

Steve Barry
Acting Executive Director – Secretariat
Independent Planning Commission
201 Elizabeth Street, Sydney, NSW 2001

18th February 2020

Dear Mr Barry,

New England Solar Farm (SSD 9255)

UPC has prepared a response to the questions received from the Independent Planning Commission on 14 February 2020. These responses are presented at the bottom of this letter under Table 1.

UPC has provide supplementary information to clarify several issues raised during the IPC Public Meeting and Site Tour held on the 11th and 12th of February respectively. This detail is contained under Table 2.

If you have any questions, please do not hesitate to contact me.

Kind Regards



Tim Kirk
Project Development Manager
UPC Renewables

Table 1 – IPC Responses

Question number	IPC question (14 February 2020)	UPC response
1	Clarification as to whether it undertook consultation with Lockheed Martin as part of its stakeholder engagement process. If so, could evidence of that consultation be provided to the Commission	Consultation with Darren Dwyer, Station Manager for the Lockheed Martin facility in Uralla, occurred on 17 February 2020. Darren confirmed that the company has received a letter from NSW Department of Planning, Infrastructure and Environment (DPIE) seeking feedback on the New England Solar Farm EIS, and that the company did not have any concerns regarding the project. Darren has been informed that there are road upgrades proposed along Big Ridge Road. A copy of the email to Darren is provided as Attachment A.
2	Clarification of the staging, total quantum and duration of the proposed Community Grants agreed to by the Applicant as there have been some inconsistencies in the information provided to the Commission to date	<p>UPC will make \$100,000 available for the first year of the Community Benefit Sharing Initiative (CBSI), aligned with year one of the solar farm’s construction. The funding will be made available from the commencement of construction and disbursement is likely to be staged in two tranches of \$50k in year one. The total amount (ie \$100,000) was increased from the previously indicated \$50,000 on 22 January 2020 and announced during the seventh community drop-in session.</p> <p>The annual amount will be ramped up over time as the solar farm is completed. For every installed megawatt of panels installed (AC), UPC will contribute \$250 towards the CBSI. Assuming that by the end of construction the full targeted capacity of 720MW AC is installed, there will be \$180,000 per annum available to fund community projects and programmes during operations.</p>
3	Information on how the Community Grants might be distributed in terms of process. This should include detail on the application and selection process as well as the number of frequency of grants throughout any one year	The next workstream in developing the governance framework is currently being scoped out by UPC. This will cover such things as legal and financial arrangements, project eligibility criteria, call for proposal and assessment processes, disbursement mechanisms and verification and review processes. It is anticipated that a second Community Reference Group (CRG) will be established post-approval to help inform this work. Advertisements seeking nominations for CRG members from the community will take over the next couple of weeks. It may be necessary to put in place appropriate interim arrangements ahead of construction commencing so that the initial tranche of the year one funds (ie \$50,000) can be disbursed while the longer term arrangements are being finalised. The second tranche of year one funds (ie another \$50,000)

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		<p>could then be made available under a subsequent funding round towards the end of year one of construction.</p> <p>It is noted that the first CRG, which helped produce the options paper that was included in the EIS, recommended putting a trust structure in place for the long term administration of funds. The company is considering this model further and intends to consult with a second CRG and to have full governance arrangements in place to administer the funds over the project's lifetime prior to the end of the first year of construction. The project's lifetime is expected to be 30 years.</p> <p>UPC notes that these matters are not relevant to planning and environmental approval considerations and should logically have little bearing on the project's development application.</p>
4	Confirmation that the ecological value of dead trees within the Project Site was included as part of the Biodiversity Assessment Method calculations.	<p>The presence of stags (ie dead trees) is considered as part of vegetation integrity survey plots (refer to Section 5.3.4.29/30 of the <i>Biodiversity Assessment Method (BAM)</i> (OEH 2016).</p> <p>As part of data collection, the number of trees with hollows is determined by counting both living and dead trees with hollows that are visible from the ground in the 20 m x 50 m plot area.</p> <p>However, it should be noted that the number of trees with hollows does not contribute to the vegetation integrity score and, therefore, the presence of hollows does not influence the number of ecosystem credits generated.</p> <p>The presence of hollow bearing trees (living and dead) is used as part of habitat suitability assessments for some threatened species in Chapter 6 of the BAM and for identifying the credit class for biodiversity credits in Chapter 11 (OEH 2016).</p> <p>A separate method is used for the assessment of paddock trees as defined in Appendix 1 of the BAM. The assessment of paddock trees require that hollows are recorded for each tree (a tree being one which is greater than 20 cm diameter at breast height (DBH)).</p>

