

RESPONSE TO SUBMISSIONS

WEST WYALONG SOLAR FARM - SSD 9504



1 OCTOBER 2019
FINAL
PREPARED FOR LIGHTSOURCE BP



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1. OVERVIEW

This report is prepared on behalf of Lightsource BP to respond to submissions received by the NSW Department of Planning, Industry and Environment (**DPIE**) during the exhibition (13 March to 13 April 2019) on the 90 MW AC solar farm project in West Wyalong.

No submissions were received by surrounding landowners, the local community, special interest groups and the relevant Aboriginal groups due to the extensive and genuine consultation undertaken by Lightsource BP during the preparation of the Environmental Impact Statement (**EIS**).

Agency Submissions

The following Agencies provided submissions:

- Bland Shire Council
- Department of Industry
- Division of Resources and Geoscience
- Office of Environment and Heritage
- Essential Energy
- Roads and Maritime Services
- Environment Protection Authority
- Fire and Rescue NSW
- Heritage NSW
- Rural Fire Service
- Essential Energy
- NSW Department of Planning & Environment

Updated Documents

The following documents are provided in response to submissions received:

- Updated Aboriginal Cultural Heritage Assessment Report (**ACHAR**) and Aboriginal Survey Report (**ASR**) prepared by Artefact - **Appendix A**
- Updated Biodiversity Assessment Report (**BDAR**) prepared by SLR Consulting - **Appendix B**
- Stakeholder Engagement Report prepared by Urban Unity - **Appendix C**
- Updated Traffic Impact Assessment prepared by Ason Group – **Appendix D**
- Site Access Map prepared by Urbis – **Appendix E**

Summary

The submissions received are generally supportive of the project with clarifications sought on biodiversity and Aboriginal heritage impacts and reporting. DPIE have requested the additional consideration of the potential impact of the security fencing on floodwaters, provision of a justification for the location of the proposed grid connection and undertaking further consultation with Evolution Mining (Cowan) regarding Exploration Licence 7750.

The submissions received have been directly responded to by Lightsource BP and the project team in the following table, with clarifications embedded in the updated technical reports annexed to this response.

2. RESPONSE TO SUBMISSIONS

Submission	Response	Revision to project
NSW Department of Planning and Environment		
<p>Flooding</p> <p>Potential impact of the security fencing on floodwaters, including management measures if required.</p>	<p>The effect of security fencing has not been included in the flood modelling. By itself, meshed man proof fencing will have a negligible effect on flood behaviour. However, it is likely that debris from the upstream catchment will accumulate against the fencing, and potentially cause a localised damming to affect immediately upstream of the fence. This potential impact will be mitigated by incorporating special details into the fence at the detailed design stage. The special details could include a grill in the lower portion of the fence to allow small debris to pass through. Grill opening sizes would typically be 100mm wide by 300mm high, with some zones requiring an overall height of 600mm. Modified fencing is only required within the flood flow path. Affected zones include the full length of the north-eastern fence and the eastern half of the south eastern fence.</p>	<p>No revision to the project is required - special details to be included for the fence at the detailed design stage.</p>
<p>Grid Connection Justification</p> <p>Provide a justification for the location of the proposed grid connection</p>	<p>Lightsource BP investigated various options for the grid connection. The existing overhead line is in a fixed location and potential connection points are limited. Lightsource BP identified two potential options for the grid connection, with the first being the proposed option. The second would have involved an easement over third party land directly adjoining Myers Lane, which would have reduced vegetation clearance requirements. Lightsource</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
	<p>BP engaged in discussion with the adjoining landowners, however they were not interested in providing an easement. Consequently, the Myers Lane grid connection option is required for this project.</p> <p>Section 5.1 (Avoidance Measures) of the BDAR has been updated to provide further detail: <i>“Avoidance measures to reduce the extent of vegetation clearing for the grid connection; in the south-east corner of the Project Site, were explored. An option to place the grid connection on adjacent cleared land was pursued; however, permission from the landowner was not granted. The vegetation assessment determined that the majority of the roadside easement contained woody vegetation with very few gaps or cleared areas. Vegetation clearing within this area was therefore unavoidable.”</i></p> <p>The grid connection vegetation loss impacts are justified for the following reasons:</p> <ul style="list-style-type: none"> • The project will generate 226GWh which is enough electricity to power 37,596 households. This equates to 180,461 tonnes of carbon dioxide, the equivalent to removing 65,299 cars from the road. The project therefore provides significant positive environmental impacts which justifies the removal of vegetation. • The vegetation loss will be mitigated by implementing the biodiversity offset obligation which limits the impact of the project on the biodiversity values of the region. 	

Submission	Response	Revision to project
	<p>On balance the project (including the grid connection and vegetation removal) has positive impacts and is justified in its current arrangement and layout.</p>	
<p>Consultation</p> <p>Undertake further consultation with Evolution Mining (Cowal) regarding Exploration Licence 7750.</p>	<p>Refer to the updated Stakeholder Engagement Report Appendix C which details that ongoing engagement has been sought with Evolution Mining throughout the various stages of the project including:</p> <ul style="list-style-type: none"> • Community information booklet emailed on 1 November 2018 • Follow up on 5 November – no response • Follow up on 8 November - referral to licence manager • No response; further call to be placed in w/c 3 December • Follow up email on 7 December – commitment given to provide a response • Follow up email on 9 December requesting feedback by COB 10 December, otherwise no comment assumed. • In February 2019, the project team contacted all stakeholders (community, agencies and businesses) engaged with in October-December 2018 to advise of project changes. Evolution Mining (Danielle Wallace) was included in this project update. • 18 March 2019 - Email sent to Danielle Wallace (nominated Evolution Mining contact) and Evolution’s generic community email address, 	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
	<p>as contained in Attachment B. This email included:</p> <ul style="list-style-type: none"> - Explanation of the current re-engagement process - Community information booklet prepared in October 2018 - Project update distributed in February 2019, and - Follow up phone call to Danielle Wallace (message left). <ul style="list-style-type: none"> • 18 March 2019 - Email sent to DPE (Resources and Geoscience) • 19 March 2019 - Follow up phone call to Danielle Wallace • 20 March 2019 - Follow up email sent to Danielle Wallace. Follow up phone call to Danielle Wallace. D Wallace acknowledged the need to provide a response to the project team in relation to the proposed solar installation. • 22 March 2019 - Follow up phone call to Danielle Wallace. D Wallace advised that a response had been prepared internally and was currently being reviewed. • 25 March 2019 - Follow up email to Danielle Wallace. Follow up phone call to Danielle Wallace. <p>At the time of lodgement of the RTS, no formal response has been received from Evolution Mining.</p>	

Submission	Response	Revision to project
	<p>A full email and call log is provided in the Stakeholder Engagement Report Appendix C.</p> <p>Evolution Mining (Cowal) Pty Limited has had ample opportunity to provide a response during the preparation of the EIS, the exhibition period and now post-exhibition. It is clear Evolution Mining (Cowal) Pty Limited do not have an interest in the application.</p> <p>As per Attachment C of the Stakeholder Engagement Report Appendix C the Division has been contacted advising on the lack of response from Evolution Mining.</p>	
Bland Shire Council		
<p>Roads</p> <p>Based on the traffic movements, Bland Shire Council believes that there will be significant maintenance and rectification required during and after the construction and decommissioning stages of the Solar Farm on Clear Ridge Road, Bland Lane, Bodells Lane and Lightsource BP must cover the costs for the maintenance and rectification work.</p>	<p>Noted. All roads will be maintained and rectified by Lightsource BP during and after the construction and decommissioning stages.</p>	<p>The revised Traffic Impact Assessment (Appendix D) identifies the upgrades to the local roads. These were discussed with Bland Shire Council and Roads and Maritime Services and the scope of work agreed.</p>
<p>Visual Impact and Screening</p> <p>The area is flat which would make it ideal for the installation of a viewing platform for residents and tourists to view the Solar Farm.</p>	<p>Given the large distances between the solar farm and closest public road, access constraints, and security restrictions required during operation, a viewing area is not appropriate nor viable.</p> <p>Lightsource BP consulted with Bland Shire Council on 20 March 2019 on this matter. Lightsource BP</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
	will continue to work with Council to encourage tourism opportunities including hosting an annual community day.	
<p>Waste</p> <p>Based on the construction of other solar farms in the State, The Solar Farm will generate significant volumes of waste. The volume of waste that could be expected to be generated from the construction, operation and decommissioning of The Solar Farm would have a significant impact on the capacity of the landfills in the Bland Shire including the West Wyalong Landfill.</p> <p>Bland Shire Council requests that a detailed Waste Management Plan be required as a condition of development consent and prepared by a suitably qualified person(s) and that the Waste Management Plan includes anticipated volumes and types of waste that will be generated by The Solar Farm. Bland Shire Council has identified the West Wyalong Landfill site as the preferred option for the waste generated from the construction of The Solar Farm, but currently the West Wyalong Landfill does not have the capacity to receive waste from The Solar Farm as the current capacity is allocated for current and projected use by the residents of the Bland Shire. There is an opportunity for Lightsource BP to work with Bland Shire Council to expand this landfill to accommodate The Solar Farm waste.</p>	<p>Adequate waste mitigation measures are detailed within Section 7.12.2 of the EIS. The waste generated is expected to fall into three categories for management which include:</p> <ul style="list-style-type: none"> • Reuse: If surplus materials can be used in the permanent works they are classified as materials which have been reused. • Recycle: If the surplus materials cannot be reused in its present form but could be used in a different form it is sent for recycling. • Landfill: If neither of the above applies then the only option is to send the surplus materials to landfill. This must be a last resort. <p>With the implementation of a detailed construction waste management plan, land fill waste will be minimised. There is no nexus between the project's waste generation and the expansion of the West Wyalong land fill.</p>	No revision to the project is required.

