

1 April 2020

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Rob.Beckett@planning.nsw.gov.au

Dear Rob,

**Re: Walla Walla Solar Farm Amendment Report**

This Amendment Report accompanies the Response to Submissions report (RTS) for the Walla Walla Solar Farm ('the proposal'). It details the amendments to the State Significant Development (SSD) Application # 9874. The amendments to the design of the solar farm layout have been proposed to reduce visual amenity impacts, specifically for Orange Grove Gardens, a local wedding venue and ecolodge business and meet the access and asset protection requirements of APA Group's gas pipeline, which runs through the development site. In order to comply with the Natural Resources Access Regulator (NRAR) request to retain riparian zones under the *Guidelines for controlled activities on waterfront land* published by the NSW Department of Industry (DPI) in 2018, FRV Services Australia (FRV) have guaranteed riparian corridors for Back Creek of 30 m and Middle Creek 20 m.

Amendments to the SSD application include changes to the proposed layout (Appendix A). Since submission of the EIS, FRV have been in consultation with Greater Hume Shire Council (Council) to address the concerns detailed in their submission including the terms of a financial agreement in the form of a Voluntary Planning Agreement (VPA).

Minor updates to Biodiversity Development Assessment Report (BDAR), Landscaping Plan and the Aboriginal Cultural Heritage Assessment Report (ACHAR) undertaken to address the Biodiversity Conservation Division of the Department of Planning, Industry and Environment (BCD) submission did not result in any changes to the proposal design. Thus, these amended reports are provided as Appendix A, Appendix B and Appendix F of the RTS report.

Yours sincerely,

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# Appendix A Amendments

## Proposed layout

### APA GROUP'S GAS PIPELINE

APA Group lodged a neutral submission regarding the proposal requesting a number of requirements to ensure their unrestricted access to their gas pipeline and assurance that the 24 m gas pipeline easement would remain free of obstructions over the life of the proposal (refer 4.1.2 of the RTS report).

To comply with APA Group's request, FRV have made the following changes to the proposal design shown in Figure 1:

- Removal of screening vegetation from the gas pipeline easement.
- Four additional access points to enable APA Group unrestricted access to their gas pipeline.

