *Carex klaphakei* Klaphake's Sedge ○ *Eucalyptus aquatica* Broad-leaved Sally ○ *Eucalyptus recurvae* Mongarlowe Mallee ○ *Galium australe* Tangled Bedstraw ○ *Genoplesium superbum* Superb Midge Orchid ○ *Gentiana wingecarribiensis* Wingecarribee Gentian ○ *Grevillea renwickiana* Nerriga Grevillea ○ *Pomaderris delicata* Delicate Pomaderris ○ *Anthochaera Phrygia* Regent Honeyeater ○ *Lathamus discolor* Swift Parrot ○ *Petalura gigantea* Giant Dragonfly	**Section 6.5** of the EIS Details of targeted surveys for candidate species are provided in Section 2.0. An assessment of entities at risk of a SAII is provided in Section 9.0. (**Appendix 7** of the EIS)

Agency / Requirement	Addressed in EIS and/or specialist report
○ *Chalinolobus dwyeri* Large-eared Pied Bat ○ *Miniopterus australis* Little Bent-winged Bat (breeding) ○ *Miniopterus orianae oceanensis* Large Bent-winged Bat (breeding) ○ *Petrogale penicillatae* Brush-tailed Rock-wallaby • BCD recommends early engagement between BCS and the proponent where such entities are likely to be impacted. BCD notes that box gum woodland was not identified as an SAII entity in the Biodiversity Constraints Assessment (BCA), however it must be included in the assessment. • Note: The 'Guidance to assist a decision-maker to determine a serious and irreversible impact' provides criteria and supporting information to assist with the application of the SAII principles, including potential entities that meet the SAII principles and criteria.	
• The following prescribed impacts in accordance with Clause 6.1 of the BC Act are to be assessed: ○ the impacts of development on the following habitat of threatened species or ecological communities— ▪ karst, caves, crevices, cliffs and other geological features of significance, ▪ rocks, ▪ human made structures, ▪ non-native vegetation, ○ the impacts of development on the connectivity of different areas of habitat of threatened species that facilitates the movement of those species across their range, ○ the impacts of development on movement of threatened species that maintains their lifecycle, ○ the impacts of development on water quality, water bodies and hydrological processes that sustain threatened species and threatened ecological communities (including from subsidence or upsidence resulting from underground mining or other development) – refer to Addendum to NSW Biodiversity Offsets Policy for Major Projects: Upland swamps impacted by longwall mining subsidence (OEH, 2016), ○ the impacts of wind turbine strikes on protected animals – refer to Wind farms: Turbine Strike Assessment and Adaptive Management Plan: Biodiversity Assessment Method Guide (BCS, 2023) ○ the impacts of vehicle strikes on threatened species of animals or on animals that are part of a threatened ecological community.	**Section 6.5** of the EIS Details of targeted surveys for candidate species are provided in Section 2.0. An assessment of entities at risk of a SAII is provided in Section 9.0 of **Appendix 7** of the EIS.

Agency / Requirement	Addressed in EIS and/or specialist report
• Offsets for prescribed impacts are to be considered if avoidance and mitigation measures are not applicable or will not result in the complete reduction of prescribed impacts occurring. The assessment and calculation of a predicted offset obligation in accordance with Section 7.14 of the *Biodiversity Conservation Act 2016* should be presented in the BDAR. • Cumulative impacts should be assessed through application of the Cumulative Impact Assessment for State Significant Projects guidance (DPE, Oct 2022).	
• The EIS must address the following project-specific requirements for flood risk: a) The EIS must assess the potential impact of flooding for the full range of events up to and including the PMF: ○ On the proposed facility. ○ On public safety including accesses to the proposed facility and waterway crossings. b) The EIS must detail: ○ The storage levels of any hazardous materials proposed. ○ The structural integrity of any proposed storage buildings / structures in events up to and including the PMF. ○ An assessment of impacts, risks and controls associated with inundation of the facility or structures containing hazardous materials including any off-site impacts in large to extreme floods up to the PMF. c) The EIS should: ○ Demonstrate how the facility can continue to operate to avoid the potential for shutdown of power supply and/or power storage as a result of flooding. ○ Address any flow on effects and risks of shutdown such as impacts to the telecommunications network. • d) The EIS must assess the hydrological impacts of the proposed development on the environment including erosion potential, off-site flooding and how that will be mitigated.	**Section 6.9.3, Section 6.9.4** and **Section 6.11** of the EIS
Crown Lands (Record Number: 23/07288#11) – 24 October 2023	
• Crown Lands notes that both Crown land and Crown roads are located within the Project area in this instance. Accordingly, any development application will need to be accompanied by Landowner's Consent from Crown Lands under the *Environmental Planning & Assessment Act, 1979*.	**Section 2.5** of the EIS
• In addition, should any work be proposed on these lands, permission will be required under the *Crown Land Management Act 2016* and the *Roads Act 1993*. It is recommended that the proponent contact Crown Lands as early as possible to discuss and initiate the processes required to authorise the use of and/or access to Crown land and roads if this is required.	**Section 3.2** of the EIS

