

Our ref: Edderton Solar Project (SSD-69965958)

Mr Yash Budhraj
Project Engineer
60 Martin Place
Sydney, New South Wales 2000

7/08/2024

Subject: Planning Secretary's Environmental Assessment Requirements

Dear Mr Budhraj

The Planning Secretary's environmental assessment requirements (SEARs) for the Edderton Solar Project (SSD-69965958) were issued on 17 May 2024.

Where relevant, the Planning Secretary may modify the SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice. As such, you are requested to address the following additional requirements:

Land

- Undertake a detailed assessment of the likely impacts of the development on the Upper Hunter Equine and Viticulture Critical Industry Clusters, paying attention to the nearby Coolmore and Godolphin thoroughbred horse studs;
- Identify measures that would be implemented to avoid, minimise or mitigate adverse impacts on equine or viticulture critical industry cluster land, including the nearby thoroughbred studs;
- Undertake a detailed assessment of the likely impacts of the development on equine health and safety; and
- Undertake an assessment of the compatibility of the development with other land uses in the vicinity of the development.

Visual

- Undertake a detailed assessment of the likely visual impacts of the development, paying particular attention to impacts on nearby thoroughbred breeding operations.

Social and Economic

- Undertake a detailed assessment of the likely social impacts of the development on the local and regional community, paying particular attention to the impacts on the operation and

reputation of the Upper Hunter Equine and Viticulture Critical Industry Clusters and associated tourism industry.

In addition, the Department has recently updated its Noise and Transport SEARs requirements. The Department recommends you undertake these assessments as per the below to be in line with other recently issued SEARs and agency requirements. We would be happy to discuss these with you to provide further context.

Noise

- Undertake an assessment of the construction noise impacts (including impacts from proposed road upgrades) 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) and cumulative noise impacts (considering other developments in the area), including (where appropriate):
 - identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours;
 - details of noise monitoring survey, background noise levels and amenity noise levels at the most-affected residential receivers;
 - details of manufacturer specifications for plant and equipment and noise source inventory (demonstrating worst-case modelling of plant and equipment);
 - an assessment of 'worst case' noise emission scenarios;
 - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area; and
 - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration impacts following application of these mitigation measures and details of any proposed compliance monitoring programs.

Transport

- Undertake:
 - an assessment of the peak and average traffic generation, including light vehicles, shuttle buses, heavy vehicles and high risk heavy vehicles requiring escort and construction worker transportation;

- an assessment of the likely transport impacts to the site access route(s), including the above listed vehicles, site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance;
 - an assessment of whether there will be any likely transport impacts to local heritage items which adjoin any proposed haulage routes; and
 - a cumulative impact assessment of traffic from nearby developments (including mining operations).
- Provide details of measures to mitigate and / or manage potential impacts (developed in consultation with the relevant road authorities) including:
 - a schedule of all required road upgrades (including resulting from heavy vehicle and over mass / over dimensional traffic haulage routes);
 - clear figures of proposed road upgrades (including the site access point); and
 - road maintenance contributions, and any other traffic control measures.

Your SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Preparing your EIS

Your environmental impact statement (EIS) must be prepared having regard to the department's *State Significant Development Guidelines* – including the *Preparing an Environmental Impact Statement Guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework.

During the preparation of your EIS, you are required to consult with various parties, including the department and relevant agencies, in accordance with *the Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the [Prepare EIS page](#) on the NSW planning portal. Agency contact details can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

In particular, the EIS should provide a Preliminary Hazards Assessment and address cumulative impacts, land and soil capability, land use conflict, biodiversity, bushfire, social impacts and traffic.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021. A pro forma declaration can be found in [Appendix B of the Preparing an Environmental Impact Statement Guideline](#).

Lodging your development application (DA)

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). We will also notify you of the DA fee for your project.

Please note that your DA is not taken to be lodged until the DA fee has been paid.

To minimise delays, please contact the department at least two weeks before you submit your EIS to confirm fee determination information and payment arrangements. This will give us sufficient time to ensure your application fee can be determined quickly.

Information needed to determine the DA fee

Your application will need to be accompanied by an Estimated Development Cost (EDC) Report supporting the estimated development cost for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

Once you submit your EDC Report, we will check it for completeness against the requirements of the EP&A Regulation and the relevant Planning Circular.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

Public exhibition requirements

When you contact us regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the EIS will be required for public exhibition.

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

Department of Planning, Housing and Infrastructure



It is your responsibility to contact the Australian Government Department of Climate Change, Energy, the Environment and Water to determine if you need approval under the EPBC Act (<https://www.dcceew.gov.au/> or 6274 1111).

If you have any questions, please contact Rita Hatem on (02) 8275 1033 or via email at Rita.hatem@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Iwan Davies".

Iwan Davies

Director

Energy Assessments

as delegate for the Planning Secretary