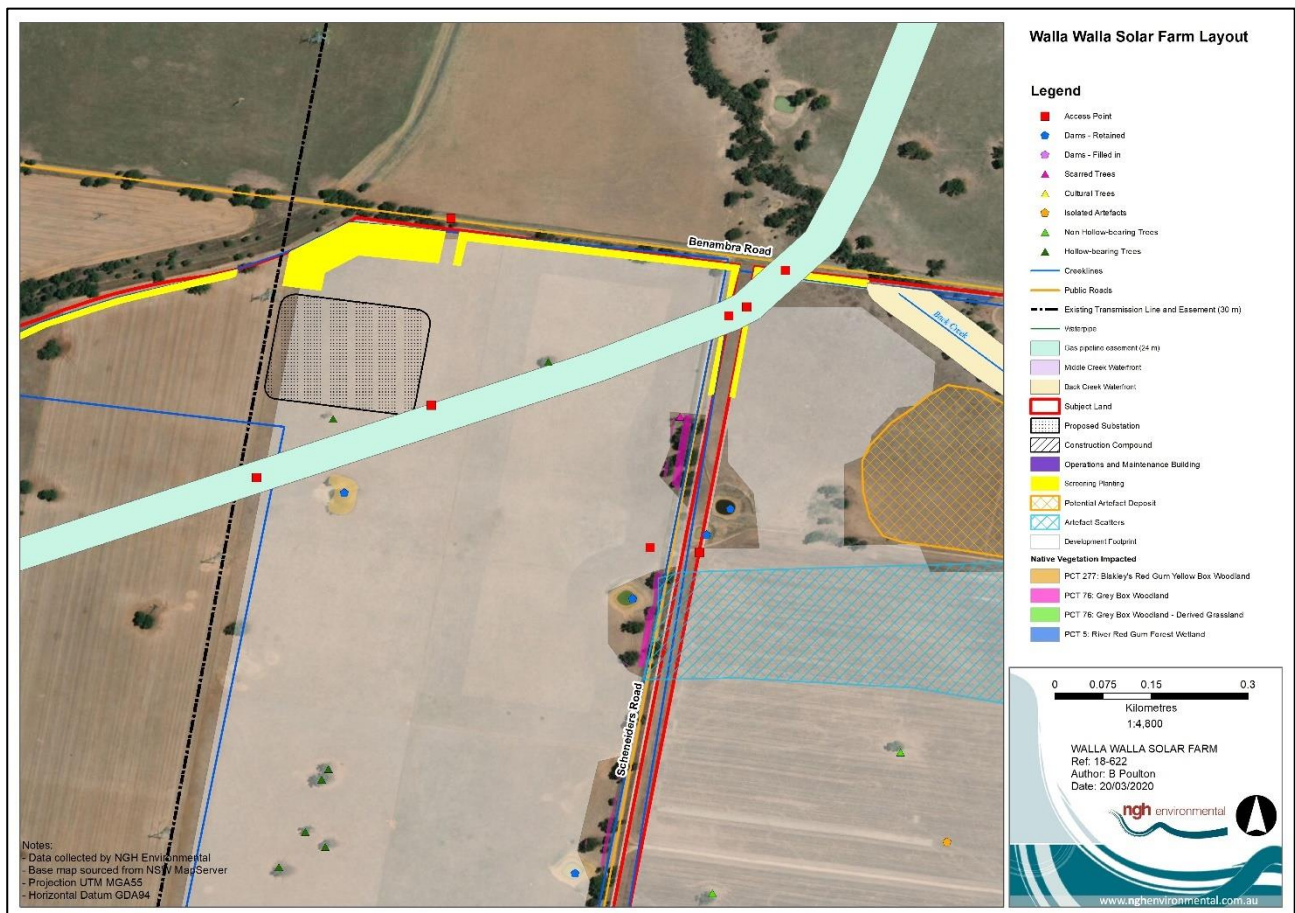


Figure 1 Changes to the proposal design to meet APA Group's requirements

### ORANGE GROVE GARDENS

During preparation of the EIS, one to one consultation with Orange Grove Gardens was carried out to understand the concerns and how practical mitigation measures could be implemented (see Appendix G for the RTS report for the Orange Grove Gardens Mitigation Factsheet). To understand the impacts on the wedding venue further, FRV requested from Orange Grove Gardens, and still welcome the specific booking schedule of events, so this can be taken into consideration in developing the construction schedule.

FRV originally proposed a vegetation screening buffer of 50 m with six rows of trees to limit and break up views of solar farm infrastructure from Orange Grove Gardens. Following a number of submissions questioning the effectiveness of screening vegetation due to slow tree growth rates, FRV offered Orange Grove Gardens and other near neighbours early pre-construction plantings over the winter of 2020 to add approximately 2.5 years

of additional growth to tree height by the completion of construction. Orange Grove Gardens and the other two near neighbours declined the early tree planting offer in favour of waiting for determination before the commencement of any project works. FRV also explored the option of planting mature trees, however expert and local advice highly recommend against this option as it would be 'futile' in establishing effective screening cover.

As an additional measure and effort by FRV to address the visual impacts during construction and in the medium term to ensure that the Orange Grove Gardens business is protected, FRV have decided to implement an additional setback, so that the total distance from the wedding venue to any solar infrastructure has been increased from 880 m to 1200 m. As shown in Figure 2, the 50 m vegetation screening buffer would be retained and before this, the south eastern corner of the development site would be retained for cropping by the landholder to maintain the existing agricultural ambiance.

It is noted that Orange Grove Gardens has the potential to obtain significant economic benefits during the construction period by providing accommodation and other services to construction workers.