Agency / Requirement	Addressed in EIS and/or specialist report
• There are multiple Crown roads, including Crown roads with enclosure permits within the proposed development area. Please refer to the attached map, where Crown roads are shown by red outline and Crown roads with enclosure permits are shown by yellow outline. Any Crown Road required for access to the development/proposal, will need to be transferred to Council, or application made to close and purchase the roads. As authority to access or use Crown roads is required prior to the commencement of any works or access, and to avoid any delays for the proposal, a tenure may be required in the interim.	**Section 4.0** of the EIS
• If any infrastructure (such as pipelines and/or electricity transmission lines) is expected to traverse Crown land, roads and/or waterways, an easement over said Crown land, roads and/or waterways will be required for protection of the infrastructure. As the easement process may be lengthy, it is also recommended that the proponent apply for a licence for each Crown Road as soon as possible. A licence will temporarily authorise use and access for the infrastructure to traverse Crown roads whilst the easement applications are being processed.	**Section 4.0** of the EIS
• In respect of any proposed impacts on the Crown waterway (Wollondilly River), it should be noted Crown Lands is unaware of any information that suggests native title has been extinguished at this time. If the project proposes any use of the waterway, it will be necessary for the proponents to demonstrate that native title has been extinguished, or, seek a determination under s24A of the Commonwealth Native Title Act 1993 to extinguish native title in the circumstances.	**Section 3.2** of the EIS
DPI Agriculture (OUT23/17737) – 27 October 2023	
• The EIS must address the following specific matters: Land – including: ○ 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); ▪ an assessment of agricultural impacts in accordance with the Solar Guideline. This assessment should include the following: • Calculation of loss of agricultural land and soil resources during construction and operation, and after decommissioning, with detailed description of avoidance and mitigation measures. This should include reference to soil resources and land and soil capability (LSC) classes across the site. • A Biosecurity Management Plan detailing biosecurity risks and mitigation measures. This will need to consider risks from all potential visitors to the site, not just those employed or contracted by the proponent, and the impact of incursion by animals (domestic, native and feral).	**Section 6.10** of the EIS Section 2.1, Section 5.0, Section 4.0 of the Agricultural Impact Assessment (**Appendix 13**)

Agency / Requirement	Addressed in EIS and/or specialist report
• Detailed description of how land will be rehabilitated following decommissioning, in the form of a Rehabilitation and Decommissioning Plan or similar, with an objective of returning the land to its pre-development agricultural productivity potential. This should include the following: ○ Indicative timeline for rehabilitation. ○ Commitment to remove of all above and below ground infrastructure to a depth of 500mm. ○ Description of land and soil characteristics and indicators that will be used to establish rehabilitation success, as well as any other factors relevant to its agricultural productivity potential. • A Land Use Conflict Risk Assessment (LUCRA) should be undertaken in relation to land management issues during and post construction. Information about groundcover management should be detailed in relation to the final construction phase and operational provisions to limit dust and other land use conflict issues. • If 'agrivoltaics', or the concurrent agricultural use of the solar farm site is proposed, detailed description of how this will occur. This will need to include consideration of potential impacts to biosecurity and groundcover. • Information otherwise in line with the requirements for Level 2 Agricultural Impact Assessments under *Appendix A of the Large-Scale Solar Energy Guideline* (August 2022).	
RFS (D23/102996) - 20 October 2023	
• The subject site contains, and is adjoining bush fire prone land, as such a bush fire assessment report to address the following matters should be incorporated in the Environmental Impact Statement: ○ the aim and objectives of *Planning for Bush Fire Protection 2019*; ○ identification of potential ignition sources during construction and operation of the development; ○ storage of fuels and other hazardous materials; ○ proposed bush fire protection measures for the development, including; ▪ vegetation management and fire suppression capabilities; ▪ asset protection zones around all assets ▪ available static water supply for fire fighting purpose ○ operational access for fire fighting appliance to the site and around all assets; and • Bush Fire Emergency Management and Operations Plan.	**Section 6.11.2** of the EIS and **Appendix 13**.