Submission	Response	Revision to project
<p>Approvals from Bland Shire Council / Principal Certifying Authority</p> <p>Construction certificate(s) will be required for the proposed works on site and more detailed plans will be required to determine if the following will need the consent of Bland Shire Council or a Principal Certifying Authority:</p> <ul style="list-style-type: none"> • The solar arrays and associated structures including the substation • The proposed battery storage facility • The amenity buildings on site • The details of the potable water supply on the site during construction, operation and decommissioning • The details of the onsite sewerage waste management system and the disposal of the effluent from the site during construction, operation and decommissioning 	<p>Noted. Lightsource BP will engage a PCA to issue a construction certificate.</p>	<p>No revision to the project is required.</p>
<p>Fire Management</p> <p>Due to the electrical hazards associated with large scale PV installations and the potential risk to the health and safety of firefighters, both FRNSW and the NSW Rural Fire Service must be able to implement effective and appropriate risk control measures when managing an emergency incident at the proposed site.</p> <p>A fire management plan will be required and prepared by a suitably qualified person(s) for the</p>	<p>Noted. A Fire Safety Study and Emergency Response Plan will be prepared as part of post-approval construction and operational management commitments.</p> <p>Two above ground water tanks are provided in the north east of the site, providing combined capacity of 45,000L. Both tanks are dedicated for firefighting purposes.</p>	<p>No revision to the project is required</p>

Submission	Response	Revision to project
<p>control of fires at The Solar Farm including the battery storage area. Efficient access suitable for firefighting vehicles is required to be established and maintained over The Solar Farm site during the construction, operation and decommissioning.</p> <p>Bland Shire Council would like to see water tanks installed solely for fire protection purposes and located adjacent to the site office. The tank will be located such that there is suitable all-weather access for the Rural Fire Service (RFS) fire tankers and appliances. A total minimum tank capacity of 40,000 litres would be recommended. Equipment and facilities for a battery fire should also be included in the fire management plan.</p>		
<p>Weed Management</p> <p>The EIS mentions that the increased traffic and visitation within The Solar Farm Site may facilitate the spread of weeds that could further degrade native vegetation. The Solar Farm will require regular maintenance to control vegetation growth. Such maintenance will be undertaken either through the use of livestock (sheep) or by mowing with a slasher. The Solar Farm must be managed so as to minimise weeds on site and also for the containment and management of weed species. All noxious environmental weeds (particularly</p>	<p>Weed management will be included in the Environmental Management Plan to be conditioned as part of the determination of the development application for the project.</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
priority weeds listed under the NSW Biosecurity Act 2016) must be removed.		
<p>Feral Animals</p> <p>The EIS the introduction of weeds and feral animals that could degrade and modify the habitat to be retained within The Solar Farm.</p> <p>The Solar Farm must be managed to minimise all feral animals on site. The Riverina Regional Strategic Pest Animal Plan 2018-2023 is a good source of information.</p>	<p>The management of feral animals will be included in the Environmental Management Plan to be prepared prior to commencement of the operation of the project.</p>	<p>No revision to the project is required.</p>
<p>Employment</p> <p>Bland Shire Council would like to see local labourers, trades and services engaged with this project where possible and appropriate and that training and upskilling programs are offered to the local labourers, trades and services.</p>	<p>The sources of construction employees will be determined by the construction contractor which will be engaged after determination of the DA.</p> <p>As noted in the Socio-Economic Report submitted with the EIS, there will be an opportunity to employ Bland Shire LGA construction workers, who are currently leaving the LGA for work and take up the recently increased unemployed labour force, however overall the analysis suggests a relatively tight labour market. Given the relatively tight labour market in Bland LGA there will be a need for a proportion of the construction workforce to be temporary workers drawn from outside the LGA. It is expected that many of the highly specialised skill-sets will be sourced outside the LGA.</p>	<p>No revision to the project is required.</p>
<p>Accommodation for workers during construction, operation and decommissioning</p>	<p>Within an approximate 1-hour 45-minute drive time of the project site there are approximately:</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
<p>Bland Shire Council would like to see Lightsource BP accommodate the 300 construction, operational and decommissioning workers in the Bland Shire in West Wyalong in new permanent affordable low-cost accommodation properties.</p>	<ul style="list-style-type: none"> • 1,293 rooms in tourist accommodation, of which 151 (12%) are located within West Wyalong. • As of October 2018, there were 335 vacant rooms advertised for rent within the private rental market. • In 2016 there were roughly 3,100 unoccupied private dwellings within surrounding regions (ABS Census 2016). <p>During peak construction periods across the Cowal mine, the proposed Wyalong Solar Farm, and the project site, there will be a maximum requirement of potentially 925 beds. This would represent 72% of total tourist accommodation room supply (assuming one bed per room), and 56% of tourist accommodation and private rental stock.</p> <p>Accommodation will be organised in the larger townships of Forbes, Cowra, Young and Parkes, with workers commuting to the proposed development each day.</p>	
<p>Tourism</p> <p>The EIS does not mention that the Solar Farm has the potential to create a local tourist attraction. Bland Shire Council would like to see Lightsource BP develop The Solar Farm as an education and tourism attraction. Suitable areas for tourist facilities including an elevated viewing platform, parking and signage should be considered in the development of the site.</p>	<p>Lightsource BP consulted with Bland Shire Council on 20 March 2019 on this matter. Lightsource BP will continue to work with Bland Shire Council to encourage tourism opportunities including hosting an annual community day.</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
<p>Voluntary Planning Agreement/ Proposed Community Fund</p> <p>In accordance with Section 94A of the Environmental Planning and Assessment Act 1979 Bland Shire Council is open to contributions under a Voluntary Planning Agreement and 94A Contributions of 1% as this development is valued in excess of \$200,000.</p> <p>The 94A contributions may be allocated to the following categories:</p> <ul style="list-style-type: none"> • Economic Development and Tourism • Roads and Related Infrastructure including Signage • Pedestrian and Cycling Infrastructure • Stormwater Drainage • Open Space and Recreation • Civic and Community Facilities and Infrastructure <p>It is noted that the capital cost of The Solar Farm is approximately \$137 million and will engage a construction workforce of 300 for a period from nine to twelve months that will have a significant impact on infrastructure and facilities of the Bland Shire. Accordingly, Bland Shire Council believes that there should be a monetary contribution paid under a Voluntary Planning Agreement (VPA). Bland Shire Council would be happy to work with</p>	<p>Section 7.11 contributions and a VPA is not appropriate for the project for the following reasons:</p> <ul style="list-style-type: none"> • The project only generates the need for road infrastructure upgrades. These works are shown in the updated Traffic Impact Assessment and have been committed to by Lightsource BP. It is expected that the consent for the project will be conditioned requiring maintenance and rectification of roads utilised during the construction period. • Any additional demand on local soft infrastructure is offset by the positive impacts of the temporary construction workforce including the potential to contribute \$51 million GVA to the economy through the construction phase, and the potential to support up to \$13 million in supply chain GVA across NSW. • The operational phase also has the potential to contribute direct operational GVA of up to \$2.1 million, and indirect supply-chain GVA of \$0.5 million per annum supporting supply businesses. 	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
Lightsource BP to negotiate the VPA which may also include a community fund.		
<p>Project Decommissioning</p> <p>At the end of the life of The Solar Farm, the site is to be reverted back to its former agricultural use. To ensure that the site is adequately decommissioned at the end of the lifespan of The Solar Farm, a Decommissioning Plan should be prepared in consultation with the landholder and Bland Shire Council as a condition of the consent.</p>	<p>Noted. A Decommissioning Plan can be provided to Bland Shire Council for approval 12 months prior to the commencement of decommissioning.</p> <p>It is not appropriate to provide a Decommissioning Plan in the early stages of the project given the potential for substantial change in the next 30 years regarding how solar farms are decommissioned.</p>	No revision to the project is required.
Division of Resources & Geoscience		
<p>The Division acknowledges consultation undertaken with numerous quarry operators and mineral title holders in the vicinity of the Project area. However, The Division specifically required the proponent to consult with Evolution Mining (Cowal) Pty Limited, title holder for Exploration Licence (EL) 7750 and provide evidence of consultation in the EIS.</p> <p>The Division is not satisfied with the level of consultation with Evolution Mining (Cowal) Pty Limited and notes the proponent considers no further engagement is required (see page 4 of Appendix P).</p> <p>The proponent must consult with Evolution Mining (Cowal) Pty Limited and provide evidence of authentic consultation to the Division. This should include a letter of notification of the proposal to the</p>	<p>Refer to the updated Stakeholder Engagement Report Appendix C which details that ongoing engagement has been sought with Evolution Mining throughout the various stages of the project including:</p> <ul style="list-style-type: none"> • Community information booklet emailed on 1 November 2018; • Follow up on 5 November 2018– no response; • Follow up on 8 November 2018 - referral to Licence Manager; • No response; further call placed in week commencing 3 December 2018 • Follow up email on 7 December 2018 – commitment given to provide a response 	No revision to the project is required.