As a result of this modification, FRV are aware that they would now directly impact four fewer hollow-bearing trees than have been entered into the BAM Calculator. In this instance, FRV do not object to bearing the burden of offsetting more natural resources than would be directly impacted by the proposal.

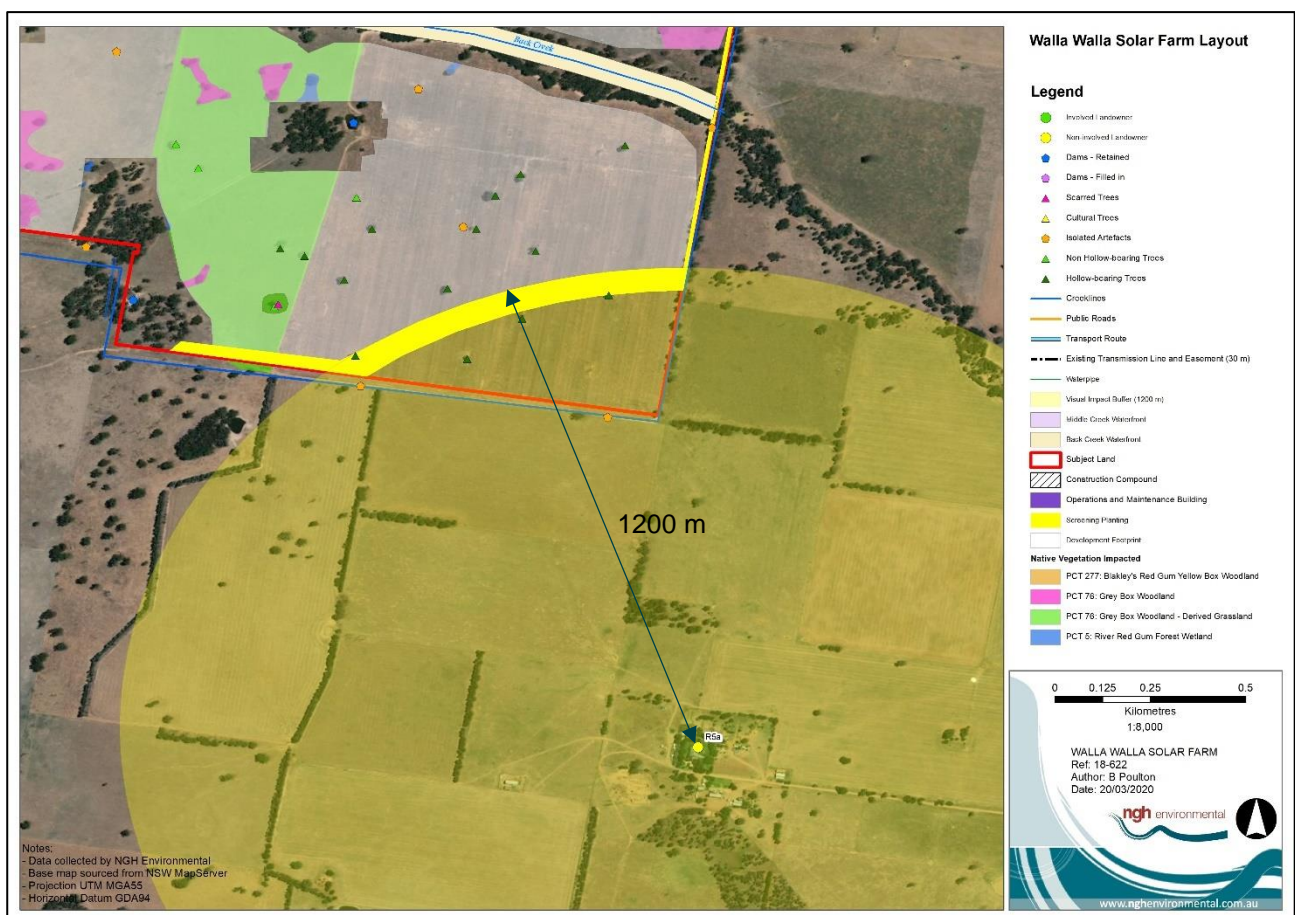


Figure 2 Revised visual impact mitigation for Orange Grove Gardens

## Visual impact assessment

The visual impact assessment (Appendix K of the EIS) has been revised to incorporate the mitigation effects of the additional setback in assessing the residual visual impacts of the proposal on Orange Grove Gardens. This setback has changed the proximity criteria for this business from the foreground of the proposal (< 1000 m) to the middle ground (1000 m to 2000 m) of the proposal.

