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O/N H-1336701

**INDEPENDENT PLANNING COMMISSION**

**DEPARTMENT MEETING**

**RE. JINDERA SOLAR FARM**

**PANEL:**                      **ANDREW HUTTON (Chair)**  
**ZADA LIPMAN**

**IPC:**                              **STEPHEN BARRY**  
**JANE ANDERSON**

**DEPARTMENT:**              **MIKE YOUNG**  
**NICOLE BREWER**  
**IWAN DAVIES**  
**NATASHA HOMSEY**

**LOCATION:**                      **VIDEOCONFERENCE**

**DATE:**                              **11.00 AM, MONDAY, 23 NOVEMBER 2020**

MR A. HUTTON: Thank you. Thanks very much. Well, what we might do then, we might formally kick off. So good morning, everybody, and welcome and thank you for your time this morning to come in to catch up on this stakeholder meeting. Before we begin, I'd just like to acknowledge the traditional owners of the land on  
5 which we meet and pay my respects to elders past, present and emerging. Welcome to the meeting today for the Jindera Solar Farm project. Jindera Solar Farm Proprietary Limited proposes to develop a 120 megawatt solar farm, approximately four kilometres north of Jindera in the Greater Hume Shire local government area.

10 My name is Andrew Hutton. I'm the Chair of this Commission panel. I'm joined by my fellow Commissioner, Professor Zada Lipman. Also joined by Stephen Barry and Jane Anderson from the Office of the Independent Planning Commission on the call. In the interests of openness and transparency and to ensure that we capture all information today, the meeting is being recorded and a full transcript will be  
15 produced and made available on the Commission's website. This meeting is just one part of the Commission's consideration to this matter and will form one of several sources of information upon which the Commission will base its determination.

20 It is important for Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate and if you are asked a question and you're not in a position to answer, please feel free to take the question on notice and provide us with any additional information in writing, upon which we will receipt and put up on our website. I do just ask that as we start to have a conversation today, that you just introduce yourself before speaking the first time. That way we can ensure that all  
25 members are registered and that Auscript are able to just link a name with the response. I might also ask that we don't speak over each other, just to enable accuracy on the transcript. So with that, I think we might begin.

30 What I did want to just open with is just to acknowledge that unlike perhaps some of the previous briefings, we've had the opportunity to visit the site. We took the opportunity to visit this particular site when we went down to look at some other matters in the LGA, and so we do have the benefit of having been on the ground. So the agenda that we sent across to you, I guess, around the issues that were part of today's conversation, I guess have sort of evolved out of our ongoing reading of the  
35 assessment report and other material and with the benefit of being on the ground as well, so - just so that that's acknowledged. So on that basis, we've sent across an agenda. I'm not sure, I think, Mike, perhaps this time we don't have a presentation, but we'll just have a conversation around some of the key issues.

40 MR M. YOUNG: Certainly. That – so it's Mike Young here, Executive Director of the Department of Planning, Industry and Environment. Yes, Andrew, that's – I think, given you've been to the site, given you've had the benefit of our report for a while and also given some of the similarities with some of the issues associated with the Walla Walla project - - -

45

MR HUTTON: Yes.

MR YOUNG: - - - I guess we thought in the interests of some efficiency today, that we'd focus on those matters that were of interest to the Commission - - -

MR HUTTON: Yes.

5

MR YOUNG: - - - rather than re-presenting our assessment through a general presentation, if that's okay.

MR HUTTON: Yes. Yes, that's fine. That's fine. So in that case then, we'll ask  
10 some questions, or do you want to talk to a point, initially, or - - -

MR YOUNG: No. I think if we can focus on the matters of - - -

MR HUTTON: Yes.

15

MR YOUNG: - - - particular concern or interest to the Commission, and then obviously - - -

MR HUTTON: Sure.

20

MR YOUNG: - - - we've got the team here that was involved in the assessment to respond in detail or, where necessary, take things on notice and get back to the Commission.

MR HUTTON: Great. Thanks, Mike. All right. Well, I might just kick off. Obviously the – well, the reoccurring issue here around the agricultural land and land-use issues and land classification and as we work through these projects, that continues to be something that we have to give regard to. This particular site, I think,  
25 initially was assessed by the applicant as being class 3 land, but there was a  
30 subsequent assessment that moved that down to a class 4. I guess I was just keen to understand a little bit about that feedback from the DPI and also the assessment work that went in to that process of reassessment around the land capability class.

MR YOUNG: Yes, sure, Andrew. It's Mike Young speaking. Firstly, I guess I  
35 would say, you know, that the Department very much recognises the concerns of the local community and Council and so forth about the potential impacts of these – this project and indeed other solar projects on agricultural land in the area. As you know, you've visited the site, you know it is – you know, agriculture is the backbone, so to speak of the local economy and obviously there is some very good and high quality  
40 agricultural land in the region. Secondly, we're very aware of the concerns about the important agricultural land mapping that has been under development now by DPI Agriculture for some time and is still yet to be finalised.

