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Ricardo Energy Environment & Planning

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Our reference 30866 / Issue 1

23 December 2021

**Re: RESPONSE TO THE DEPARTMENTS REQUEST FOR FURTHER INFORMATION
PLANNING PERMIT APPLICATION NO PA2101365
FULHAM SOLAR FARM**

Dear Sam,

Ricardo Energy Environment & Planning acts on behalf of Solis RE regarding the subject site at Hopkins Road, Fulham.

1 Introduction

We write in response to your letter dated 26 October 2021 requesting further information pursuant to Section 54 of the Planning and Environment Act 1987, in regard to the proposed solar energy facility at the above address, Planning Permit Application No. PA2101365.

Plans and supporting documents lodged in response to the Department's requested further information letter include:

- Planning Permit Application Form Addendum
- Amended Town Planning Report prepared by Ricardo Energy Environment and Planning
- Amended Design Documents prepared by Ricardo Energy Environment and Planning
- Amended Visual Impact Assessment prepared by Davidson Studios
- Amended Glint and Glare Assessment prepared by Ricardo Energy Environment
- Amended Traffic Report prepared by Traffix Group
- Amended Acoustic Assessment prepared by Watson Moss Growcott.

2 Further Information Requested

Our response to each of the matters raised in the Department's requested further information letter as follows.

1. Amended Application Form to include:

- a. **All land impacted by the proposal. It appears the proposal includes the use and development of a utility installation (powerline) within the Hopkins/Settlement Road reserve.**

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The DELWP Permits Online function does not allow additional land details to be added post lodgement. Additionally, DELWP Planning Permit Application Forms provide input for one formal land description. Accordingly an addendum to the application form has been prepared disclosing the additional land impacted by the proposal.

2. Amended Planning Report to include:

a. Additional information about the proposed battery energy storage system, including type, weight and capacity.

Section 4.3 of the Planning Report has been amended to include additional details about the battery energy storage systems.

b. Assessment of potential drainage/stormwater impacts and how any potential impacts are proposed to be managed.

Section 7.9 of the Planning Report has been updated to include further discussion around drainage and stormwater impacts.

c. Confirmation as to whether the proposal includes the removal of any native trees. Section 7.7.1 of the submitted report identifies that two scattered trees are required to be removed. These trees are not identified anywhere else in the application.

There are no native trees located on the subject site. The reference to the two scattered trees has been removed from Section 7.7.1 of the Planning Report and was a typographical error.

3. Updated Development Plans to include:

a. Clarification of the structure at 913 Settlement Road, Fulham (i.e. dwelling or shed) and consistent identification across all plans and reports.

Structures located at 913 Settlement Road, 922 Settlement Road, and 995 Settlement Road have been added to the proposed power line alignment plans.

b. Clarification of any difference between 'green' and 'blue' solar panels.

The 'green' solar panels indicate a smaller table plan length with 58 modules per table as opposed to 87 modules per table on the 'blue'. The type of panel, height above level, and associated infrastructure does not vary between the two colours.

c. Identification of existing infrastructure or easements on the site, including drainage, transmission or pipeline infrastructure.

All existing infrastructure has been identified.

d. Details/layout of any proposed ancillary infrastructure, including lighting and security infrastructure, noise barriers, temporary opaque screening, firefighting infrastructure and signage (including elevations).

- With the exception of the 2.1m high security fence, no other security or lighting infrastructure is proposed.
- Noise barriers and acoustic containers are shown on the Site Layout Plan and elevations.
- The location of the temporary opaque screening is shown on the site mitigation plan.
- The 'Water Tank Elevation' has been amended to include the appropriate fire water signage in accordance with AS 2419.1 section 5.4.5.

e. Clarification about the height of noise barriers which are shown as 3 metres on plans, however described as 4 metres in the Acoustic Report and Planning Report.

The elevations have been amended to show the height of the noise barriers as 4 metres.

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f. Minimum setback of proposed panels and fencing from the neighbouring dwelling at 379 McLarens Road.

Plans have been updated to include the minimum setback of proposed panels and fencing from the neighbouring dwelling at 379 McLarens Road.