## REVISED MITIGATION MEASURES



Orange Grove Gardens is located approximately 800 m south-east from the leased boundary of the development site. FRV have provided the following visual mitigation measures within the proposed design:

- Altered the solar array design layout, setting back the solar arrays so that the total distance between Orange Grove Gardens' built structures and the nearest panels is 1200 m.
- An arrangement with the landowner to crop the south eastern corner of the development site to maintain agricultural views for wedding functions.
- FRV will implement an extensive 50 m vegetation buffer along the full length of the southern development boundary. Following this 50 m buffer, an additional 5 m vegetation buffer would travel the full length of the eastern boundary to complement the existing mature vegetation that is present. A detailed landscaping plan has been created, which includes:
  - Specific species that would effectively develop across the understory, mid- and top-canopy structures.
  - Specific species (shrubs and trees) that encourage foraging, pollination and habitat creation for local insects, birds and fauna.
  - Erecting nesting and faunal boxes to encourage wildlife use of the area.
  - Connect existing vegetation to create an ecological corridor for local and seasonal wildlife.
- From this vegetation buffer, a further 10 m setback would occur for the APZ.
- After the APZ, only then would the solar farm security fence be installed so it can be screened by the proposed vegetation.
- An additional 5 m minimum setback would occur before the solar array would be installed.

Unmitigated impact	Moderate
Residual impact	Very low

## WATERFRONT LAND RIPARIAN ZONES

Following the submission from DPI Water and NRAR, FRV have reassessed the proposal design to ensure that it meets the requested riparian exclusion zones of 30 m for Back Creek and 20 m for Middle Creek. As a large portion of Back Creek has existing retained vegetation occupied by Squirrel Gliders and other wildlife, the design proposed in the EIS already avoided land within 30 m of Back Creek. The design proposed in the EIS also avoided a good portion of the riparian zone for Middle Creek and this has since been modified to ensure a 20 m exclusion zone for the length of Middle Creek within the development site as shown in Figure 3.

As a result of this modification, FRV are aware that they would now directly impact one less hollow-bearing tree and less PCT 76 – Grey Box woodland derived grassland than have been entered into the BAM Calculator. In this instance, FRV do not object to bearing the burden of offsetting more natural resources than would be directly impacted by the proposal.