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		<p>Paddock trees with hollows increase the number of credits required to offset the paddock tree by 0.25 credits (per hollow bearing tree).</p> <p>Paddock tree assessments do not include stags (ie dead trees).</p> <p>Therefore, in accordance with the BAM; hollow-bearing stags do not require offsets when they are within:</p> <ul style="list-style-type: none"> - cleared areas; - native areas below the vegetation integrity score; or - areas of exotic vegetation.
5	A copy of the latest design for the intersection of Barleyfields Road and New England Highway	<p>As noted in the draft consent conditions provided by DPIE, the intersection of New England Highway and Barleyfields Road (north) will be upgraded to incorporate a channelised right turn (CHR) treatment for the largest vehicle accessing the site (excluding over-dimensional vehicles). This upgrade will comply with the Austroads Guide to Road Design.</p> <p>Further geometric modifications may be applied to the intersection of New England Highway and Barleyfields Road (north) subject to further consultation between UPC and RMS. The additional upgrades will likely include a basic left turn (BAL) treatment for the largest vehicle accessing the site (excluding over-dimensional vehicles). RMS has indicated in consultation with UPC and DPIE that this upgrade will likely be completed prior to commencement of the development. The latest design drawing is provided as Attachment B.</p> <p>As noted in the submission to DPIE (dated 31 October 2019), potential impacts of the proposed intersection upgrade works have been assessed in consideration of the full extent of the disturbance boundary (refer Figure A.1 in Appendix A of the BDAR addendum). This includes consideration of potential impacts on biodiversity and Aboriginal cultural heritage.</p>

Table 2 – Further clarification to issues raised during IPC Public Meeting and Site Tour

Reference number	Topic	UPC response
1	Requirement for further environmental impact assessment.	<p>Representatives from UPC and EMM attended the Public Meeting in Uralla and the site inspection coordinated by the IPC. Based on the content presented by speakers at the Public Meeting and the discussions during the site inspection, it is UPC’s view that no further impact assessment is required beyond what has been completed prior to the issuance of the DPIE Assessment Report as no new issues have been raised.</p> <p>The responses provided in this submission are based on the outcomes of the assessments completed as part of the preparation of the Environmental Impact Statement (EIS), Amendment Report (AR), Response to Submissions (RTS) and additional information requests from DPIE and the IPC.</p>
2	Consultation with Kelly’s Plains residents.	<p>During the IPC site tour held on 12th February, it was suggested that UPC Renewables had not consulted with residents in the Kelly’s Plains region regarding the New England Solar Farm.</p> <p>UPC confirms that residents have been notified of the project. The company conducted a door-knocking campaign for all houses in Harriet Gully Road, Corey Road, and Old Gostwyck Road (south of Saumarez Creek). Further to this, notification letters to the key residents in this region have been sent since the start of the development of the project. Details of this consultation can be provided to the IPC upon request.</p>
3	Low frequency noise impacts to livestock.	<p>Low frequency noise (LFN), as defined in the <i>Noise Policy for Industry</i> (NPfI) (EPA 2018) is “noise containing major components in the low-frequency range (10 hertz [Hz] to 160 Hz) of the frequency spectrum”. Sound with a high LFN component may be deemed to be more annoying for humans than other sounds that are dominant in the mid-frequency range, for example. The assessment methodology provided in the NPfI accounts for this via the application of a modifying factor to predicted or measured noise levels if a noise emission contains a high LFN component.</p> <p>The sound power level of typical construction equipment used during construction of a solar farm, such as that proposed for use on this project, does not normally have a low frequency component that would generate levels above the relevant NPfI LFN thresholds at nearby residences. This includes, for example, pile driving rigs, earth moving plant and equipment (eg bulldozers and graders) and heavy vehicles travelling to and from site. Further, it is noted that the use of explosives is not typical during solar farm construction. Hence, impacts from LFN on humans or livestock are not expected during construction.</p>