Thirdly, I guess, in the absence of that important agricultural land mapping, you  
45 know, we've tried to undertake our assessment based on the available information that's currently, you know, in the – with Government, and clearly that's the agricultural land mapping that we've based our assessment on. I understand that in

this case, that was augmented with some site-specific data as well and that may well have been part of the change, in terms of agricultural land mapping. But I'll hand over – that's just by way of introduction, I suppose, but I'll hand over to Nicole, in the first instance, to – and the team to answer the specifics around any changes through the assessment process as a result of site-specific information.

MS N. BREWER: Thanks, Mike. So Nicole Brewer, Director, Energy Assessments. So they did do our site-specific soil testing in this instance. The – so it was originally mapped with the majority being class 3 agricultural land, but the subsequent testing, I understand, indicated that a large portion of that class 3 land was, in fact, more likely to be class 4 land due to water-logging issues.

MR HUTTON: Right.

MS BREWER: So that was based on site-specific information.

MR HUTTON: Yes.

MS BREWER: So the – and DPI Ag, I note also, you know, reviewed that assessment and accepted the conclusions of that assessment. And I guess the other point I'd make is that the – about, you know, a quarter of the site would remain available for that agricultural production following the development, should it be approved of a solar farm.

MR HUTTON: Yes. One of the - - -

PROF LIPMAN: Sorry, could I just - - -

MR HUTTON: Yes, please, Zada.

PROF LIPMAN: Yes. It's the first time I've come across one of those – a request for an agricultural impact statement in relation to solar farms and I found it particularly useful. I was wondering if this is becoming a standard requirement where land is below class 4. And the other thing that I was interested in is the recommendations and comments they made regarding the clients that were suitable for grazing under the array. I thought that was particularly useful and it seems, from what they say, that other types of grass could be – some types of grass could be unsuccessful or a fire risk and ideally it would be good to have some sort of way of incorporating this and a sort of standard practice for landowners that want to graze sheep under solar panels. Has there been any move towards this?

MR YOUNG: Zada, thank you for the question. Regardless of whether that's formalised in to an agricultural impact statement, obviously potential impacts on agricultural land, both during construction and operations and then post, you know, the development are clearly to our assessment and obviously is a key issue raised by communities in this instance and also more broadly in regard to solar farms and the impact they may have on agricultural land capability. It's unusual, as you say, for

there to be a formal request in preparation of a specific agricultural impact statement for a solar farm, mostly because of the relatively low impact that these types of developments actually have on the inherent capability of the land, albeit that they do have some impact and also those – that capability or productivity needs to be managed carefully during the operations.

But certainly it's something we have indicated, I think, in fact at the meeting that we had with the community last year and certainly since that time, we've indicated that the Department is currently reviewing the solar guidelines and one of those things on the agenda – in fact, probably one of the most important things, based on feedback from our assessment of a number of projects now, but also the New South Wales Farmers Association, is to strengthen and clarify the requirements around assessment of potential impacts on agricultural land associated with solar farms. So that's probably a long way of saying, Zada, the answer is yes and we're looking to strengthen and incorporate some of those requirements going forward.

PROF LIPMAN: Well, that's good.

MR HUTTON: One of the themes that's been reoccurring around this – well, previous projects in the LGA - and I'd imagine may come up again in this one – is the perceived delays to the mapping that's been proposed by DPI Ag. Do you have any visibility on timing and, if not, reasoning behind any delays, why there might be a perception that there is a delay.

MR YOUNG: Look, I think it's – obviously that's a matter for DPI Agriculture. However – and I'm not sure of the exact elapsed time associated with the development of the mapping, but it obviously has been a number of years now, as I understand it. I do think that there was possibly some recent announcement clarifying timing and/or the status of that mapping, albeit to say that obviously in this situation, we were more comfortable because there's actually been site soil testing and surveys, etcetera, to augment any sort of regional mapping that would obviously have, you know, some issues with resolution. But Nicole, was there any statements recently in regard to the update or the status of that mapping?

MS BREWER: Only to – I'm not aware of public announcements from Agriculture, but we have been liaising with our counterparts in DPI Ag and I understand that they were looking to do a process of consultation commencing at the end of November. And so that's part of the process and also recently appointed the Agricultural Commissioner and that had now fed in to part of that process. So the next steps, as I understand it, are around that consultation that's due to happen at the end of November.

MR HUTTON: Great. Okay. Well, thank you for that response. We appreciate the update. Well, are there any other questions on ag land or ag classifications, Zada, before we move on to biodiversity?

PROF LIPMAN: No. Nothing.