Submission	Response	Revision to project
<p>title holder including a map indicating the solar farm proposal area (including associated electricity transmission infrastructure) in relation to the exploration licence boundaries, a letter of response from the titleholder to the proponent. If a response is not received from the titleholder, the proponent is to contact the Division.</p>	<ul style="list-style-type: none"> • Follow up email on 9 December 2018 requesting feedback by COB 10 December 2018, otherwise no comment assumed. • In February 2019, the project team contacted all stakeholders (community, agencies and businesses) engaged with during October-December 2018 to advise of project changes. Evolution Mining (Danielle Wallace) was included in this project update. • 18 March 2019 - email sent to Danielle Wallace (nominated Evolution Mining contact) and Evolution’s generic community email address, as contained in Attachment B. This email included: <ul style="list-style-type: none"> – Explanation of the current re-engagement process; – Community information booklet prepared in October 2018; – Project update distributed in February 2019; and – Follow up phone call to Danielle Wallace (message left). • 18 March 2019 - Email sent to DPE (Resources and Geoscience); • 19 March 2019 - Follow up phone call to Danielle Wallace • 20 March 2019 - Follow up email sent to Danielle Wallace. Follow up phone call to Danielle Wallace who acknowledged the need to provide a response to the project team in relation to the proposed solar installation. 	

Submission	Response	Revision to project
	<ul style="list-style-type: none"> 22 March 2019 - Follow up phone call to Danielle Wallace who advised that a response had been prepared internally and was currently being reviewed. 25 March 2019 - Follow up email and phone call to Danielle Wallace. <p>At the time of lodgement of the RTS and this updated Response to Submissions report, no formal response has been received from Evolution Mining.</p> <p>A full email and call log is provided in the Stakeholder Engagement Report Appendix C.</p> <p>It is considered that Evolution Mining (Cawal) Pty Limited has had ample opportunity to provide a response during the preparation of the EIS, the exhibition period and now post-exhibition but none has been received.</p>	
Office of Environment and Heritage - Heritage Division		
DPE does not need to refer this project, including any future modifications, to the Heritage Council (i.e Heritage Division of OEH), however other Divisions of OEH may respond separately in relation to Aboriginal Cultural Heritage or biodiversity.	Noted.	No revision to the project is required.
Office of Environment and Heritage - Conservation and Regional Delivery Division		
Site justification	Section 5.1 of the BDAR (Avoidance Measures) had been updated to provide further detail: “Avoidance measures to reduce potential impacts to biodiversity values within the Project Site	While the BDAR was updated to provide further detail, no revision to the project is required.

Submission	Response	Revision to project
<p>Recommended action: Provide more details explaining why the solar array and grid connection impacts are necessary and update in the BDAR</p> <p>Extent and Timing: Pre-determination</p>	<p>included modifying the layout of solar panels to avoid areas of woodland habitat. Patches of vegetation occurring centrally within the Project Site were successfully avoided. These areas have high vegetation integrity (as identified by the BAM), comprise two threatened ecological communities and constitute habitat for threatened species such as the Grey-crowned Babbler (<i>Pomatostomus temporalis temporalis</i>), Painted Honeyeater (<i>Grantiella picta</i>); and the Inland Forest Bat (<i>Vespadelus baverstocki</i>).</p> <p>Avoidance measures to reduce the extent of vegetation clearing for the grid connection; in the south-east corner of the Project Site, were explored. An option to place the grid connection on adjacent cleared land was pursued; however, permission from the landowner was not granted. The vegetation assessment determined that the majority of the roadside easement contained woody vegetation with very few gaps or cleared areas. Vegetation clearing within this area was therefore unavoidable.”</p>	
<p>Direct and indirect impacts</p> <p>Recommended action: Provide details required in the BAM about indirect impacts and update in the BDAR. Extent and Timing: Pre-determination</p>	<p>Section 4.7 (Indirect Impacts on Biodiversity Values) This section contains a discussion of potential indirect impacts of the project on biodiversity values. A summary Table has been added to this section.</p>	<p>While the BDAR was updated to provide further detail, no revision to the project is required.</p>
<p>OEH Advice</p>	<p>A response to each of the matters raised in OEH's Attachment B is provided in the updated BDAR.</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
<p>1.1 Is the ‘baseline’ for impact assessment reasonable? Some revision of assessment required</p> <p>The baseline impact assessment is generally reasonable however there are issues to be resolved as outlined in Attachment B.</p>		
<p>1.2 Are predictions of impact robust (and conservative) with suitable sensitivity testing? Yes</p>	Noted.	No revision to the project is required.
<p>1.3 Has the assessment considered how to avoid and minimise impacts? No</p> <p>The location of grid connection infrastructure needs more justification given the proposed impacts on roadside vegetation.</p>	As detailed in the <i>Site Justification</i> section above, more detail regarding justification for the location of the grid connection and resultant clearing of vegetation within Myers Lane is presented in Section 5.1 (Avoidance Measures) of the BDAR.	No revision to the project is required.
<p>1.4 Does the proposal include all reasonably feasible mitigation options? Largely</p> <p>The management of Aboriginal sites proposed comprises three options:</p> <ul style="list-style-type: none"> • avoidance and fencing of sites preventing harm, • collection of surface artefacts prior to construction works and reburial of artefacts in protected location on site or • a care agreement be put in place for the salvaged artefacts to remain with the West Wyalong Local Aboriginal Land Council. 	<p>1) Avoidance of impacts to all identified surface lithic artefacts is not possible. Those artefacts that will not be impacted will be left in place within an enclosed No Go Zone with appropriate signage.</p> <p>2) Identified surface lithic artefacts that are to be impacted by the project will be collected following development consent and prior to construction. Our ASR (Artefact Heritage 2018a) had proposed reburial of these artefacts. RAP consultation strongly indicated a preference that these artefacts be kept under a Care Agreement at the West Wyalong LALC.</p>	No revision to the project is required.