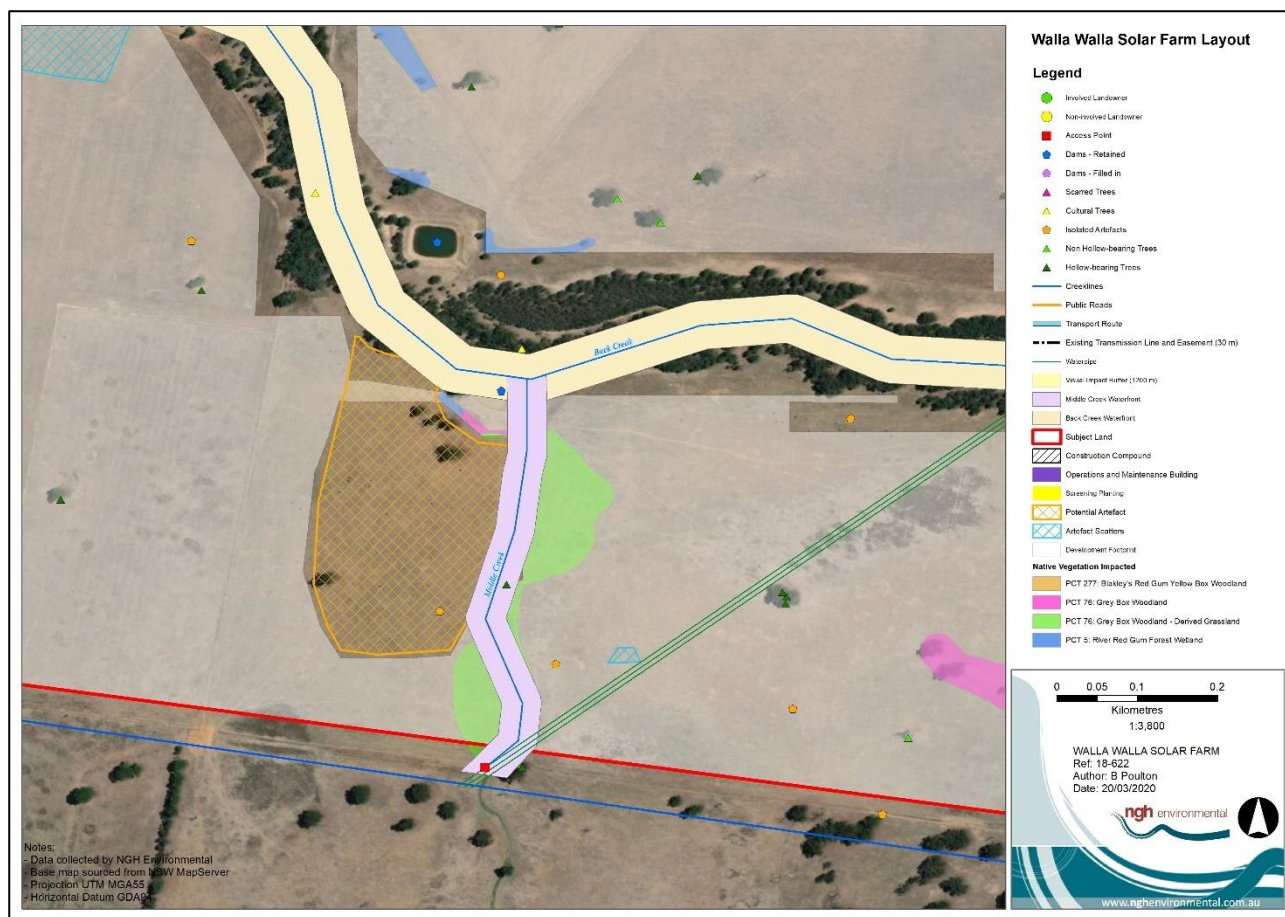


Figure 3 Riparian exclusion zone implemented for Middle Creek

## VPA WITH GREATER HUME SHIRE COUNCIL

Ongoing engagement has occurred with Council via face-to-face meetings and phone calls. A scheduled phone call on 18 March 2020 took place to go through the points raised in Council's submission to discuss their concerns and ensure that FRV were addressing them appropriately. In relation to the community financial contribution which FRV had committed to in the EIS, the following has been updated and confirmed to accommodate Council's requests:

- The proposed voluntary financial contribution will be in the form of a VPA.
- Financial contribution has been updated to better reflect Council's expectations.

FRV is pleased to provide Council with an updated proposal structured in the form of an Upfront and Ongoing payment schedule, which can be viewed in the table below.

PROPOSAL	UPFRONT CONTRIBUTION	ONGOING CONTRIBUTION – 30 years	TOTAL CONTRIBUTION
Updated Proposal in the form of a VPA*	\$700,000	\$2,028,404	\$2,728,404

\*Updated proposal with Upfront Contribution is payable at the commencement of construction and the completion of Financial Close. Ongoing Contribution is \$50,000 with 2% CPI for 30 years.

FRV will continue working with the Council to finalise the VPA and ensure that the financial contributions reach and benefit the local communities of Walla Walla & Culcairn.