Reference number	Topic	UPC response
		As noted in the RTS (EMM 2019), during construction, short-term noise impacts are expected; however, these are predicted to comply with relevant noise management levels (NMLs) at all locations following the implementation of the proposed noise mitigation measures.
4	Screening options offered to N1.	<p>Visual impacts experienced from the residence at N1 do not warrant mitigation with the establishment of a vegetation screen. This is further supported by the statement in DPIE's Assessment Report that the visual impact from N1 as a whole would be low. Nonetheless, UPC continues to discuss vegetation screening options with the landholder.</p> <p>UPC proposed several options to N1 for the establishment of a vegetation screen prior to introducing a development setback of 130 m along the landholder's southern property boundary.</p> <p>The options included a vegetation screen along the landholder's southern boundary (either on the solar farm site or on his property) and a vegetation screen closer to their residence.</p> <p>UPC is still offering these options to the landholder, as has been communicated to him.</p>
5	The impacts of the drought on the biodiversity assessment report.	<p>The biodiversity survey timing and methods implemented are detailed in Section 4.2 of the Biodiversity Development Assessment Report (BDAR) (EMM 2018).</p> <p>All surveys were timed in accordance with relevant survey guidelines, targeting periods when the target entity or species was detectable.</p> <p>As outlined in the BDAR, the bulk of the vegetation mapping and vegetation plots were completed in early 2018 and were not considered drought affected at that time.</p>
6	Photomontage included in N1's presentation during the IPC Public Meeting.	<p>The photomontage used in the presentation by the neighbouring landholder 'N1' during the IPC Public Meeting for the New England Solar Farm held in Uralla on 11th February 2020 incorrectly portrayed the expected views of the solar farm from his property's southern boundary.</p> <p>This particular photomontage was issued to N1 on 14th January 2019 to assist with discussions around development setbacks and vegetation screening. Since issuing this photomontage, a development exclusion zone of 130 m has been incorporated in the project design which significantly reduces the visibility of infrastructure due to site topography from the property's southern boundary.</p>

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7	Use of washdown facilities to help control biosecurity impacts.	<p>To manage the transfer of weeds and pathogens to and from work areas, appropriate wash down facilities will be available to clean vehicles and equipment prior to arrival and when leaving work areas. The focus will be to minimise the transfer of soil and seed material. This will occur during vegetation clearing and construction.</p> <p>The project's construction environmental management plan and operational environmental management plan will also include weed management protocols, such as measures for the identification, management and ongoing monitoring of weeds on-site. In addition, if implemented, sheep grazing would put pressure on any increases to weed levels while maintaining a multi-purpose land use throughout the life of the project.</p> <p>Landholder agreements also contain obligations on UPC as the tenant to effectively manage weeds and pests and nuisance to neighbouring landholders.</p>
8	Finding a suitable biodiversity stewardship site to satisfy the biodiversity offset credits for the project.	<p>UPC, with the assistance of EMM, has investigated the process for finding and establishing a suitable stewardship site to meet the project's biodiversity offset credit requirements.</p> <p>UPC conducted a broad-brush review of suitable sites within the Uralla and Armidale region and determined that sourcing a suitable site which meets the project's offset requirements will be extremely challenging, simply due to the lack of supply of such sites in the region. Furthermore, the time required to source a suitable site and enter into a Biodiversity Stewardship Agreement will be well in excess of the time the project expects to need offsets procured to commence construction.</p> <p>While UPC recognises the challenges in establishing a biodiversity stewardship site, UPC engaged EMM to conduct a field investigation for a site in December 2019 (a site owned by the owner of N1 as part of ongoing discussions with the neighbouring landholder to find opportunities for friendly collaboration). The results of this investigation were unfavourable as the site would not support any of the required biodiversity offsets required for the project.</p>
9	Discussions with Southern New England Landcare (SNEL).	<p>There have been two workshops attended by representatives from UPC and Southern New England Landcare (SNEL) since April 2019, which have considered how the project could support local biodiversity initiatives and mitigate against potential impacts on work performed by SNEL, such as Closing the Gap. The workshops have also included representatives from Uralla Shire Council, Local Land Services, CSIRO, and Armidale Tree Group. Notes from</p>

Reference number	Topic	UPC response
		<p>these workshops are available for consideration by the IPC if requested.</p> <p>UPC has committed to providing a detailed project layout to this group once available, for their comment. Where practicable, UPC will consider and implement suggestions which support SNEL's programs, including the Closing the Gap initiative. The company and SNEL intend to discuss how funds deposited with the Biodiversity Conservation Trust by UPC for the purchase of biodiversity credits can be directed into local environmental initiatives.</p> <p>UPC is committed to continuing discussions with SNEL throughout development and construction of the project. To date, no commercial or specific project proposal has been put to UPC or the project-involved landholders for their consideration.</p>
10	IPC Site Tour map.	A map of the IPC Site Tour route held on 12 th February 2020 is provided as Attachment C.