Submission	Response	Revision to project
<p>There is a recommendation for a Heritage Interpretation Strategy in the ACHAR and EIS that does not relate to the rest of the report. Further consideration is required from the proponent on this (see Attachment B). A heritage interpretation strategy may be better incorporated into a cultural heritage management plan.</p>	<p>3) The ACHAR recommendations provide for this Care Agreement.</p> <p>4) A Cultural Heritage Management Plan will be prepared prior to construction commencing. The ACHAR recommendations (Appendix A) reflect this.</p>	
<p>1.5 Is the assessed impact acceptable within OEH’s policy context? No</p> <p>The proponent is required to review OEH comments. Once these are considered and the BDAR, ACHAR and ACH Survey Report revised, OEH will review the responses and/or the reports again.</p>	<p>OEH comments have been addressed and all recommendations have been incorporated to the ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>
<p>1.6 Confirmation of statements of fact</p> <ul style="list-style-type: none"> • “Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the Heritage Act 1977” (Artefact, 2019a:3). This is not correct. • Aboriginal Places are declared by the minister under Section 84 of the NPW Act by order of publishing in the Government Gazette. Aboriginal Places are listed on the NSW Heritage Database also known as the NSW Heritage Inventory. Aboriginal Places are not listed on the State Heritage Register unless they have also been through a State Heritage Register nomination and listing process with the Heritage Council and Minister for Heritage. In reality, because there is a different listing process, most Aboriginal Places gazetted under 	<p>ASR and ACHAR (Appendix A) have been updated to reflect OEH text.</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
<p>the NPW Act are not listed on the State Heritage Register.</p> <p>“The West Wyalong Solar Farm has been designated SSD_ (18_9504) and under Part 4, Division 4.7, section 4.41 of the Environmental Planning and Assessment Act 1979 an AHIP is not required (Artefact, 2019a:4).”</p> <ul style="list-style-type: none"> This should be clarified that an AHIP is not required for SSD that is authorised by a development consent. 		
<p>1.7 Elements of the project design that could be improved</p> <p>The project could be improved by avoiding impacts on remnant vegetation and habitat connections.</p>	<p>Detailed justification for clearing vegetation within Myers Lane is presented in Section 5.1 of the updated BDAR (Appendix B).</p>	<p>No revision to the project is required.</p>
<p>Justification for clearing</p> <p>Section 8 of the BAM outlines ways to avoid and minimise impacts on biodiversity values, one of which is locating a project such that ‘connectivity enabling movement of species and genetic material between areas of adjacent or nearby habitat is maintained’. The BDAR requires a justification for the proposed clearing along Myers Lane that will have a significant effect on one of the few east-west vegetation connections in the area.</p> <p>While section 2.2.2 of the main EIS document states the whole site was selected using four criteria including grid connection feasibility, it does</p>	<p>Detailed justification for clearing vegetation within Myers Lane is presented in Section 5.1 of the updated BDAR (Appendix B).</p> <p>Lightsource BP investigated various options for the grid connection. The existing overhead line is in a fixed location and potential connection points are limited. Lightsource BP identified two potential options for the grid connection, with the first being the proposed layout. The second would have involved an easement over third party land directly adjoining Myers Lane, which would have reduced vegetation clearance requirements. Lightsource BP engaged in discussion with the adjoining landowner, however there was no interest in providing an easement. Consequently, the Myers</p>	<p>No revision to the project is required.</p>

Submission	Response	Revision to project
<p>not state why the proposed grid connection alignment, through 650m of linear vegetation, was the only option or why other options were ruled out. The EIS also does not justify why clearing in the road corridor is necessary given the space available in and around the corridor that is already devoid of vegetation.</p> <p>Linear remnants, regardless of overall condition, are important in this landscape context. Several threatened species were detected on site and at least one, the Grey-crowned Babbler, regularly uses linear remnants in this landscape. The BDAR states that the Grey-crowned Babbler was recorded in the proposed area of impact.</p>	<p>Lane grid connection option is required for this project.</p> <p>The grid connection vegetation loss impacts are justified for the following reasons:</p> <ul style="list-style-type: none"> • The project will generate 226GWh which is enough electricity to power 37,596 households. This equates to 180,461 tonnes of carbon dioxide, the equivalent to removing 65,299 cars from the road. The project therefore provides significant positive environmental impacts which justifies the removal of vegetation. • The vegetation loss will be mitigated by implementing the biodiversity offset obligation which limits the impact of the project on the biodiversity values of the region. 	
<p>BAM calculator details.</p> <p>Large tree data - the BAM calculator assessment for PCT 26 has one large tree entered into the calculator in the Function section. The data sheet provided has one tree greater than 30cm and one greater than 50cm. This makes a difference to the credit calculation. This discrepancy needs to be clarified and the BDAR updated accordingly.</p> <p>Impact area – the areas of PCT 26 and 55 in the shapefile provided with the EIS (SLR61018343_SurveyedVegetation_Impacts) are 0.2 ha and 1.24 ha respectively. These values are different to the those entered into the calculator. If the differences are due to other areas of clearing the values need to be rechecked and the</p>	<p>The calculations for vegetation removal and resultant offset calculations have been revised based on the shapefiles provided in the EIS. The updated BDAR (Appendix B) reflects these changes (i.e. new vegetation integrity scores and ecosystem credit obligations for removal of 0.2 ha of PCT 26 and 1.24 ha of PCT 55).</p> <p>In accordance with the BAM, patch size may extend onto adjoining land that is not part of the project site. Therefore, areas of vegetation that contribute to patch size are greater than that provided in the shapefile.</p> <p>In Section 3.2.5 (Patch Size), this section has been updated to provide clarification regarding Patch size calculations: “Patch size is defined by</p>	<p>No revision to the project is required.</p>

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<p>calculator and BDAR updated. This is dependent on the justification of clearing discussed above.</p> <p>Patch size – based on the PCT data in the shapefile provided (SLR61018343_SurveyedVegetation) it is not clear what the patch size values in Table 18 of the BDAR represent. Table 18 values have been used in the BAM calculator. The patch size values derived from the BAM are based on grouping areas of woody vegetation that are less than 100m apart into single patches. The BDAR needs to explain how the patch information is derived.</p>	<p>the BAM as an area of intact native vegetation that: a) occurs on the development site or biodiversity stewardship site, and b) includes native vegetation that has a gap of less than 100m from the next area of moderate to good condition native vegetation (or ≤30m for non-woody ecosystems). Patch size may extend onto adjoining land that is not part of the Project Site. Patch size is assigned to each vegetation zone as a class, being < 5ha, 5–24 ha, 25–100 ha or ≥ 100 ha.</p> <p>Within the Project Site, for areas of vegetation that were isolated by a gap of 100m or more; such as the smaller areas of vegetation occurring centrally, these were defined as isolated patches. All vegetation associated with the road reserves was part of the same vegetation patch. Aerial photography showed that this vegetation extends to the south for several kilometres before becoming fragmented by agricultural areas and major roadways. The vegetation patch was estimated (via GIS software) to be approximately 86 hectares. Patch Size for each vegetation zone is presented in Table 18.”</p>	
<p>Direct and indirect impacts</p> <p>Section 4.7 of the BDAR describes some potential indirect impacts of the project. However, the BAM (Table 26, Appendix 10) requires that direct and indirect impacts be assessed in terms of type, frequency, intensity, duration and consequence.</p>	<p>Tables have been created in Section 4.5.3 and Section 4.7.3 of the updated BDAR (Appendix B) to demonstrate type, frequency, intensity, duration and consequence of each of the listed potential impacts of the project (direct and indirect) on biodiversity values.</p>	<p>No revision to the project is required.</p>

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<p>Where impacts are not relevant to a project the BDAR should give reasons why they are not relevant, and where impacts apply the BDAR should provide in the information detailed in Table 26 of the BAM.</p>		
<p>Conditions of approval - Management plans</p> <p>Commitments in the EIS to preparation of Construction and Operation Environmental Management Plans should be included as conditions of approval.</p> <p>The conditions can stipulate that the plans should include the relevant mitigation commitments identified in Table 19 (Section 7.3.4) of the main EIS report.</p>	<p>Noted.</p>	<p>No revision to the project is required.</p>
<p>Revegetation</p> <p>If relevant, OEH recommends that any landscape plantings associated with the project, including screening vegetation, should be with locally occurring native species. DPE's standard conditions of consent for solar farms include a requirement for planting with local species.</p>	<p>Noted.</p> <p>The Landscape Strategy provides an indicative plant species list for all landscaping and screening. The species proposed were recommended by the ecologist as native tree and shrub species identified during the site visit. The species listed are the most suitable given they are the dominant species on site.</p>	<p>No revision to the project is required.</p>
<p>Fencing</p> <p>The EIS identifies security fencing as a potential indirect impact on fauna (BDAR Section 4.7.2). We recommend that a Construction and Operation Management Plan include a fauna monitoring strategy for weekly monitoring of</p>	<p>Noted. The Proponent accepts the need to include a fauna monitoring strategy for weekly monitoring of security/boundary fences during construction, and monthly during the first year of operation, implementing fauna management and rescue protocols.</p>	<p>n/a</p>