4. Updated Landscape and Visual Impact Assessment to include:

a. Confirmation of the height of proposed infrastructure shown in montages, including batteries, switchyards and control rooms.

Notations have been added to the photomontages showing the location and height of proposed infrastructure including batteries, switchyards, and controls rooms.

b. High-resolution photomontages. The montages included are blurry when zoomed-in.

The resolution on the photomontages has increased, allowing for a clearer image when zoomed in.

5. Confirmation as to whether an Environment Effects Statement (EES) is required under the Environmental Effects Act 1987 (EE Act).

a. The submitted Flora and Fauna Report identifies that referral to the Minister for Planning is required under the EE Act due to the removal of more than 10 ha of Plains Grassy Woodland (EVC 55).

b. A referral under the EE Act is typically made by the proponent making a written referral to the Minister for Planning requesting a decision on whether an EES is required.

c. Further information about the referral process under the EE Act should be sought via email to ees.referrals@delwp.vic.gov.au.

A draft Environmental Effects Statement referral was submitted to DELWP on 29 October 2021. Feedback was received on 17 November 2021 and a formal referral is expected to be lodged imminently. It is anticipated that a response will be provided by the Minister within 20 business days of lodgement.

6. Updated Acoustic Report to include:

a. Demonstration that the proposal can comply with EPA Publication 1826.4. It is noted the assessment demonstrates a potential non-compliance with EPA Publication 1826.4 at the dwelling at 379 McLarens Road, as well as marginal compliance at nine other sensitive receptors. Any mitigation measures required to achieve compliance should be shown on the proposed development plans.

The report demonstrates a compliance with EPA Publication 1826.4 at all sensitive receptors can be achieved with proposed mitigation measures. The development plans have been amended to show all recommended mitigation measures.

b. A description of the applicable noise limits in accordance with EPA Publication 1826.4.

The report has been updated to include a description of the applicable noise limits in accordance with EPA Publications 1826.4.

All noise sources have the potential to operate during the EPA-defined night periods when the Noise Protocol limit is 36dB(A). A further allowance has been made for a tonal adjustment of +5 dB(A). Accordingly, the project noise target effectively becomes a modelled noise level of 31 dB(A) at sensitive receptors.

c. Clarification as to whether noise emissions from the battery components of the proposal have been included in the modelling. If they haven't, these must also be included in the assessment.

Noise emissions from all components of the proposal have been included in the modelling, including the batteries. Batteries per se do not emit noise, it is the equipment connected to the batteries that emits noise. The acoustic report has been updated accordingly.

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7. Updated Traffic Report to include:

- a. **Identification of access routes and all roads proposed to be used to transport construction materials to and from the site.**

Construction traffic will travel directly between the site and Princes Highway to/from the north via Hopkins Road. The Traffic report has been updated to show the proposed construction access route.

- b. **Suitability of any unsealed roads for construction traffic, if required.**

Traffic generated by construction will be confined to the sealed McLarens Road.

- c. **Identification of any road upgrades or roadworks required to ensure roads can accommodate access to the site, specifying whether they are temporary or permanent.**

Section 5.3 of the Traffic Report has been updated and states Hopkins Road is in good condition and is adequate to accommodate the level of construction traffic anticipated. The proposed permanent upgrade to Hopkins Road will occur once construction of the solar farm is near completion.

8. Updated Glint and Glare Assessment to include:

- a. **Assessment at section 9.2 to demonstrate how the proposed mitigation measures will ameliorate glint and glare impacts to all sensitive receptors.**

Section 9.2 of the report has been updated to show how the proposed mitigation measures will ameliorate glint and glare impacts to all sensitive receptors.

- b. **Consideration of on-site mitigation measures to reduce aviation related glint and glare impacts associated with West Sale Airport and RAAF East Sale Base. On-site mitigation measures are preferable to imposing measures on all aircrafts using the airfields.**

The project team has engaged with West Sale Airport, CASA (Civil Aviation Safety Authority), and the Department of Defence (RAAF East Sale Base) during both the formal and informal community consultation period.