MR HUTTON: Okay. Well, thank you. Well, just biodiversity – this is an interesting site. It's quite different in geometry compared to perhaps some other more classic layouts and the applicant has proposed a number of biodiversity retention areas where they've put a large block in the centre of the – what I call the western wing, if you like, for want of a better word. I'm just interested to get some feedback around that and the history of that land being, I guess, extracted from what I guess would have been originally a proposed footprint and just some of the key objectives that the Department is looking for with that, both on the site and I guess whether there's any regional connection aspects in there as well.

MR YOUNG: Thank you, Andrew. It's Mike Young here. I'll kick off and then hand over to the team for some of the detailed analysis that's gone on. You're right, the geometry and layout of this project is not the typical sort of polygon that you might see. It's roughly a square or an oblong in these sort of situations and there's obviously a number of site constraints: biodiversity being one of them; waterways being another; land and proximity of receivers and roadways and the township of Jindera itself and so forth, as well as agricultural productivity issues, have all meant that it's a more complicated site.

I do – I am aware that there was considerable attention to potential biodiversity impacts on EECs and threatened species and also a particular emphasis on further avoidance. And so I think that there were changes made to the project as a result of consultation, particularly with the Biodiversity Conservation Division, seeking in that biodiversity hierarchy to emphasise avoidance over minimisation and offsets. But I'll hand over to Nicole to go through some of the detail of the process that we went through and why, I guess, we were generally satisfied with the level of avoidance and some of the benefits of the recommended conditions that we've made to the Commission.

MS BREWER: Thanks, Mike. So yes, in the consultation that we did with the Biodiversity Conservation Division, they did identify, you know, an area that we then discussed with the applicant. So we've – the centre of the site has avoided the vegetation of the woodland EEC in the centre of the site. Biodiversity Conservation Division, in consultation with them, and then later in consultation with the applicant, identified the area that was originally proposed to be cleared, north-east – so in the western wing, as you identified it, Commissioner, do – so in the western wing, but to the north-east of the retained portion through the centre.

But retaining those additional portions of vegetation and creating that area as being retained would provide some benefit to connectivity and the connectivity was an issue that BCD in their comments on the project and the Biodiversity Conservation Division was satisfied that with the retention of that area to the north-east of the already retained area through the centre of the western wing, does provide additional connectivity through that area and so that that central portion is not isolated, as such. And so it provides that connectivity through to the north of the site.

MR HUTTON: Okay.

MR YOUNG: How much clearing, Nicole, ended up occurring? I think there was an – almost an additional four hectares that was retained as a result of those changes.

5 MS BREWER: That's correct, yes. So that the total - - -

MR YOUNG: But then the residual impact - what's the residual impact at the end of the day?

10 MS BREWER: Yes. So the total clearing is around 20 hectares of native vegetation.

MR YOUNG: And EECs and so forth.

15 MS BREWER: I think so. The project has been designed to avoid about 50 hectares of vegetation. I don't know, Iwan or Tash, if you can – do you have the breakdown in front of you for the split?

20 MR I. DAVIES: It is the – it is 20 hectares of clearing of the EEC. So it's – yes, it's 20.8 hectares of native vegetation which is - my understanding, the majority of which is EEC and 34 paddock trees which represents a 276 ecosystem crowd. That's on a 318 species crowd that's to be retired.

25 MR HUTTON: Okay. One thing I didn't see come through as strongly in this proposal as perhaps others we've looked at is the proposition to enhance the existing riparian corridors. The step-off was there that we've seen before, but there – other projects have actually made a commitment to get in and sort of do some additional planting and enhancement of corridors. Is that something that you discussed with the applicant, particularly in that north – what would be the north-western corner on – sorry, I haven't got the name of the creek, but – Dead Horse Creek, it is.

30 MR DAVIES: Right. So we were actually – in fact, I feel that we were actually stronger in this - - -

35 MR HUTTON: Okay.

MR DAVIES: - - - amended consent. So there are requirements in the TMV to not only maintain, but to improve the condition and extent of the Box Gum Woodland. So that – going back to Nicole's point.

40 MR HUTTON: So that's the piece in the centre, rather than Dead Horse Creek?

MR DAVIES: It's all of it, essentially.

45 MR HUTTON: Okay. Okay.

MR DAVIES: It's that PCT. It's the entirety of that PCT - - -

MR HUTTON: Okay.

MR DAVIES: - - - to ensure the connectivity, yes.

5 MR HUTTON: Okay.

MR YOUNG: So Iwan, does that include the augmentation or enhancement, as well as the offsetting of vegetation along the creek line, not just in those remnant patches within the site itself? That's, I think, what the Commissioner was pointing to.

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MR DAVIES: Yes. Natasha, you – do you know the detail there? My understanding was that it did, but – can you just unmute the – Tash.