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<p>security/boundary fences during construction, and monthly during the first year of operation, implementing fauna management and rescue protocols including identification of mortalities with regular reporting to OEH.</p>		
<p>Aboriginal Heritage</p>		
<p>Assessment for ACH is not finalised</p> <p>Recommended action: There are issues that need to be addressed regarding ACH in the EIS, ACHAR and survey report (refer to Attachment B). Extent and Timing: Pre-determination</p>	<p>These items have been addressed in the updated ASR & ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>
<p>Care Agreement for the management of salvaged Aboriginal Objects</p> <p>Recommended action: If salvaged Aboriginal Objects are to be kept with an Aboriginal organisation, an Approved Care Agreement should be sought from OEH following project determination but prior to the salvage of artefacts. Extent and Timing: Post-determination and prior to salvage.</p>	<p>Requirement for a Care Agreement is included in the updated ACHAR recommendations which is now emphasised using OEH wording.</p>	<p>No revision to the project is required.</p>
<p>Aboriginal Site Impact Recording Forms</p> <p>Recommended action: An Aboriginal Site Impact Recording Form must be completed and submitted to AHIMS following harm for each site salvaged or</p>	<p>Recommendations incorporated into the updated ASR and ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>

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destroyed from works. Extent and Timing: Post-determination and post-salvage.		
<p>Aboriginal Cultural Heritage Assessment</p> <p>Comments on Aboriginal cultural heritage assessment in the EIS (Urbis, 24 January 2019)</p> <p>Executive Summary: “Recommendations have been made but are yet to be ratified with the registered Aboriginal parties under the ACHAR process” (Urbis, 2019:x).</p> <ul style="list-style-type: none"> • Please provide the outcome of consultation with RAPs on the management of ACH. <p>Sec 7.4.1: “Environment Protection and Diversity Conservation Act 1999”</p> <ul style="list-style-type: none"> • Error, should read Environment Protection and Biodiversity Conservation Act 1999 <p>Sec 7.4.4: “Pending endorsement by the RAPs it is intended that the salvaged items WWS IF01, WWSF IF02 and WWSF AS01 will be retained by the West Wyalong LALC under a Care Agreement.”</p> <ul style="list-style-type: none"> • As above, please provide the outcome of consultation with RAPs on the management of ACH. <p>Sec 7.4.4:</p> <ul style="list-style-type: none"> • To include completion and submission of Aboriginal Site Impact Recording Forms 	<p>Consultation with Registered Aboriginal Parties (RAPs) comprised two Aboriginal Focus Group meetings and a 28-day review by RAPs of the ASR and the ACHAR. Through this process of consultation, RAPs stated a preference for lithic Aboriginal objects recovered during salvage of sites to be impacted by the project to be held as a teaching collection at the West Wyalong LALC.</p> <p>Lithic Aboriginal objects that will not be impacted by the project are to be fenced off from the proposed development. Lightsource BP have amended the design of the solar farm to avoid direct impact to WWSF Bee Tree (AHIMS ID 45-4-0058). This previously referred to a NO GO ZONE. An arborist will determine an appropriate buffer around WWSF Bee Tree (AHIMS ID 45-4-0058), and this will also be fenced off from the proposed development.</p> <p>An Aboriginal Site Impact Recording Form (ASIRF) will be completed following any impacts to identified sites as a result of archaeological salvage or project construction.</p>	<p>No revision to the project is required.</p>

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(ASIRFs) to AHIMS for each site salvaged or harmed.		
<p>Comments on EIS: Appendix F – Aboriginal Archaeological Survey Report (Artefact Heritage, 21 January 2019a)</p> <p>Executive Summary:</p> <ul style="list-style-type: none"> To include completion and submission of ASIRFs to AHIMS for each site salvaged or harmed. <p>Abbreviations</p> <ul style="list-style-type: none"> AHIMS is not written correctly, it should read Aboriginal Heritage Information Management System. Not clear of relevance of Blacktown City Council to the current project. <p>Sec 2.1.1: “Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the Heritage Act 1977” (Artefact, 2019a:3). This is not correct.</p> <ul style="list-style-type: none"> Aboriginal Places are declared by the minister under Section 84 of the NPW Act by order of publishing in the Government Gazette. Aboriginal Places are listed on the NSW Heritage Database also known as the NSW Heritage Inventory. Aboriginal Places are not listed on the State Heritage Register unless they have also been through a State Heritage Register nomination and listing process with the Heritage Council and Minister for Heritage. <p>Sec 2.1.1: “The West Wyalong Solar Farm has been designated SSD_ (18_9504) and under Part</p>	<p>The ASR has been updated (Appendix A) to reflect OEH comments.</p> <p>Refer to the Tabular Response prepared by Artefact attached at Appendix A.</p>	<p>No revision to the project is required.</p>

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<p>4, Division 4.7, section 4.41 of the Environmental Planning and Assessment Act 1979 an AHIP is not required (Artefact, 2019a:4).”</p> <ul style="list-style-type: none"> This should be clarified to state that an AHIP is not required for SSD that is authorised by a development consent. <p>Sec 2.2.1: Environment Protection and Diversity Conservation Act 1999</p> <ul style="list-style-type: none"> Error, should read Environment Protection and Biodiversity Conservation Act 1999 <p>Sec 8.3: says AHIMS ID pending (2019a:40).</p> <ul style="list-style-type: none"> AHIMS numbers are provided elsewhere in the report. <p>Sec 10.1.2: Refers to the sponsor.</p> <ul style="list-style-type: none"> ‘Sponsor’ is the term is used in the Aboriginal Heritage Act 2006 (Vic) and not used in NSW. ‘Proponent’ is the correct term to be used for assessments under the NSW NPW Act and regulations. <p>Sec 10.1:</p> <ul style="list-style-type: none"> Reburial of artefacts is to be conducted in accordance with Requirement 26 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010:35-36) <p>Sec 11.0:</p> <ul style="list-style-type: none"> Surface collection or salvage of surface artefacts may only occur following development consent for the West Wyalong Solar Farm 		

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<ul style="list-style-type: none"> To include completion and submission of ASIRFs to AHIMS for each site salvaged or harmed. 		
<p>Comments on EIS: Appendix G – Aboriginal Cultural Heritage Assessment Report (Artefact Heritage, 8 February 2019b)</p> <p>Executive summary:</p> <ul style="list-style-type: none"> It states the artefacts salvaged from site will be held by West Wyalong LALC under a care agreement. The survey report states artefacts will be reburied on site. These are two different management arrangements. Please advise the proposed artefact management, ensuring RAPs have been consulted regarding the management and their responses have been considered and update reports as necessary. To include completion and submission of ASIRFs to AHIMS for each site salvaged or harmed. <p>Sec 2.1.1: “Aboriginal Places gazetted under the NPW Act are listed on the State Heritage Register established under the Heritage Act 1977” (Artefact, 2019:3b). This is not correct.</p> <ul style="list-style-type: none"> See earlier comment regarding Aboriginal Places gazetted under the NPW Act are not listed on the SHR. <p>Sec 2.1.1: “The West Wyalong Solar Farm has been designated SSD_ (18_9504) and under Part 4, Division 4.7, section 4.41 of the Environmental Planning and Assessment Act 1979 an AHIP is not required (Artefact, 2019b:4).”</p>	<p>The ACHAR has been updated to reflect OEH comments.</p> <p>Refer to the Tabular Response prepared by Artefact attached at Appendix A.</p>	<p>No revision to the project is required.</p>