No objections to the proposed solar farm were raised during these discussions. It is noted, that during these discussion the Department of Defence requested the solar panels be comprised of non-reflective materials of which is shown on the development plans. These discussions are outlined in the community consultation documents provided as part of the planning application.

3 Preliminary Comments

1. **Following the receipt of the above further information, the application will likely be referred to the following (and should they request further information, this will be forwarded on receipt):**
 - a. **Secretary to DELWP (recommending referral authority).**
 - b. **WorkSafe Victoria (determining referral authority).**

Noted.

2. **Preliminary comments and a request for further information about the proposed removal of native vegetation have been made by the Department's Gippsland region on behalf of the Secretary to DELWP (dated 18 October 2021). This request for information is attached to this letter.**

A response to this request is currently being prepared and will be submitted to DELWP concurrently.

3. **The Department encourages early engagement with Wellington Shire Council to discuss relevant matters, including drainage, local road upgrades and the operation of West Sale Airport. First contact should be made with Joshua Clydesdale, Manager, Land Use Planning, Wellington Shire Council via joshuac@wellington.vic.gov.au or +61 407 327 210. The following contact information has also been provided by Wellington Shire Council:**

- a. **Traffic and Drainage Infrastructure:**

- i. **Lucy Spooner, Coordinator Infrastructure Development, lucys@wellington.vic.gov.au.**

- b. **West Sale Airport:**

- i. **Theo Christopher, Airport Manager, theoc@wellington.vic.gov.au.**

ii. **Department of Defence, land.planning@defence.gov.au.**

Meetings and discussion have been held with each of the relevant representatives from Wellington Shire Council, Department of Defence, and West Sale Airport.

4. The application documents propose the location of security fencing outside the boundary landscaping. The Department encourages the placement of fencing inside the boundary landscaping, or justification as to why this is not achievable.

The proposal has located the security fencing inside the boundary landscaping along the interface to the property at 379 McLarens Road.

Outside of this location it is not possible for the following reasons:

- Importantly, the fencing would be largely invisible with the eye drawn to the landscape behind given its high level of transparency.
- There would be less passive surveillance over unwarranted access to the site and infrastructure.
- The proposed vegetation could end up aiding unwarranted access should the fence be moved to the internal boundary of the landscape and this vegetation be physically accessible to the public.
- The vegetation will be less accessible for routine maintenance and management should the fence be moved adjacent to the internal access track. Access would need to be sought between the title boundary and the planted vegetation. Critically, this could impact on the space available for landscaping – particularly along the northern and western boundaries of the site.
- Less access for maintenance raises management concerns, especially with regards to fire management.

In addition to the above, we believe the co-location of boundary fencing on the northern and western perimeter of the site cuts down on excessive fencing infrastructure and reduces maintenance requirements. Internal fencing would result in duplication of fencing on these boundaries.

Finally, the fencing also provides protection to the landscape while it is establishing – protection from animals and people. As the vegetation establishes, the fencing will recede and be barely visible. We recommend the fencing is retained on the outside of the boundary landscaping.

5. Please ensure that all application documents are consistent and that any amendments made to the development plans in response to the above are consistent with the relevant assessments, and vice versa.

Noted and updated accordingly.

4 Closure

We thank the Department for the opportunity to respond and trust that the information provided appropriately addresses the Request for Further Information.

The information attached and detailed above provides the requested information, however, should this be considered not met we request a further extension of time of one (1) month to enable any outstanding items to be provided.

We look forward to commencing the advertising period, however, should you have any questions please do get in touch with Ben Corley on [REDACTED]

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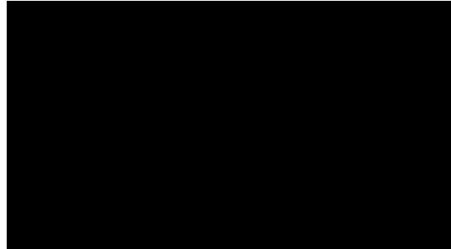
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Yours sincerely,

Ricardo Energy Environment & Planning Pty Ltd



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