Attachment A – Lockheed Martin consultation evidence

Subject: New England Solar Farm
Date: Monday, 17 February 2020 at 2:53:36 pm Australian Eastern Daylight Time
From: Tim Kirk
To: [REDACTED]
Attachments: image001.png, UPC-Factsheet_JAN20_R2-PRINT.pdf

Hi Darren,

It was great to speak with you over the phone. As discussed UPC is proposing the New England Solar Farm, a utility scale 720 MW solar farm with 200 MW 2 hour battery energy storage system in proximity to the Lockheed Martin satellite tracking facility in Uralla. The project will be required to seal the Big Ridge Road to a 7.2 meter seal with 1 meter unsealed shoulders for road section starting at Barleyfields Road to the satellite tracking facility's driveway. The expected timing for this work to be carried out is unconfirmed as it largely depends on when planning approval is granted for the project, but I would imagine mobilisation of the construction crew in the next two to three months is realistic.

Further information on the project can be found in the attached project factsheet or via our project [website](#).

Although you mentioned that you did not have any questions and was supportive of the project, my details are listed below if you would like to discuss anything further. I look forward to catching up with you next time I'm in Uralla.

Kind Regards,

Tim Kirk | Project Development Manager
UPC\AC Renewables Australia
A UPC Renewables and AC Energy Company



[REDACTED]
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Melbourne: Level 23, HWT Tower, 40 City Road, Southbank, VIC 3006
Sydney: Level 14, 77 King Street, Sydney, NSW 2000

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www.upc-ac.com

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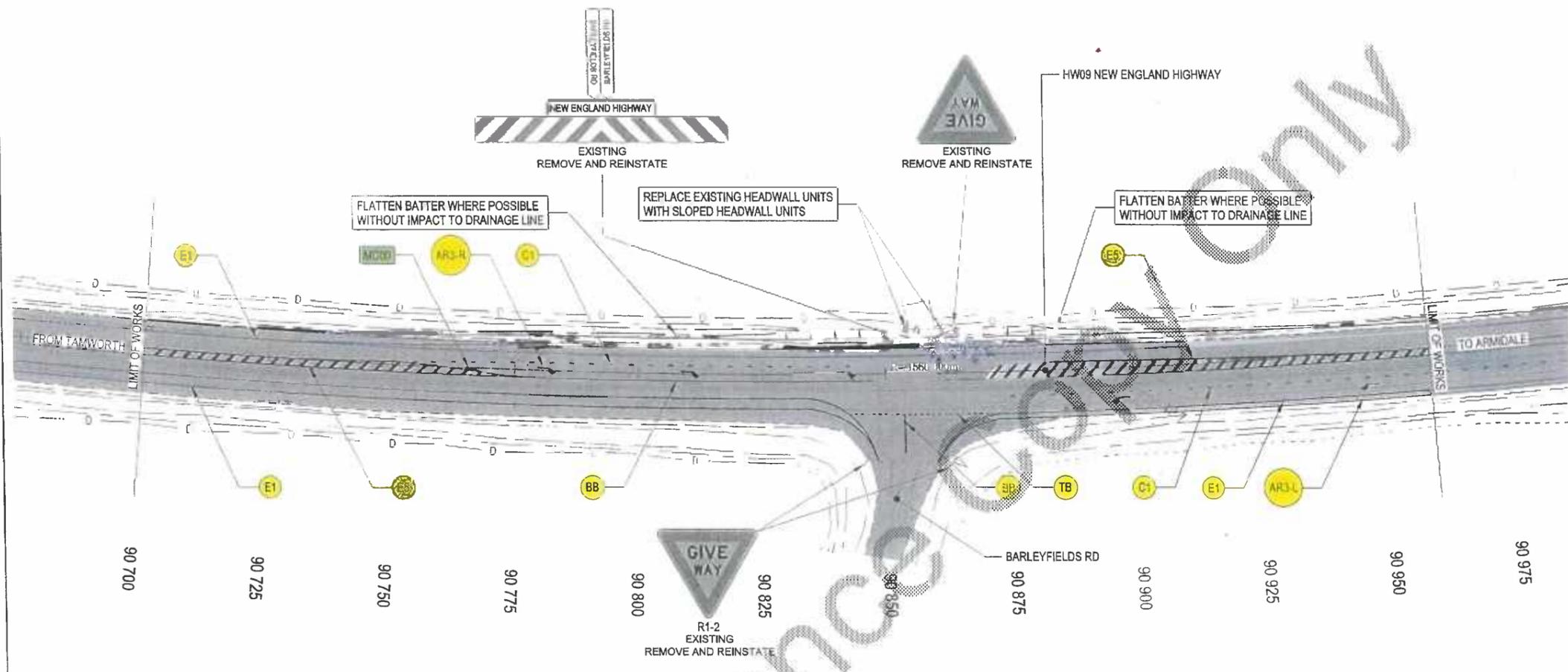
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Attachment B – RMS intersection design drawing