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<ul style="list-style-type: none"> This should be clarified to state that an AHIP is not required for SSD that is authorised by a development consent. <p>Sec 10.2:</p> <ul style="list-style-type: none"> To include completion and submission of ASIRFs to AHIMS for each site salvaged or harmed. <p>Sec 10.5: “Management of Aboriginal objects. At the time that this report was prepared, consultation with the RAPs regarding the long-term management of the collected material had not been completed.”</p> <ul style="list-style-type: none"> Please provide outcomes of consultation with RAPs regarding the long term management of Aboriginal Objects. This must be done prior to project determination. <p>Sec 11.0:</p> <ul style="list-style-type: none"> Surface collection or salvage of surface artefacts may only occur following development consent for the West Wyalong Solar Farm. To include completion and submission of ASIRFs to AHIMS for each site salvaged or harmed. Site WWSF AS01 is referred to in the last two dot points as AHIMS ID 43-4-0058. Elsewhere in the report WWSF AS01 is AHIMS ID 43-4-0057. <p>Recommendation that “A Heritage Interpretation Strategy must be implemented. This strategy should seek to mitigate the physical and aesthetic changes that the proposed development will entail to the identified Aboriginal sites”. (2019b:45).</p>		

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<ul style="list-style-type: none"> This recommendation does not appear to relate to any part of the three reports or consultation. It was not raised by the RAPs through consultation nor in the notes on the outcomes from the Aboriginal Focus Group meetings. While a Heritage Interpretation Strategy can be an effective measure for mitigation for some projects, it is not a requirement of the SEARs and it is not clear how it relates to other aspects of the report or project. The SEARs state “where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts.” The mitigation measures have been proposed in the ACHAR and EIS. <p>We ask the proponent to consider the purpose of a Heritage Interpretation Strategy in relation to the project and SEARs. An interpretation strategy could be part of a wider Cultural Heritage Management Plan which are commonplace for SSD.</p> <p>Appendix 3: WEST WYALONG SOLAR FARM AFG – MINUTES</p> <p>“Asked whether a section 42 permit was required for the surface collection of artefacts.”</p> <ul style="list-style-type: none"> Please clarify the reference to the section 42 permit. This does not sit within the NPW Act. 		
<p>Conditions of approval</p> <p>We recommend including the following conditions if development consent is granted to ensure compliance with legislation in place to protect Aboriginal sites and objects in NSW and ensure</p>	<p>These were recommendations of the ACHAR and are reflected in the updated ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>

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<p>that no additional harm is caused if ACH is encountered:</p> <p>Management of WWSF Bee Tree and part of WWSF AS01</p> <p>The site WWSF Bee Tree (43-4-0058) and part of site WWSF AS01 (part of 43-4-0057) are to be conserved and protected through fencing and signage.</p>		
<p>Management of Salvaged Aboriginal Objects</p> <p>If salvaged Aboriginal Objects from sites WWSF IF01 (43-4-0056) and WWSF IF02 (43-4-0071) and part of site WWSF AS01 (43-4-0057) are to go to an Aboriginal organisation, a Care Agreement under Section 85A of the NPW Act must be sought in advance. A Care Agreement application form, also known as an application for the transfer of Aboriginal objects for safekeeping can be found at the following link: https://www.environment.nsw.gov.au/resources/cultureheritage/140791trsobjectform.pdf</p> <p>If salvaged Aboriginal objects are reburied on site, this must be conducted in accordance with Requirement 26 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010).</p>	<p>The following has been inserted into the recommendations of the updated ACHAR:</p> <p><i>'Following development consent, and prior to the proposed salvage collection of artefacts from sites WWSF IF01 (43-4-0056) and WWSF IF02 (43-4-0071) and part of site WWSF AS01 (43-4-0057), a Care Agreement under Section 85A of the NPW Act must be sought for the retention of these artefacts by the West Wyalong LALC.'</i></p>	<p>No revision to the project is required.</p>
<p>Aboriginal Site Impact Recording Forms</p>	<p>Inserted to recommendations into the recommendations of the updated ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>

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<p>Aboriginal Site Impact Recording Forms must be completed and submitted to AHIMS for each site salvaged or harmed.</p>		
<p>Discovery of Human Remains</p> <p>If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and OEH as soon as possible following the discovery, and work must not recommence in the area until this is authorised by OEH.</p>	<p>Inserted to recommendations into the recommendations of the updated ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>
<p>Unexpected Finds</p> <p>If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:</p> <ul style="list-style-type: none"> • Not further harm the object; • Immediately cease all work at the particular location; • Secure the area so as to avoid further harm to the Aboriginal object; • Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location; and 	<p>Inserted to recommendations into the recommendations of the updated ACHAR (Appendix A).</p>	<p>No revision to the project is required.</p>

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<ul style="list-style-type: none"> Not recommence any work at the particular location unless authorised in writing by OEH. 		
<p>Historic Heritage</p> <p>We are unable to comment on the Historic Heritage Assessment provided within the EIS. OEH's Heritage Division are the appropriate contact for historic cultural heritage. Please forward the relevant sections to heritage@heritage.nsw.gov.au , if a copy of the assessment has not already been provided.</p>	<p>Noted – See comment from heritage division of OEH.</p>	<p>No revision to the project is required.</p>
<p>Flooding</p> <p>OEH accepts the EIS conclusion that the development site is in a low risk area for flooding because it is not near any major drainage path and only subject to local overland flow type flooding. The flood assessment presented sufficiently demonstrates the impacts due to this development are expected to be minor. The flood assessment also identified areas of higher hazard due to deeper flows, primarily located in the eastern portion of the project site, which will assist in the appropriate design and location of sensitive infrastructure, as well as for the development of future emergency management procedures.</p>	<p>Noted.</p>	<p>No revision to the project is required.</p>
<p>Roads and Maritime Services</p>		
<p>Roads and Maritime Services has assessed the Development Application based on the documentation provided and would raise no</p>	<p>Noted.</p>	<p>No revision to the project is required except for the updates to the access and road upgrades in</p>

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<p>objection to the development proposal subject to the Consent Authority ensuring that the development is undertaken in accordance with the information submitted as amended by the inclusion of the following as conditions of consent (if approved):</p>	<p>Subsequent to this response BP Lightsource and the technical team have been in discussions with Bland Shire Council and Roads and Maritime Services to address the Council's requirements for local road upgrades. This has resulted in the preparation of an amended Traffic Impact Assessment Report (Appendix D) and a new site access map (Appendix E)</p>	<p>Appendix D and Appendix E of this amended Response to Submissions Report.</p>
<p>1. A Traffic Management Plan shall be prepared in consultation with the relevant road authorities (Council and Roads and Maritime Services) to outline measures to manage traffic related issues associated with the development, particularly during the construction and decommission processes. The appointed transport contractor shall be involved in the preparation of this plan. The plan shall address all light and heavy traffic generation to the development site and detail the potential impacts associated with the development, the mitigation measures to be implemented, and the procedures to monitor and ensure compliance.</p>	<p>A Traffic Management Plan will be prepared in accordance with the RMS submission.</p>	<p>No revision to the project is required.</p>
<p>2. Prior to the commencement of construction on-site, the Proponent must undertake all works to upgrade any road, its associated road reserve and any public infrastructure in that road reserve, to a standard suitable for use by heavy vehicles to meet any reasonable requirements that may be specified by the relevant roads authority. The design and specifications, and construction, of these works must be completed and certified by</p>	<p>The DPIE requested that RMS be provided with an updated Traffic Impact Assessment for review and comment. RMS has reviewed the updated Traffic Impact Assessment (Appendix D) for the project and provided the following comments:</p> <ul style="list-style-type: none"> It is noted that the revised report identifies the route for all construction vehicles (heavy vehicles) as via the Newell Highway and 	<p>No revision to the project is required except for the updates to the access and road upgrades in Appendix D and Appendix E of this amended Response to Submissions Report.</p>