MR HUTTON: No, we've lost your audio. That's okay.

15

MR YOUNG: We might circle back to that one, if we – are you there, Natasha?

MS BREWER: No, we've lost audio.

20 MR HUTTON: No. That's okay. That's fine. That's okay. I think I – we can do some more work ourselves around that, but I just wanted to just ask that question.

PROF LIPMAN: Can I ask a few questions?

25 MR HUTTON: Yes, Zada, please. I was just going to throw to you, yes.

PROF LIPMAN: Yes. Well, I think one of the first things was to ask you whether the creek crossings – there are going to be two minor creek crossings for entering the roads and I wondered whether the clearing from that had been included in the clearing figures that you'd been working on for offsets.

30

MR DAVIES: I couldn't comment directly to those creek crossings, but if the – whatever has been cleared would be offset, so - - -

35 PROF LIPMAN: Yes. This seems to be a future internal construction for internal roads and caballing, so that I'd imagine there would be some clearing for that. What is the position generally; if it hasn't been factored in at this stage, will it be factored in at the later stage and will the figures be altered?

40 MR YOUNG: So a couple of things there, Zada. It's Mike Young speaking. Firstly, you know, we – the assessment needs to incorporate all elements of the proposed clearing of native vegetation and that's obviously undertaken by an accredited, you know, biodiversity ecologist. Secondly, those numbers are then checked, you know, rigorously by BCD to ensure that they are done in the proper way and capture all the relevant clearing. Thirdly, there is the flexibility in the conditions that if additional clearing is undertaken, that that can be factored in and

45

any obligations about final liabilities can be then factored in to that and in fact, in some instances, we do - sometimes we don't even specify the credits.

5 Because we use that as a basis to provide an incentive to minimise the clearing over time and then to do a rationalisation of the final liability and to then retire those credits. But in this instance, I guess, we have an estimate and – but if that estimate is – well, it will be then audited and checked and, I guess, if there's any discrepancy, then there will be a requirement to offset the full liability of any clearing.

10 MR HUTTON: Yes.

PROF LIPMAN: Thank you. That clarifies that. Can I just ask another thing then. When we were on the site, we discussed the offsetting arrangements with the applicant and the applicant indicated that they'd prefer to go – instead of paying in to the fund, they'd prefer to find a ..... site. Do you know if any progress has been made on that and, if so, what would be the time period allocated to find one?

MR YOUNG: So firstly, there's obviously a range of ways in which an applicant can retire those credits under the scheme, one of them being to pay in to the fund, one of them being to find their own offsets and the third one being to find existing offsets or stewardship sites that can meet their requirements to retire those liabilities - those offset liabilities. I'll hand over to the team as to whether there's a specific investigation and whether they've progressed at all by the applicant for any sites in the region, or whether that's yet to be commenced, that work. And the conditions – I don't have a copy in front of me in terms of the timetable as to - generally speaking, we – the Biodiversity Conservation Act requires offsets to be secured or those credits to be retired prior to construction.

30 But there is some ability for the secretary to agree to some extension if there's a particular reason why it may take a little bit longer to – and sometimes that's a good reason, in the sense of its everybody's preference that a, you know, biodiversity site be found and the credits retired in that way. And the transaction, as you can imagine, those – the paperwork associated with those transactions does sometimes take some time and so we do allow the – some flexibility upon request, if further time is needed. But I don't know, Nicole or Iwan, do you have any visibility of any investigations in that regard?

MR DAVIES: My understanding is that there are limited sites in the region, based on either discussions with the applicant or documentation provided by them, but I suppose I'd have to leave that for your discussion with the applicant.

MR HUTTON: Yes.

MR DAVIES: And just coming back to your previous question regarding the maintaining and improving the registration, so that does cover the entirety of that PCT, so it would be for – it's not just that additional area - - -

MR HUTTON: Okay.

MR DAVIES: - - - that's set out in our assessment report in red. It's for the entirety of the PCT - - -

5

MR YOUNG: But that PCT, Iwan, includes the riparian vegetation?

MR DAVIES: Yes, it does.

10 MR HUTTON: Okay.

MR YOUNG: Okay.

15 PROF LIPMAN: Just one other question. I notice that it's – which I thought was quite an unusual commitment, was to actually fence off the areas that were to be conserved, particularly the ones that had EEC. It has mixed benefits in the sense that it cuts off connectivity to a degree but, on the other hand, I think the objective was to protect it from sheep grazing within the area. However, if sheep grazing is currently taking place, I wonder why that has been recommended because I don't see any  
20 recommendation from BCD on that. It seemed to be something that was volunteered by the applicant. Did you have any input in that or any – can you comment on that?

