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19 March 2021

Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: mary.patterson@planning.nsw.gov.au

Attention: Mary Patterson

No Comment to Planning Advice Request

Dear Ms Patterson

Thank you for the request for advice from Public Authority Consultation (PAE-15837476), requesting input from the NSW Environment Protection Authority (EPA) on the Environmental Impact Statement (EIS) for the proposed Oxley Solar Farm (Application SSD-10346) at Waterfall Way (Grafton Road), 14 kilometres south-east of Armidale.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of an NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority.

The EPA notes that the proposal will require up to 75,000 m³ of gravel and 8,500 m³ of sand. If extraction of these materials is to be sourced on site and exceeds 30,000 tonnes per year, this may be considered a scheduled activity under the *Protection of the Environment Operations Act 1997* and an Environment Protection Licence (EPL) may be required. The EPA recommends that if external quarry(s) are providing materials for the proposal that a condition be included that any quarry supplying greater than 30,000 tonnes of extractive materials per year will be required to hold an EPL.

The EPA does not require any follow-up consultation and Armidale Regional Council should be consulted as the appropriate regulatory authority for the *Protection of the Environment Operations Act 1997* in relation to the proposal.

If you have any questions about this request, please contact Daniel Stokes on 4908 6804 or via email at daniel.stokes@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lindsay Fulloon', written over a horizontal line.

LINDSAY FULLOON
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