Agency / Requirement	Addressed in EIS and/or specialist report
DPE Water – 1 June 2023	
• A detailed and consolidated site water balance.	**Section 6.9** of the EIS Sections 4.2, 4.3 and 4.4 of the WRIA **(Appendix 11)**
• Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	**Section 6.9** of the EIS Section 4 of the WRIA **(Appendix 11)**
• Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly, and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	**Section 6.9** of the EIS Section 4.3 of the WRIA **(Appendix 11)**
• Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the Water Management Act 2000 should be detailed by the proponent.	Section 4.0, 5.0 and 7.0 of the WRIA **(Appendix 11)**
• A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	**Section 6.9.2.2** of the EIS Section 4.0, 5.0 and 7.0 of the WRIA **(Appendix 11)**
• 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, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	**Section 6.9.2.2** of the EIS Section 4.0, 5.0 and 7.0 of the WRIA **(Appendix 11)**
• Proposed surface and groundwater monitoring activities and methodologies.	**Section 5** of the EIS Section 2.1 of the of the BDAR **Appendix 7**

Agency / Requirement	Addressed in EIS and/or specialist report
• Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (DPE 2022).	**Section 6.9.2.2** of the EIS Section 4.0, 5.0 and 7.0 of the WRIA **(Appendix 11)**
• Assessment of project against relevant policies and guidelines: Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (DPE 2022), Groundwater Guidelines.	Section 4.0, 5.0 and 7.0 of the WRIA **(Appendix 11)**
Fire and Rescue NSW (D23/102996) – 20 October 2023	
• There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. FRNSW notes the Scoping Report details a 800MW BESS. It is the experience of FRNSW that BESS facilities present special problems of firefighting when responding to and managing an incident. FRNSW requests to be consulted and given the opportunity to review the hazard and risk analysis and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.	**Section 6.11.2** of the EIS and **Appendix 12**
Goulburn Mulwaree Council – 27 October 2023	
• As part of any forthcoming EIS, the cumulative impact of this project must be fully understood, particularly its impact on housing, noting that: ○ At least two (2) SSD-scale extractives (Holcim and Gunlake) are operational within 12km of the project site. A further two (2) SSD-scale extractives (Boral Peppertree and Boral Limestone) rely heavily upon Goulburn, Marulan and Tallong for their workforces; ○ One (1) SSD-scale solar farm (Marulan Solar Farm) was recently granted consent within 15km of the project site which is anticipated to require a peak construction workforce of 300; ○ A further two (2) SSD-scale energy generators (gas-fired power stations) have consent directly adjacent to the project site, each with an anticipated construction workforce of 150.	**Section 6.16** of the EIS and **Appendix 18**
• Council is generally satisfied with the baseline provisions within the Draft SEARs in relation to transport, however note the following: ○ Council is currently reviewing their engineering specifications and standards. One of Council's motivating factors is the increased demand on local road infrastructure by SSD-scale projects. The applicant is strongly encouraged to engage with Council's Operations Directorate as soon as practicable in order to keep abreast of any impending changes to current specifications and standards.	**Noted.** **Section 6.8** of the EIS