MS BREWER: Yes - - -

25 MR YOUNG: I think, for – so you go, Nicole. Yes.

MS BREWER: Sorry, that was – although it might not be in the written comments from BCD, that was definitely raised in the discussion that we had about those particular areas with BCD and the applicant, that that was something that BCD felt  
30 would improve the vegetation in that area to – by preventing sheep grazing. And so then it was something subsequently that the applicant, you know, formally offered as part of that amendment.

35 PROF LIPMAN: All right. Thank you. And the – are you satisfied – I've noticed that the Squirrel Glider Association - - -

MS BREWER: Yes.

40 PROF LIPMAN: - - - seemed to be happy with those rope poles and other structures to enable the connectivity to be maintained. Were all the parties satisfied that that would work in practice?

45 MS BREWER: I think with - part of the conditions recommending that they prepare the biodiversity management plan that incorporates that squirrel glider habitat in consultation with that – the Squirrel Glider Advisory Group.

MR HUTTON: Are they a local group, Nicole? I'm not aware; I haven't come across those. A local or more a regional group, the squirrel - - -

MS BREWER: Iwan, I'm not sure - - -

5

MR DAVIES: I believe that's a local group.

MS BREWER: Yes, I thought they were local.

10 MR DAVIES: Yes. Yes.

MS BREWER: Yes.

MR HUTTON: Okay.

15

PROF LIPMAN: Thank you.

MR HUTTON: All right. We'll move along then. Just turning my attention to the eastern wing, if you like. So we got our – we've got the land bridge between the two sites, which I understand is about constraints and land ownership, which is fine. And I'll come back to some of the interactions with the various roads and things, but on that eastern edge, there's a number of near receptors on Glenellen Road and also on Ortlipp Road. Apologies for pronunciation. I understand that the conditions – proposed conditions are putting in place a number of mitigation strategies, including screen planning, etcetera. But the setback from those residents to the edge of the solar array is still quite close and it's quite noticeable when you're on site.

20

25

I'm just keen to get your – let's have a quick discussion around some of those interactions with those near neighbours on those two roads, particularly around visual impacts and, most particularly, construction noise and I guess the piling, in particular is something that concerns me. Are you able to provide any feedback on those two issues, just to sort of frame it up for us?

30

MR YOUNG: Nicole, I'll let you kick off with that.

35

MS BREWER: Perhaps, Natasha, if you can share the slide particularly on Glenellen Road. That is, Commissioner, something that we did look at in detail, recognising the distance to those receivers. If we can just bring up the slide, if that's possible. If you can just flip, perhaps – yes. Thank you, Natasha. So we did look at these ones in detail, recognising the distance from those receivers and you'll see we went in to some detail in the assessment report to discuss the potential visual impacts for these receivers. I think the thing that we looked at particularly for these ones along Glenellen Road is that there is a significant amount of vegetation around each of those residences that already provides the – that visual screening to the project site.

45

And in addition, the green band that you'll see there is additional landscape planting that is proposed. So the Department felt that the combination of the existing vegetation that was in and around each residence shown on that figure, as well as the additional vegetation buffer that's proposed as part of the development, would  
5 minimise the visual impact for those receivers.

MR HUTTON: Yes. Okay.

MR YOUNG: So Nicole, did we recommend or did the proponent make further  
10 changes through the process in that location, or was that what was originally proposed?

MS BREWER: My understanding is that there was an additional set back. An  
15 addition 60 metres was provided as part of the amendments to that project, so that the total set back from residences along Glenellen Road for the final proposed development footprint is 120 metres.

MR YOUNG: Plus 50 metres of plantings. Is that – that's the green in that diagram  
20 that we're looking at; is that right?

MR DAVIES: All right. 50 metres of landscape planting, that's included within the  
120 metres.

MR HUTTON: Yes.  
25

MR DAVIES: So it's 120 metres from the solar infrastructure, so essentially from  
the panels or the fence, I'm sorry, to Glenellen Road and the nearest residence is  
another 35 metres. So the nearest residence is 155 metres from the proposed solar  
infrastructure.  
30

MR HUTTON: Yes. And similarly down the eastern side then, or – R34, R10, R11.  
Yes.

MS BREWER: That's right. So Natasha has just brought up that figure to show  
35 that there's quite a bit of existing vegetation along Ortlipp Road and around those receivers; that the feeling was similarly that the existing vegetation and the proposed landscape planting would minimise the visual impact from those locations.

MR HUTTON: There's no landscape planting proposed for that eastern end that I  
40 can see. There's the - - -

MS BREWER: That figure shows the green – sorry, the ..... green is - - -

MR HUTTON: I beg your pardon. I beg your pardon. I was looking for the blue.  
45

MS BREWER: - - - a factor in - - -

MR HUTTON: Yes.

MS BREWER: Okay. Sorry.