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<p>an appropriately qualified person to be to a standard to accommodate the traffic generating requirements of the project. On Classified Roads the geometric road design and pavement design must be to the satisfaction of the Roads and Maritime Services.</p>	<p>Bodells Lane, for light vehicles all access to and from the site shall be via the Newell Highway and Clear Ridge Road.</p> <p>Additionally, during peak construction the maximum number of heavy vehicles entering the site shall not exceed 22 per day which is a revised figure from the previous TIA report.</p> <ul style="list-style-type: none"> Based on these changes Transport for NSW considers that conditions from the previous submission to the Department of Planning & Environment dated 7 March 2019 remain applicable. Concurrence is provided for the revised TIA in accordance with these conditions. 	
<p>3. As a minimum the intersection of the Newell Highway and Bodells Road is to be constructed and the roadside maintained to the satisfaction of Roads and Maritime Services to comply with the following:</p> <p>i) Construct a Basic Left Turn (BAL) treatment in accordance with the Austroads Publications as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit on the Newell Highway.</p> <p>ii) The construction of Bodells Road to provide for 2 travel lanes and be sealed for at least 50 metres from the carriageway of the Newell Highway. The intersection shall be designed and constructed so that vehicles turning between the Newell Highway</p>	<p>Based on RMS' submission and the updated Traffic Impact Assessment, a Site Access Map (Appendix E) has been produced that illustrates RMS' requirements.</p>	<p>A Site Access Map has been produced to show:</p> <ul style="list-style-type: none"> the construction of a Basic Left Turn from Newell Highway onto Bodells Lane; the upgrade for 50 metres of the Bodells Lane north of the junction with Newell Highway. the proposed access routes. This differentiates between heavy vehicles, and light vehicles and shuttles; Self-imposed speed limit; road upgrades including location of access point; and

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<p>and Bodells Road are not required to cross to the opposing travel lane in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.</p> <p>iii) Not reduce the capacity of the existing roadside drainage network and to prevent water from proceeding onto, or ponding within, the carriageway of the Newell Highway. If a culvert is to be installed and is to be located within the required clear zone of the Newell Highway for the posted speed limit it is to be constructed with a traversable type headwall.</p>		<ul style="list-style-type: none"> the proposed grading (where required) for as well as the all-weather seal of Blands Lane.
<p>4. A management plan to provide measures to suppress dust generation from the development site and the transportation route shall be prepared and implemented to the satisfaction of Council and Roads and Maritime Services.</p>	<p>Noted.</p> <p>A soil and erosion plan is included with the DA Civil Drawings (Drawing No 18-583-C001) and will be implemented during construction.</p>	<p>No revision to the project is required.</p>
<p>5. The Newell Highway is part of the State Road network. For works on the State Road network the developer is required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime Services before finalising the design or undertaking any construction work within or connecting to the road reserve. The Works Authorisation Deed documentation is to be submitted for each specific change to the state road network for assessment and approval by Roads and Maritime Services prior to commencement of any works within the road reserve. The applicant can contact the Land Use</p>	<p>Noted.</p> <p>A WAD will be submitted and approved prior to the commencement of works on RMS controlled roads.</p>	<p>No revision to the project is required.</p>

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Manager, South West Region on Ph. 02 6923 6611 for further detail.		
6. Any works within the road reserve of the Newell Highway requires approval under Section 138 of the Roads Act, 1993 from the road authority (Council) and concurrence from Roads and Maritime Services prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.	Noted. A section 138 approval will be submitted and approved prior to the commencement of works on Council controlled roads.	No revision to the project is required.
7. All works associated with the project shall be at no cost to the Roads and Maritime Services.	Noted.	No revision to the project is required.
Department of Industry		
<p>DoI – Water and Natural Resources Access Regulator</p> <p>Prior to Project Determination</p> <ul style="list-style-type: none"> The proponent should confirm the ability to obtain the necessary water volumes from the site dams or confirm a viable supply is available for tankering the supply, via an indication of an agreement from a water supplier. Where the water is to be sourced from a currently unauthorised source, an impact assessment may be required and 	<p>The following is provided in response to these issues:</p> <ul style="list-style-type: none"> During operations, water usage will be very low, and site water harvested from the existing farm dams will be able to supply a large portion of site water during normal weather but will not provide a reliable water source during extended dry periods when the dams may dry out. It is anticipated that the site will need to purchase water from a water cartage contractor to meet demand during these dry periods. During these periods the site may also consider reducing or delaying water usage for purposes such as panel cleaning. There are a number of water cartage contractors in and around West Wyalong, who will be able to supply water under suitable commercial arrangements. 	No revision to the project is required.

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<p>sufficient entitlement obtained prior to extraction occurring.</p> <ul style="list-style-type: none"> • The proponent should commit to the solar panels being positioned at a height that will not impact on floodwaters. • The proponent should confirm the impact of the security fencing on floodwaters and the resultant impact to adjacent watercourses. 	<p>During construction, water usage may be considerably higher, with water being required for dust suppression and establishment of vegetative cover. Any water demand unable to be harvested from site dams will similarly be carted into site by the construction contractor, possibly using one of the several local water cartage contractors.</p> <p>It is not proposed to extract water from site using groundwater bores and no additional entitlement is proposed. The only proposed site-based source of water proposed is the existing farm dams, with proposed water taken being within harvestable rights.</p> <ul style="list-style-type: none"> • The Water Assessment provides information on required heights of solar panels to avoid impact on flood behaviour. The addition of supporting poles for the panels has been included in the flood modelling. • The effect of security fencing has not been included in the flood modelling. By itself, meshed man proof fencing will have a negligible effect on flood behaviour. However, it is likely that debris from the upstream catchment will accumulate against the fencing, and potentially cause a localised damming effect immediately upstream of the fence. This potential impact should be mitigated by incorporating special details into the fence at the detailed design stage. The special details could include a grill in the lower portion of the fence to allow small debris to pass through. Grill opening sizes would typically be 100mm wide by 300mm high, with some zones requiring an overall height of 600mm. Modified fencing is only required within the flood flow path. Affected zones include the full length of the north eastern 	

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	fence and the eastern half of the south eastern fence.	
<p>Post Project Determination</p> <ul style="list-style-type: none"> The proponent should obtain relevant approvals and licences under the Water Management Act 2000 before commencing any works which intercept or extract groundwater or surface water (including from on-site dams where necessary) or for any works which have the potential to alter the flow of floodwaters. The proponent must prepare a Construction Environmental Management Plan (incorporating an Erosion and Sediment Control Plan) prior to commencement of activities. 	Noted	No revision to the project is required.
<p>DPI – Agriculture</p> <ul style="list-style-type: none"> While NSW DPI Agriculture acknowledges that a thorough Geotechnical Investigation (Appendix I) was undertaken, this is more focussed on impacts on construction and immediate soil erosion risk and impacts of infrastructure. NSW DPI Agriculture recommends further in-situ investigation and analysis of the collected soil samples to be undertaken prior to construction starting. This analysis is also needed to consider current conditions to assist future rehabilitation activities following the construction of the solar 	<ul style="list-style-type: none"> The site will continue to be used for minor agriculture purposes e.g. grazing animal beneath the solar panels. No fertilisers or nutrient loading will occur as part of the ongoing maintenance of the site therefore the soil will not degrade in comparison to an intensive agricultural use. <p>Land and Soil Capability (LSC) Mapping data and <i>The land and soil capability assessment scheme: second approximate</i> (OEH) has been analysed and reviewed to determine land and soil capability. The site is classified as LSC Class 3 land which has 'moderate limitations'. LSC Class 3 can accommodate high impact land uses with the implementation of mitigation measures and ongoing management plans. The</p>	No revision to the project is required.

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<p>farm and for decommissioning. The information is crucial for the restoration of land and soil capability to current or better value, and also to aid in gaining full productive agricultural values that supports both grazing and cropping activities.</p> <ul style="list-style-type: none"> It is unclear if there will be major earthworks in areas where solar arrays are to be located. It is understood that trenching for cables will be undertaken. Confirmation is required as to whether major land shaping will also be undertaken. NSW DPI Agriculture is concerned about broad acre land shaping as this will make it difficult to return the land to pre-development agricultural suitability following decommissioning. Again if this is to occur, careful testing and management measures need to take place to protect the integrity of soil, as part of the construction phase. The proponent should prepare a draft Decommissioning Plan that can be updated prior to final use. This will allow the proponent to develop measurement criteria to assess the success of rehabilitation to agricultural lands based on current conditions. 	<p>proposed use is not high impact and appropriate mitigation measures are to be implemented.</p> <p>The following provides an overview of what will occur to the soil during decommissioning:</p> <ul style="list-style-type: none"> The cable trenches will be reopened, with the topsoil set aside, and the cables and ducts will be removed. As the cables are removed, the trenches will be backfilled with the soil that has been set aside. The inverters, transformers, battery and switchgear cabinets / housing concrete bases will be broken up and removed. The area where concrete has been removed will then be backfilled with good quality soil. Any holes left by the fence posts and poles will be backfilled with soil. The aggregate used in the internal access roads will be excavated and removed from site (either for reuse or to an approved landfill) and topsoil will be used to backfill. The panel framework will be pulled from the ground with minimal soil disturbance (give the piles' thin profile) Following completion of removal of equipment from site, areas of disturbed ground will be harrowed and seeded with grass mix (or left for crop sowing depending on the landowner's preference) <ul style="list-style-type: none"> The site is relatively flat and no major land reshaping is required to install the proposed piles, fencing, roads and access tracks, inverters, substation, monitoring house, battery 	

