

# APPENDIX A SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS



Our ref: SSD 8072

Ms Jessica Picton  
Epuron Island GP Management Pty Ltd  
Level 11  
75 Miller Street  
North Sydney NSW 2060

Dear Ms Picton

**Nevertire Solar Farm (SSD 8072)  
Environmental Assessment Requirements**

I have attached the Environmental Assessment Requirements for the preparation of an Environmental Impact Statement (EIS) for the Nevertire Solar Farm.

The requirements are based on the information you have provided to date, and have been prepared in consultation with the relevant government agencies.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the project within the next two years.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will also require approval under the Commonwealth's *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act).

This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Department of the Environment in Canberra (6274 1111 or [www.environment.gov.au](http://www.environment.gov.au)).

Please contact the Department at least two weeks before you plan to submit the development application and EIS for the project. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the required number of copies of the EIS.

It is important for you to recognise that the Department will review the EIS for the project before putting it on public exhibition. If it fails to adequately address these requirements, you will be required to submit an amended EIS.

Yours sincerely

Clay Preshaw  
**A/Director**  
**Resource Assessments**  
as nominee of the Secretary

# Environmental Assessment Requirements

## State Significant Development

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

<b>Application Number</b>	SSD 8072
<b>Proposal</b>	Nevertire Solar Farm which includes: <ul style="list-style-type: none"><li>• the construction and operation of a solar photovoltaic (PV) generation facility with an estimated capacity of 120MW; and</li><li>• associated infrastructure, including a grid connection.</li></ul>
<b>Location</b>	Mitchell Highway, Nevertire
<b>Applicant</b>	Epuron Island GP Management Pty Ltd
<b>Date of Issue</b>	5 December 2016
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"><li>• a full description of the development, including:<ul style="list-style-type: none"><li>– details of construction, operation and decommissioning;</li><li>– a site plan showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process);</li><li>– a detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development;</li></ul></li><li>• a strategic justification of the development focusing on site selection and the suitability of the proposed site;</li><li>• an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including:<ul style="list-style-type: none"><li>– a description of the existing environment likely to be affected by the development;</li><li>– an assessment of the likely impacts of all stages of the development (which is commensurate with the level of impact), taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice;</li><li>– a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development (including draft management plans for specific issues as identified below); and</li><li>– a description of the measures that would be implemented to monitor and report on the environmental performance of the development;</li></ul></li><li>• a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; and</li><li>• the reasons why the development should be approved having regard to the biophysical, economic and social costs and benefits of the development.</li></ul> <p>While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p> <p>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by:</p> <ul style="list-style-type: none"><li>• a signed report from a suitably qualified person that includes an accurate estimate of the capital investment value of the development (as defined in</li></ul>