Agency / Requirement	Addressed in EIS and/or specialist report
○ The impacts of the construction period on local roads must be considered. A dilapidation report will be required for all local roads (eg. Red Hills Rd, Ambrose Rd, Brayton Rd and Canyonleigh Rd) used by heavy vehicle traffic prior to the construction period commencing, with any repairs that are required postconstruction conditioned accordingly. Canyonleigh Road is currently unsealed and therefore has variable condition characteristics depending on prevailing weather conditions and frequency of use. Accordingly, the road is positioned low on Council's Road Hierarchy and receives infrequent maintenance. The projected volume of heavy vehicle movements to support construction may therefore necessitate the need to upgrade the road. Once again it is recommended that the applicant engage with Council's Operations Directorate as soon as practicable in order to ascertain any relevant condition assessment requirements and the subsequent extent of any require upgrade works. Further to the above, Council notes that the consents for the two (2) adjacent proposed gas-fired power stations require Canyonleigh Road to be bitumen sealed, noting that both projects have similar construction and operational workforce numbers in comparison to the subject consolidated proposal. ○ A large component of the proposed construction haulage route will conflict with the operational primary haulage route for Gunlake Quarry. Gunlake recently received consent for its Continuation Project (SSD-12469087) and is currently undergoing significant expansion, both in terms of its production and use of the haulage route. Council recommends that the applicant commence discussions with Gunlake at its earliest opportunity in order to ensure the cumulative impact of additional heavy vehicle traffic on the haulage route can be minimised. • The installation of any traffic counting or monitoring equipment within the road corridor to gather data to inform the EIS will likely require a s138 approval under the *Roads Act 1993*.	
• The project therefore needs to provide a clear community benefit, particularly in recognition of the localised density of SSD-scale projects in the vicinity of Marulan, and as such Council considers a Planning Agreement to be the most appropriate means of delivering this outcome. Any Planning Agreement should relate to a project that is identified in Council's Local Infrastructure Contribution Plan (e.g., Community Centre) in the first instance, or has specific benefits to the precinct such as improvements to roads and drainage, and improving access into nearby population centres, such as Marulan. It is noted that Council have negotiated the terms of a Planning Agreement with the Marulan Solar Farm and have commenced negotiating with at least two (2) proposed solar farms that would see the projects contribute to a Council administrated social and affordable housing fund. Council would encourage the applicant to consider a letter of offer that is consistent with the approach being undertaken by the applicants of similar proposals.	**Section 2.7** of the EIS
• The project site is a considerably sized agricultural holding and is therefore considered an asset to the region in terms of its primary production potential. Should the project proceed, it will lock up a large holding of viable agricultural land from all agricultural uses except for limited opportunities for grazing. To this end, Council is yet to be convinced as to the effectiveness of combined agriculture and energy production practices (eg. "agrisolar", "agrivoltaics", etc.). For example, it has yet to be demonstrated to Council that the presence of the solar panels does not have a direct impact	**Section 6.10** of the EIS **Section 6.13** of the EIS

Agency / Requirement	Addressed in EIS and/or specialist report
on sunlight and rainfall reaching the earth and any vegetation beneath the panels, the result of which severely impacts vegetation growth and the ability to carry on livestock farming on a commercially viable scale. As such, Council believes it to be necessary for the EIS to contain an agricultural land impact assessment. Such an assessment should take into account soil and vegetation typologies, and the consequent impact of the proposed development upon livestock carrying capacities.	
Transport for NSW (WST23/00157/01| SF2023/200071) – 27 October 2023	
• TfNSW requests that any future application be submitted with an Environmental Impact Assessment (EIA) containing a Traffic Impact Assessment (TIA), prepared by a suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, Australian Standards and any complementary TfNSW Supplements, *and Roads and Maritime Guide to Traffic Generating Developments*. The TIA should contain information listed in Attachment A: Traffic Impact Assessment (TIA).	**Appendix 11**
• In addition to the requested TIA, due to the significant scope of the transport logistics for OSOM transit, a concept-level route analysis is required to be provided with the SSD application based on high-level 3D swept path analysis to generally indicate locations where civil works are likely to be required. The route analysis is to include at a minimum the following: ○ Identify the OSOM route to be utilised and any indicative pinch points within the network vertically, horizontally and laterally and the potential civil works required to accommodate the OSOM vehicles. ○ The logistics assessment is to highlight each at-risk road structures that the haulage route crosses including bridges, traffic signals, signage, major culverts, and minor culverts that may not meet the desirable cover to cater for proposed axle loads. ○ Provide bridge assessments for any at risk bridges on the classified road network due to the dimensions of the laden load. ○ Identify Pull-over Bay/layby locations (including GPS coordinates) and whether the pull-over bay/layby can physically accommodate the laden components (in terms of size, width and accessibility) for the largest OSOM laden components. ○ The design vehicle templates used with the swept path analysis software are also requested in order for TfNSW to review the performance within the software. ○ Provide the following measurements parameters of the OSOM components / materials to be moved: ▪ Identify all the types of OSOM vehicles proposed to be used for the project. ▪ Overall (component and nominated vehicles) combination length, width, height and mass. ▪ Maximum component length, widths, heights and mass, maximum load heights (clearance to overhead obstructions such as structures, utilities and vegetation),	**Section 3.3.7** and **Section** 3.4.6 of the EIS **Appendix 10**

Agency / Requirement	Addressed in EIS and/or specialist report
▪ Wheelbase dimensions, ▪ Maximum trailer articulation angle(s), ▪ Minimum overhang heights above the road surface, ▪ Axle loads and axle group loads in terms of both tonnes and Equivalent Standard Axles (refer to Austroads Guide to Pavement Technology). • It should be noted that NHVR permits do not cover the civil works required along any proposed OSOM route. Any works required along the OSOM route must be included within the scope of works for the SSD to ensure that the development is constructable.	