LEGEND

	CONTROL STRING LABEL
	PROJECT BOUNDARY
	SAFETY BARRIER
	CADASTRAL BOUNDARY OVERLAY
	PROPOSED BOUNDARY ADJUSTMENT
	PERMANENT SURVEY MARK - DO NOT DISTURB
	STATE SURVEY MARK - DO NOT DISTURB
	SURVEY STAR PICKET MARK
	HERITAGE
	EXISTING PROPERTY GATE
	EXISTING PROPERTY FENCE
	TREE TO BE RETAINED
	TREE TO BE REMOVED
	EXISTING PAVEMENT
	TELEPHONE CABLE MARKER
	OPTICAL FIBRE CABLE MARKER
	TELECOMMUNICATIONS
	OPTICAL FIBRE
	MINOR POWER LINE
	POWER POLE / STAY CABLE

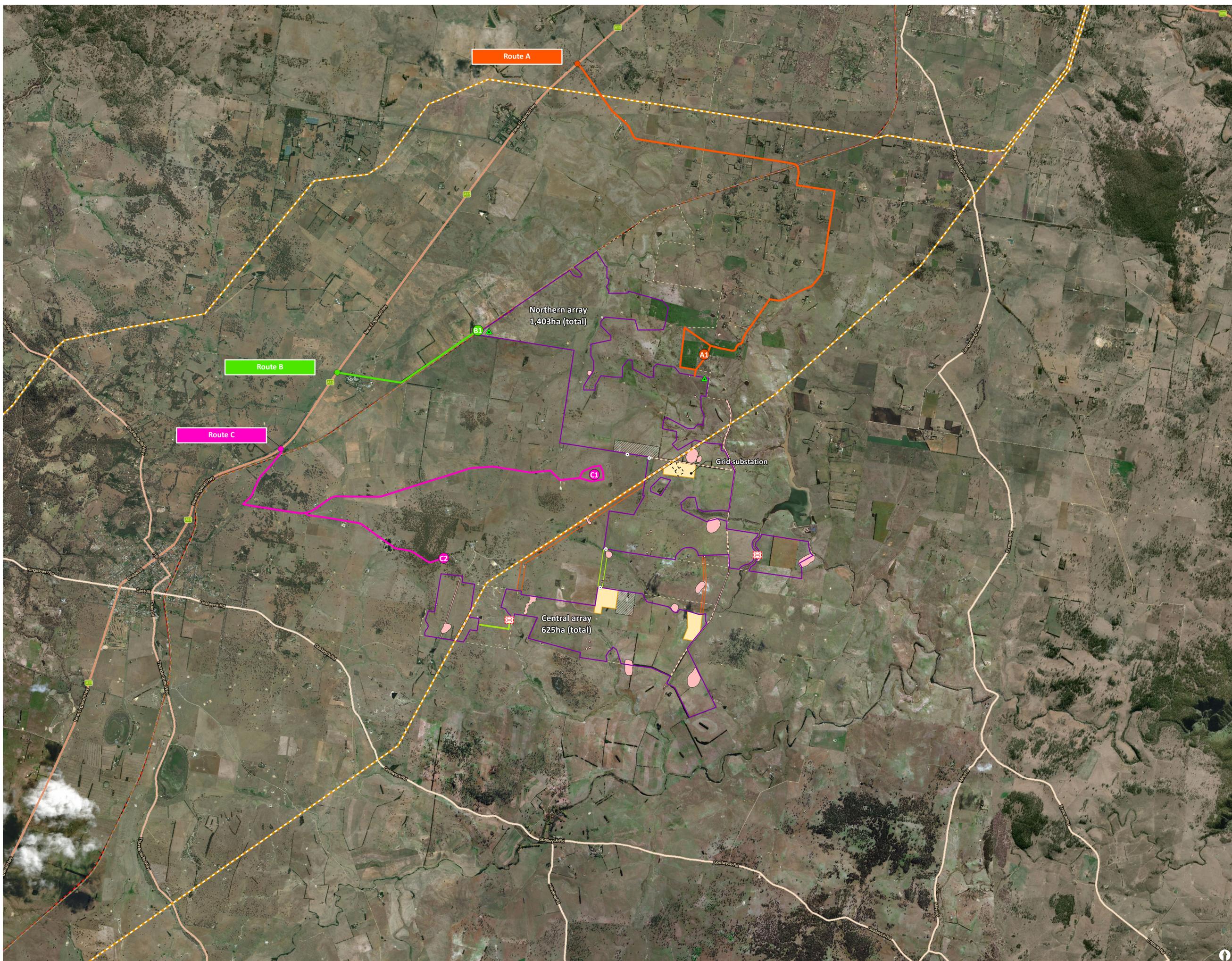


UTILITY INFORMATION SHOWN ON THE PLANS DOES NOT DEPICT ANY MORE THAN THE PRESENCE OF A SERVICE, BASED ON AVAILABLE DOCUMENTARY EVIDENCE. THE PRESENCE OF A UTILITY SERVICE, ITS SIZE AND LOCATION SHOULD BE CONFIRMED BY FIELD INSPECTION, PRIOR TO THE COMMENCEMENT OF ROADWORKS AND THE RELEVANT UTILITY PLANS OBTAINED BY DIALLING PH 1100 OR FAX 1300 652 077 (DIAL BEFORE YOU DIG). CAUTION SHOULD BE EXERCISED WHEN WORKING IN THE VICINITY OF ALL UTILITY SERVICES.

THIS DRAWING MAY BE PREPARED IN COLOUR AND MAY BE INCOMPLETE IF COPIED

DRAWING FILE LOCATION / NAME K:\PROJECTS\09_NEW ENGLAND HIGHWAY\2018082 HW9 Uralla to Armidale Safety Works\DRAWINGS\Final\Barleyfields CHRSDS2019-00\246-03-RD.dgn		DESIGN LOT CODE N2018082	DESIGN MODEL FILE(S) USED FOR DOCUMENTATION OF THIS DRAWING HW09_BARLEYFIELDS_RD_FINAL_DESIGN_V1.TXT		PLOT DATE / TIME 6/11/2019 9:58:45 AM	PLOT BY vickeryc	CLIENT Transport Roads & Maritime Services	URALLA SHIRE COUNCIL HW9 - NEW ENGLAND HIGHWAY BARLEYFIELDS RD INTERSECTION UPGRADE 90.700km TO 90.960km NORTH OF TAMWORTH DETAIL PLAN DETAIL PLAN - HW9 - NEW ENGLAND HIGHWAY - MC00 - 90700 TO 90960	A3