5 MR HUTTON: Okay. Yes.

MR YOUNG: But the set back and the depth of planting is a little bit less in this part of the site.

10 MR HUTTON: Yes. Yes. Okay, thanks, Mike. Yes. Okay. Can you speak to construction noise in the same vein.

MR DAVIES: So on noise, so there aren't any receivers above the highly effective noise criterion of 75 dB in the ICNG guidelines. There are, however, 12 residences  
15 that would be above the noise-affected criterion of 45 dBA and they are between 48 and 64 dB. Now, those exceedances would be short-term. They'd be limited to just a three-week period. They would also be intermittent and clearly limited to standard construction hours and to – similar to our discussion on the Walla Walla project, to  
20 when particular works are undertaken in concurrence. So minor earthworks, road construction and panel framing are undertaken in proximity to those residences. But the applicant did look at reducing the impacts and they did amend the location of some of the inverters. They also set back the substation from Ortlipp Road and those residence and - - -

25 MR HUTTON: So on that diagram we're looking at, at the moment, Iwan, yes, that - - -

MR DAVIES: Yes.

30 MR HUTTON: Those areas there, because they were a bit closer to the corner before, weren't they?

MR DAVIES: Yes, that's it. Yes, yes.

35 MR HUTTON: Yes. Yes.

MR DAVIES: And we also considered cumulative noise impacts, Andrew, so my understanding is that a noise impact assessment or cumulative noise impact  
40 assessment was undertaken which found that one resident – being R10 – was predicted to experience a cumulative construction noise level of 58 dB. Again, that would be intermittent, but for a six-week period. That assessment was clearly limited, given the EAS was not yet submitted for land solar farm.

MR YOUNG: But I think at the end of the day, Andrew, we agree that those  
45 particular properties on those two roads – I think the visual impact assessment clearly indicates that existing vegetation, combined with the proposed vegetation and the set back means that the visual impacts would be – the residual visual impacts would be

not particularly significant, but there's no doubt that during construction for, you know, some days or weeks where the noisiest activities are occurring, as you've indicated in terms of the construction with the panel infrastructure, there's no doubt that they will be – you know, during day time hours, there will be some – you know,  
5 some significant construction noise that I'm sure they'll be able to hear and obviously there would be a level of disturbance and annoyance associated with that.

So I guess what we've tried to do is assess the nature and extent of that, both in terms of quantity and time, and also look to the company to consult closely with those  
10 landowners and look at other measures in the – you'd be aware in the construction noise guideline there's a range of measures that can be – that are encouraged for proponents to implement, including close consultation, respite periods, you know, understanding when there might be some sensitive things going on there that the company can avoid or be cognisant of. So we would – well, there's an obligation to  
15 implement those measures as part of the recommended conditions. But there's no doubt the residual impacts, absolutely those people will be disturbed and hear that construction noise for some days or weeks.

MR HUTTON: Okay. Zada, do you have any questions around visual or noise?  
20

PROF LIPMAN: No.

MR HUTTON: Right. Okay.

25 MR DAVIES: Andrew, I think it's also - - -

MR HUTTON: Yes.

MR DAVIES: - - - worth noting that the height of these panels are limited to three  
30 metres, so quite different to other projects. So the applicant has decided that the best of this – or the best use of the site would be utilising panels at that height, rather than perhaps four or 4.5 metre panels that we are seeing on other projects.

MR HUTTON: And that's driven by the visual impact or that's part of the  
35 consideration?

MR DAVIES: I'm not so – I don't believe it's driven by the visual impacts. I mean, it may be, but more – I think it more comes down to the economics and the best use of the land.  
40

MR HUTTON: Yes. Yes. Okay. We did have a point in our agenda around workforce accommodation and I think you've addressed that through a regional approach and regional planning and I think that's good. So that issue stands, or at least has been, you know, satisfactorily addressed. Just with respect to roads and  
45 traffic impact, my understanding – and I could be corrected here – is that across the course of the development, there's one, two, three, four, five different access points in and out of the site. There's a western access point coming off Urana Road.

There's then the crossing that connects the land bridge and the eastern side that crosses Walla Walla Jindera Road and then there's another access that accesses the substation on the eastern side.

5 MR DAVIES: Can I - - -

MR HUTTON: Yes.

10 MR YOUNG: Yes, please, Iwan.

MR DAVIES: I think, yes, it appears that there are. There are five access points, but ultimately you have three construction access points there.

MR HUTTON: Yes.

15 MR DAVIES: It's the one off Urana Road, to the west of the site.

MR HUTTON: Yes.

20 MR DAVIES: And it's the two directly opposite each other on Walla Walla Jindera Road. The other two – so the one off Ortlipp Road – is only for emergency and maintenance access.

25 MR YOUNG: Natasha, can you share the screen, the third-last slide in our set. I think that's really helpful for the Commission.