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	<p>container, water tanks and cable trench. The following provides the land disturbance of the above works:</p> <ul style="list-style-type: none"> - Piles: 779.9sqm - Fencing: 6sqm - Roads and tracks: 94,375sqm - Inverter: 602sqm - Substation: 93sqm and 2,433sqm - Monitoring house: 256sqm - Battery container: 861sqm - Water tanks: 32sqm - Cable trenches: 9,693sqm <p>The proposed land disturbance area equates to 3.9% of the site area. Therefore, the impact of the proposed earthworks is minor.</p> <ul style="list-style-type: none"> • A Decommissioning Plan can be provided to Council for approval 12 months prior to the commencement of decommissioning. It is not appropriate to provide a Decommissioning Plan in the early stages of the development given the potential for substantial change in the next 30 years regarding how solar farms are decommissioned. 	
Environment Protection Authority		
<p>The EPA has responsibilities for pollution control and environmental management for scheduled activities under the Protection of the Environment Operations Act 1997. Based on the information</p>	<p>Noted.</p>	<p>No revision to the project is required.</p>

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<p>provided the proposed development is not a scheduled activity under the Protection of the Environment Operations Act 1997 and the solar farm does not require an Environment Protection Licence. Under the Protection of the Environment Operations Act 1997 Bland Shire Council will be the Appropriate Regulatory Authority for pollution control and environmental management issues for this proposal should it be approved.</p> <p>On this basis the EPA has no further comments to make in relation to this proposal and requires no further consultation in relation to this application.</p>		
Fire and Rescue NSW		
<p>It is FRNSW experience that small and large-scale photovoltaic installations present unique electrical hazard risks to our personnel when fulfilling their emergency duties. It is highlighted that the Fire and Rescue NSW Act 1989 (the Act) imposes specific statutory functions and duties upon the Commissioner of FRNSW. Section 6 of the Act requires the Commissioner to take all practicable measures for preventing and extinguishing fires and protecting and saving life and property within a FRNSW fire district. Section 6 of the Act also requires the Commissioner to protect and save life and property endangered by hazmat incidents and for confining a hazmat incident and for rendering the hazmat site safe.</p>	<p>Noted.</p> <p>A Fire Safety Study and Emergency Management Plan will be prepared post-approval.</p> <p>Given the potential fire risk will commence once the batteries are installed, we request that the requirement of a Fire Safety Study and Emergency Management Plan is conditioned to be submitted and approved prior to the installation of batteries.</p>	<p>No revision to the project is required.</p>

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<p>In addition, the Work Health and Safety (WHS) Act 2011 (and its subordinate Regulation) classify FRNSW as a person (entity) conducting a business or undertaking (PCBU). Clauses 34 and 35 of the WHS Regulation impose specific obligations upon a PCBU to identify hazards and manage risks at workplaces. A site involved in fire or hazmat incident is deemed to be a FRNSW place of work.</p> <p>Due to the electrical and fire hazards associated with large scale photovoltaic installations and the potential risk to the health and safety of firefighters, both FRNSW and the NSW Rural Fire Service must be able to implement effective and appropriate risk control measures when managing an emergency incident at the proposed site.</p> <p>In the event of a fire or hazardous material incident, it is important that first responders have ready access to information which enables effective hazard control measures to be quickly implemented. Without limiting the scope of the emergency response plan (ERP) requirements of Clause 43 of the Work Health and Safety Regulation 2000 (the Regulation), the following matters are recommended to be addressed:</p> <ol style="list-style-type: none"> 1. That a comprehensive ERP is developed for the site. 2. That the ERP specifically addresses foreseeable on-site and off-site fire events and other emergency incidents (such as fires 		

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<p>involving solar panel arrays, battery energy storage systems, bushfires in the immediate vicinity) or potential hazmat incidents.</p> <p>3. That the ERP details the appropriate risk control measures that would need to be implemented to safely mitigate potential risks to the health and safety of firefighters and other first responders (including electrical hazards).</p> <p>Such measures will include the level of personal protective clothing required to be worn, the minimum level of respiratory protection required, decontamination procedures to be instigated, minimum evacuation zone distances and a safe method of shutting down and isolating the photovoltaic system (either in its entirety or partially, as determined by risk assessment).</p> <p>4. Other risk control measures that may need to be implemented in a fire emergency (due to any unique hazards specific to the site) should also be included in the ERP.</p> <p>5. That two copies of the ERP (detailed in recommendation 1 above) be stored in a prominent 'Emergency Information Cabinet' located in a position directly adjacent to the site's main entry point/s.</p>		

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<p>6. Once constructed and prior to operation, that the operator of the facility contacts the relevant local emergency management committee (LEMC). The LEMC is a committee established by Section 28 of the State Emergency and Rescue Management Act 1989. LEMCs are required to be established so that emergency services organisations and other government and non-government agencies can proactively develop comprehensive inter agency local emergency procedures for significant hazardous sites within their local government area. The contact details of members of the LEMC can be obtained from the relevant local council.</p> <p>7. As a Condition of Consent that a Fire Safety Study (FSS) be prepared for the site and submitted to FRNSW for review and determination. The FSS should be developed in consultation with and to the satisfaction of FRNSW.</p>		
Rural Fire Service		
<p>1. The proposed development shall comply with all the bush fire safeguards and mitigation measures set out in Section 5 of the Bush Fire and Fire Response Assessment report prepared by SLR Consulting Australia Pty Ltd (Ref: 610.18343-M01-v4.0 - WWSF Bushfire, dated 21 January 2019).</p>	<p>Noted.</p>	<p>No revision to the project is required.</p>

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<p>2. A Fire Management Plan (FMP) shall be prepared for the proposed facility in consultation with the local NSW RFS District Office. The FMP shall include:</p> <ul style="list-style-type: none"> • 24-hour emergency contact details including alternative telephone contact; • Site infrastructure plan; • Firefighting water supply plan; • Site access and internal road plan; • Construction of asset protection zones and their continued maintenance; • Location of hazards (physical, chemical and electrical) that will impact on the firefighting operations • and procedures to manage identified hazards during the firefighting operations; and • Such additional matters as required by the NSW RFS District Office. 	<p>Noted.</p> <p>A Fire Management Plan will be prepared post-approval.</p> <p>Given the potential fire risk will commence once the batteries are installed, we request that the requirement of a Fire Safety Study and Emergency Management Plan is conditioned to be submitted and approved prior to the installation of batteries.</p>	<p>No revision to the project is required.</p>
<p>3. A minimum 20,000 litre water supply (tank) fitted with a 65mm Storz fitting shall be located adjoining the internal property access road within the required asset protection zone.</p>	<p>Two above ground water tanks are provided in the north east of the site, providing combined capacity of 45,000L. Both tanks are dedicated for firefighting purposes.</p>	<p>No revision to the project is required.</p>
<p>Essential Energy</p>		

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<p>Please note Lightsource is currently completing their compliance studies for their application to connect.</p> <p>While there is currently capacity (limited) and may require network augmentation, due to the Open Access framework of the National Electricity Rules (NER) there is the risk that this capacity be limited further should Lightsource have to consider the impacts of additional projects committing prior to this application completing.</p> <p>The connection is not tied to ongoing conditions of the project and is treated separately for ongoing maintenance, management and operation.</p>	<p>Noted.</p>	<p>No revision to the project is required.</p>

APPENDIX A ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT AND ABORIGINAL SURVEY REPORT

APPENDIX B

**UPDATED BIODIVERSITY ASSESSMENT
REPORT**

APPENDIX C

STAKEHOLDER ENGAGEMENT ANNEXURE

APPENDIX D

UPDATED TRAFFIC IMPACT ASSESSMENT

APPENDIX E

SITE ACCESS MAP



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