EXTERNAL REFERENCE FILES	REV	DATE	AMENDMENT / REVISION DESCRIPTION	WVR No.	APPROVAL	SCALES ON A3 SIZE DRAWING	DRAWINGS / DESIGN PREPARED BY	TITLE	NAME
						0 10 20 30 40 SCALE 1:1000m	ROADS AND MARITIME SERVICES ENGINEERING SERVICES TECHNICAL OPERATIONS & SUPPORT NORTHERN ROAD DESIGN NORTHERN	DRAWN	C. VICKERY
						CO-ORDINATE SYSTEM MGA ZONE 56	HEIGHT DATUM AHD	DRG CHECK	D. JOHNSON
								DESIGN	C. VICKERY
								DESIGN CHECK	D. JOHNSON
								DESIGN MANAGER	D. JOHNSON
								PROJECT MANAGER	G. SCIFFER
								PREPARED FOR NORTHERN REGION REGIONAL CUSTOMER SERVICES LAND USE ASSESSMENT	
								RMS REGISTRATION No.	DS2019-001246
								ISSUE STATUS	ISSUED FOR CONSTRUCTION
								EDMS No.	QA4156316
								SHEET No.	RD-0003
								VOL	1
								ISSUE	A

Attachment C – IPC Site Tour map



- Legend**
- Site access point
 - Solar array extent
 - Substation and BESS (EIS extent)
 - Development constraints
 - Potential creek crossing
 - Laydown area or site compound
 - Rail hardstand
 - Transmission Easement
 - Site access or underground cabling
 - Site access or transmission easement
 - Existing 330kV transmission
 - Height simulation

Notes

1. Project features shown are preliminary only and subject to change.



Project
New England Solar Farm

Title
IPC Site Tour

Drawing no.
NESF-015

Date
17/2/20

0 500 1,000 1,500 2,000 2,500 m

1:35,000 @ A1 GDA 1994 MGA Zone 56