MR HUTTON: There's the slide - - -

30 MR YOUNG: Can people see that?

MR HUTTON: Yes. Yes, thank you.

MR YOUNG: Yes.

35 MR HUTTON: So the substation end, Iwan, we're not proposing to bring heavy vehicles or construction plant in off Ortlipp Road. It will come internal to the development off Walla Walla Jindera Road?

40 MR DAVIES: Absolutely. The only time that Ortlipp Road would be utilised is yes, for that emergency and maintenance access, but also for the construction of the transmission line. So the substation and the battery would be brought in through that Walla Walla Jindera Road access.

45 MR HUTTON: Yes.

MR DAVIES: The only time Ortlipp Road would be used is for the construction of that transmission line over a – I think it was a six to eight week period - - -

MR HUTTON: Yes.

MR DAVIES: - - - with limited heavy vehicles.

5 MR HUTTON: Yes.

MR DAVIES: But that was the only instance, apart from that maintenance access.

10 MR YOUNG: Would there be maintenance access for TransGrid? Is that going to be a TransGrid substation ultimately?

MR DAVIES: That's my understanding, is the reason that one is for – is a maintenance access is - - -

15 MR YOUNG: So TransGrid may - - -

MR DAVIES: - - - so that - its ease of use for TransGrid. Yes.

20 MR YOUNG: That's right, yes. Yes.

MR HUTTON: But during construction, my eyeballing that, there's quite a bit of clearing to occur along from the orange cross down to the substation inside the road easement, I imagine, or is - the applicant is still a little bit undecided as to how that was going to shape up a few weeks ago. That may have changed. So there would be clearing and then there would just be power line construction. That's fundamentally the activities. And then maintenance and servicing of that line back to the substation.

MR DAVIES: Yes.

30 MR HUTTON: Okay.

MR DAVIES: Yes.

35 MR HUTTON: All right. Also I would imagine that there will need to be some under-road - civil engineering, under-road tunnelling, or something to get the infrastructure caballing bits and pieces under Walla Walla Jindera Road. Was that part of the consideration?

40 MR DAVIES: It was. I do forget the detail there, I'm sorry. My understanding was that it would be an overhead, but I - - -

MR HUTTON: Okay.

45 MR DAVIES: - - - stand to be corrected.

MR HUTTON: A question for the applicant, perhaps.

MR DAVIES: Yes.

MR HUTTON: Yes. Okay. All right. Zada, did you have any other questions at all?

5

PROF LIPMAN: No, not on the works. No.

MR DAVIES: Sorry, Andrew. I believe that it may be underground, but those impacts have been assessed as part of the EAS. But yes, worth clarifying with the applicant.

10

PROF LIPMAN: Yes.

MR HUTTON: Yes. Okay.

15

PROF LIPMAN: The applicant did indicate that the cabling between the east and the west sides would be underground.

MR HUTTON: Yes.

20

MR DAVIES: Thank you.

MR HUTTON: And that there's no proposal to use that Nation Road right to the north there again. Internal access would be, as I say, those three keys points.

25

PROF LIPMAN: Yes.

MR HUTTON: Yes.

30 MR DAVIES: Yes.

MR HUTTON: Okay. All right. I think they're probably all the questions I had. Zada, I'll just make sure there's nothing left on your notes.

35 PROF LIPMAN: Yes. There is one particular issue that I wanted to take up with you.

MR HUTTON: Please.

40 PROF LIPMAN: Reading through the submissions, I note that there's actually a mining exploration lease held over the north-west section of the project site, affecting about nine hectares. And I also note that the current owner of the lease has complained about the intrusion of the solar farm and I just wondered, it hasn't been actually discussed. Has it been resolved or what is the position in relation to this?

45

MR YOUNG: Nicole or Iwan, are you able to comment on that consultation?

MS BREWER: I don't know, Iwan, if you're able to comment. I guess our – from the – our understanding is usually that the – you know, this type of infrastructure isn't a permanent change to the landscape and that it – you know, it may be that if an exploration – we understand that there isn't an exploration - you know, proposals to  
5 immediately develop that land, but that a solar farm could allow – could – you know, isn't a permanent change to the land such that that couldn't be possible.

MR YOUNG: So Zada, obviously one of my roles within the Department of Planning is to undertake mining assessments and as you'd be aware, there are  
10 exploration licences and mining leases for all sorts of mineral resources around the State covering vast areas of the State. Our processes to ensure that there's no conflict – potential conflict between these type of projects and potential exploitation of mineral resources on behalf of the State is that we consult firstly with the DRG, which is now MEG – Mining, Exploration and Geoscience – in regard to whether  
15 they've got any concerns about the impacts of the infrastructure or energy project on mineral resources and where there is an EL or an ML held by a particular titleholder, that the applicant be required – and we usually put that in the SIAs, a requirement to consult with any holders of those mining titles to ensure that co-existence can occur, if necessary.