	<p>Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>); and</p> <ul style="list-style-type: none"> <li>the consent in writing of the owner of the land (as required in clause 49(1)(b) of the <i>Environmental Planning and Assessment Regulation 2000</i>).</li> </ul>
<p><b>Specific Issues</b></p>	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> <li><b>Biodiversity</b> – including an assessment of the likely biodiversity impacts of the development (particularly in relation to the Boggy Cowal waterway), having regard to the NSW Biodiversity Offsets Policy for Major Projects, and in accordance with the Framework for Biodiversity Assessment, unless otherwise agreed by the Department.</li> <li><b>Heritage</b> – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, including adequate consultation with the local Aboriginal community;</li> <li><b>Land</b> – including an assessment of the impact of the development on agricultural land and flood prone land, paying particular attention to the compatibility of the development with the existing land uses on the site and adjacent land (e.g. aerial spraying, dust generation, and risk of weed and pest infestation) during operation and after decommissioning, with reference to the zoning provisions applying to the land;</li> <li><b>Visual</b> – including an assessment of the likely visual impacts of the development (including any glare, reflectivity and night lighting) on surrounding residences, scenic or significant vistas, air traffic and road corridors in the public domain, including a draft landscaping plan for on-site perimeter planting (particularly along the Mitchell Highway), with evidence it has been developed in consultation with affected landowners;</li> <li><b>Noise</b> – including an assessment of the construction noise impacts of the development in accordance with the <i>Interim Construction Noise Guideline</i> (ICNG) and sub-station noise impacts in accordance with the <i>NSW Industrial Noise Policy</i> (INP), and a draft noise management plan if the assessment shows construction noise is likely to exceed applicable criteria;</li> <li><b>Transport</b> – including an assessment of the site access route, site access point, rail safety issues and likely transport impacts of the development on the capacity, condition, a description of the measures that would be implemented to mitigate any impacts during construction, and a description of any proposed road upgrades developed in consultation with the relevant road and rail authorities (if required);</li> <li><b>Water</b> – including: <ul style="list-style-type: none"> <li>an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources (including watercourses, wetlands, riparian land, groundwater dependent ecosystems, sodic soils and acid sulfate soils), related infrastructure, adjacent licensed water users and basic landholder rights, and measures proposed to monitor, reduce and mitigate these impacts;</li> <li>details of water supply arrangements; and</li> <li>a description of the erosion and sediment control measures that would be implemented to mitigate any impacts (including tunnel erosion) in accordance with <i>Managing Urban Stormwater: Soils &amp; Construction</i> (Landcom 2004);</li> </ul> </li> <li><b>Electromagnetic Interference</b> – an assessment of the proposed transmission line and substation against the International Commission on Non-Ionizing Radiation Protection (ICNIRP) <i>Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i>.</li> </ul>

<b>Consultation</b>	<p>In preparing the EIS for the development, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups and affected landowners.</p> <p>In particular, you must undertake detailed consultation with affected landowners surrounding the development and Warren Shire Council.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p>
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## ATTACHMENT 1

### Environmental Planning Instruments, Policies, Guidelines & Plans

#### Biodiversity

Framework for Biodiversity Assessment (OEH)  
NSW Biodiversity Offsets Policy for Major Projects (OEH)  
Threatened Species Assessment Guidelines - Assessment of Significance (OEH)  
Biosecurity Act 2015  
Why do fish need to cross the road? Fish Passage Requirements for Waterway Crossings (2003)  
Policy and Guidelines for Fish Habitat Conservation and Management (update 2013)

#### Heritage

Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)  
Code of Practice for Archaeological Investigations of Objects in NSW (OEH)  
Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH).  
NSW Heritage Manual (OEH)

#### Land

Primefact 1063: Infrastructure proposals on rural land (DPI)  
Establishing the social licence to operate large scale solar facilities in Australia: insights from social research for industry (ARENA)  
Local Land Services Act 2013  
Australian Soil and Land Survey Handbook (CSIRO)  
Guidelines for Surveying Soil and Land Resources (CSIRO)  
The land and soil capability assessment scheme: second approximation (OEH)

#### Noise

NSW Industrial Noise Policy (EPA)  
Interim Construction Noise Guideline (EPA)  
NSW Road Noise Policy (EPA)

#### Transport

Guide to Traffic Generating Development (RTA)  
Road Design Guide (RMS) & relevant Austroads Standards  
Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development

#### Water

Managing Urban Stormwater: Soils & Construction (Landcom)  
Floodplain Development Manual (OEH)  
Guidelines for Controlled Activities on Waterfront Land (DPI Water)  
Water Sharing Plans (DPI Water)  
Floodplain Management Plan (DPI Water)

#### Waste

Waste Classification Guidelines (EPA)

#### Electromagnetic Interference

ICNIRP Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields

#### Environmental Planning Instruments

State Environmental Planning Policy (State and Regional Development) 2011  
State Environmental Planning Policy (Infrastructure) 2007  
State Environmental Planning Policy (Rural Lands) 2008

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State Environmental Planning Policy No. 44 – Koala Habitat Protection

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State Environmental Planning Policy No. 55 – Remediation of Land

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Warren Local Environmental Plan 2012

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