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28 March 2023
Our Ref: 20158

Planning Department
Hay Shire Council
Via online planning portal

DA2022-26 Electricity Generating System (Solar Farm)

In response to your RFI dated 22 March 2023, I provide the following:

1. A Land Use Conflict Risk Assessment (LUCRA) should be prepared (see comment from DPI Agriculture).

A LUCRA has been prepared for the proposal (refer attached).

2. Confirm that there is a 10 m Asset Protection Zone (APZ) around the development, and details of either a reticulated water supply or static water supply (see comment from NSW RFS).

Our office spoke to NSW RFS on 22 March in relation to their comments, they stated that their comments are intended to be conditions of consent. I am content for this to occur.

The site plan for the proposal shows a minimum 10 m distance between the panels and the boundary fence. This area can be managed as an APZ.

The site plan does not show a reticulated or static water supply. I suggest this be included as a condition of consent.

3. An Aboriginal Cultural Heritage Assessment Report (ACHAR) is required (see comment from DPE Heritage NSW).

On 15 December 2022 Heritage NSW rejected Council's non-statutory referral of the proposal, stating that *"An Aboriginal Cultural Heritage Assessment Report (ACHAR) is required as a due diligence report is not sufficient for heritage assessment."*

On 23 March 2023 I spoke on the phone to Erin from Heritage NSW, who told me that the portal rejection note was automated, and that Heritage NSW is unable to create personalised rejection notices.

Erin said that in general, if an Aboriginal Cultural Heritage Due Diligence Assessment shows no impact, then Heritage NSW refuses to provide comment on a proposal.

Therefore, CS&A do not intend to prepare an ACHAR for the proposal. The Aboriginal Cultural Heritage Due Diligence Assessment is adequate for Council to assess the proposal against the s.4.15 matters for consideration.

4. The SEE states that saltbush will be planted on the perimeter fence, which seems to be on the outside of the fence. The Traffic Management Plan states that 20 spaces will be required during construction phase, and this is not seen on the plans. Please notify

Council if the intent is to provide parking and landscaping in the Road Reserve, so that a design can be agreed upon between Council and the developer.

An updated Landscape Plan is attached. It shows the proposed landscaping as being within the property, between the boundary fence and the road reserve. No planting is proposed within the road reserve.

All car parking during construction and operation of the proposal would be provided in the "site amenities and storage area" shown on the site plan. No car parking would be within the road reserve.

5. There needs to be more details provided on the decommissioning of the facility.

Section 8.8 of the SEE describes the decommissioning process. To provide further detail:

- After about thirty years, the components of the solar farm would either be replaced or the solar farm would be decommissioned.
- Decommissioning would involve the removal of the fence, switchboard, inverter and all solar panels (including footings). The power pole and landscaping would remain.
- The switchboard, inverter and panels would either be sold or disposed of at an appropriate waste facility.
- No solar farm components would remain on the development site.
- The development site would then be able to be used for agriculture.

Please do not hesitate to contact our office, should you have any queries in relation to this matter.

Yours sincerely,



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Attachments:

- LUCRA
- Updated Landscape Plan