20 Now, whilst I'm not – I don't have in front of me whether there was any particular concerns raised by the titleholder in this case, certainly the - MEG hasn't raised any concerns in its submission. And what you'd find mostly is that with ELs, they're usually very large areas and the resource - - -

25 PROF LIPMAN: It's 1000 hectares and this only nine hectares that - - -

MR YOUNG: That's right. So typically, unless there's a very significant overlap that would preclude reasonable exploration to be undertaken to work out the nature and extent of the resource in question, then, you know, we would normally think that that exploration could and can continue regardless of whether this particular project proceeds. And given your characterisation of nine out of 1000 hectares, clearly that exploration can and will be able to continue on the remaining hectares. But also  
30 even within the solar farm itself, there are ways to do, you know, very low impact exploration activities if absolutely necessary.  
35

And there would be rights under the mining legislation to enable an EL holder to undertake that work if it was deemed necessary. But there are ways and means of doing directional drilling and development of resources and all kinds of things that mean that - in my experience, there's been very few instances where there's been a real or material conflict between those two potential land uses and unless I'm hearing  
40 anything different in this case or unless the particular EL holder, being, I think, Minerals Australia, I'm told. But there's also, I think, a requirement, is there not, in our conditions to consult further with the titleholder? I'd need to check that with the  
45 team, but it certainly is a condition we do consider from time to time if necessary.

PROF LIPMAN: It's not something though that we should ..... mentioning because it does seem to be something that should be mentioned in the assessment.

5 MR YOUNG: Yes, I agree and it's certainly something we require in the SIAs and if there is an issue. Clearly though, it was – we've included the documentation from MEG and so forth in our – attached to our assessment report, whether or not we've specifically mentioned it in our discussion. But can the team confirm whether there's any conditions or any further work in regard to that consultation.

10 MR DAVIES: I don't believe that there is anything in the conditions, Mike, but yes, I can confirm that - as I think you have, that the applicant did engage with Minerals Australia on the exploration licence. I'm not aware that any concerns were raised and that MEG did acknowledge that the applicant - - -

15 MR HUTTON: Yes.

MR DAVIES: - - - had consulted that licence holder.

20 MR HUTTON: And certainly MEG raised no concerns themselves at this point, other than to be consulted on any future land-based offsets, so - - -

MR YOUNG: Yes. That can be - the concern of MEG is that if land-based offsets are secured, then they ought to be secured in an area that wouldn't unnecessarily sterilise potential mineral resources as well. So - - -

25 PROF LIPMAN: And I just raising that the owner of the lease had registered a complaint and I wasn't sure what the complaint was.

30 MR YOUNG: What is the complaint, Zada, that you're referring to? Is it a particular complaint with MEG or with the Department or the IPC?

PROF LIPMAN: I have absolutely no details. All it said was that the owner had registered a complaint.

35 MR YOUNG: Right. Okay.

PROF LIPMAN: Not for this - - -

40 MR YOUNG: Right.

PROF LIPMAN: - - - exploration.

45 MR YOUNG: I'm also told that the licence does expire next year, so they would need to go for a renewal anyway to maintain those exploration rights - - -

PROF LIPMAN: Right. All right.

MR YOUNG: - - - which may or may not be granted, depending on the facts of the case.

PROF LIPMAN: Yes, okay. Thanks.

5

MR HUTTON: Right. Thank you, Zada. I think that's probably all, team. I do appreciate your time on a Monday early to come together and talk with us. As I said, we had the benefit of a site inspection which worked well actually, you know, to get an appreciation of that nice and early. So I think other than to thank you for your time again, I don't believe there's any follow-up actions. I certainly haven't noted anything at my end. So I think other than just acknowledging that we've had this call, I think that's probably it. Is there any – I've forgotten Jane. Just moving in your chair there.

15 MS ANDERSON: No, I don't think so, Andrew.

MR HUTTON: Okay.

20 MS ANDERSON: We'll just follow up and make sure we've got the right details for the public meeting on Friday.

MR HUTTON: Great.

25 MR YOUNG: And certainly if there's any questions, Commissioners, either this week or following the public hearing – public meeting, I should say, then of course I'm happy to provide any further information or any follow-up on those matters and looking forward to presenting our assessment in detail on Friday and thank you for the opportunity to do so and to meet with you today.

30 MR HUTTON: Great. Thank you. Okay. Well, what I'll do is I'll close the meeting and thank you for your time. Thanks very much.

MR DAVIES: Thanks very much.

35 MR YOUNG: Thank you.

MR HUTTON: Yes. Thanks.

40 **RECORDING CONCLUDED**

**[12.00 pm]**