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7 December 2021  
Our Ref: 20143

Via DELWP permits online portal

Dear [REDACTED]

### Planning Application PA2101321 – RFI Response Groke-Harrow Road, Charam

# ADVERTISED PLAN

Please find the following response to DELWP's request for further information for the above planning permit application:

#### 1. Amended Application Form

An amended application form is now provided. This form has now been revised to include the adjacent road reserve as the land to which the permit is sought, as well as changes made to the proposal under Section 50 of the Act – for an amendment prior to notice of the application under Section 52.

As a result of the TPZ encroachment of an existing tree being greater than 10% and the subsequent consideration of this tree being "lost", this application form now includes the removal of native vegetation.

#### 2. Amended planning report

Clarification is now provided within report as to the proposed use of the area of Aboriginal Cultural Heritage Sensitivity – which will continue to be used for agriculture – specifically, livestock grazing.

Further, the relevant sections have been updated to incorporate the relevant considerations for native vegetation removal, including the permit triggers and planning policy framework considerations.

A tracked changes version is provided for your convenience.

#### 3. Updated plans

Amended plans, by Green Gold Energy, are now provided which include the requested notations by DELWP.

#### 4. Amended Biodiversity Assessment

An appended report (and summary of responses to the specific points raised in the original RFI by DELWP) has been prepared by Red-Gum Consulting.

In addition to the above points that have now been addressed, we also note the initial concerns that were raised with the application as part of DELWP's **Preliminary Assessment**, which are considered below:

- *The application does not comply with all measures within the CFA Guidelines (e.g. the provision of less than two access points, a reduction in the 10 metre fire break area, etc.). The application should be revised to appropriately demonstrate compliance with the CFA Guidelines or written justification provided to justify these non-compliances. We encourage you to engage with the CFA prior to responding to this RFI.*

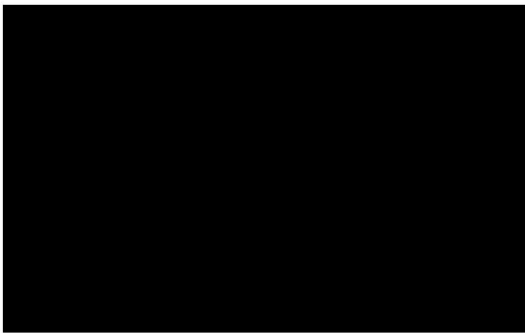
The application is for a "Micro Solar Farm" under the definitions set out under Section 6.5 of the CFA Guidelines. Accordingly, the above requirements of the CFA Guidelines are not applicable for a facility of this scale.

• *The nearby wetlands support several species listed under the Flora and Fauna Guarantee Act 1988 (FFG Act) including Brolga (Endangered), Australian Shoveler (Vulnerable), and Musk Duck (Vulnerable). DELWP Environment recommends the proponent consider clarifying if any of these or other FFG Act listed species could be impacted by collision with the solar panels or any new or upgraded section of powerline (if required). In particular, Brolga are known to collide with powerlines.*

Please refer to the attached response from Red-Gum Consulting.

We trust the above information satisfies your request for further information. Should you have any additional queries, please don't hesitate to contact our office.

Yours sincerely,



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## Further Information

The further information required is:

### 4. Amended Biodiversity Assessment to include:

- a. A 'final' version of the report.

Response: This version dated 6<sup>th</sup> December 2021

- b. Additional information about existing native vegetation and potential impacts, including:

- i. Identification of native and non-native vegetation on-site (including evidence).

Response: I've added a little more detail to the final Bio report and commentary on the grasses etc as well as added some photos as evidence.

- ii. A plan (including TPZs calculated in accordance with AS 4970-2009 Protection of Trees on Development Sites) and written description of native vegetation on the site (including evidence).

Response: See Attachment 2 in the revised bio report

- iii. Assessment as to whether the proposed development (including construction works and internal access tracks) will impact any native vegetation (taking into consideration TPZs), including:

- Whether any native trees will be impacted due to posing a future maintenance or safety problem to infrastructure including fences and solar panels.

Response: No. The assessed design is the Final layout that was assessed in the field and is inclusive of all anticipated impacts to vegetation (native and exotic).

- Whether any native trees will need to be removed to avoid 'overshadowing / shading' the solar panels.

Response: No. If any trees were to be removed for this reason, they would be removed prior to the construction of the solar field. The design seeks to avoid the loss of all trees and their TPZs at all stages of the development as shown in Attachment 2. However 1 tree will have >10% of its TPZ affected therefore a PP under 52.17 will be required.

- The potential impact of any new or upgraded powerlines on native vegetation including native trees.

Response: There are no anticipated impacts of additional infrastructure as the site will not support additional panels or delivery infrastructure. What is planned and shown in Attachment 2 is the final and total impact anticipated.

- iv. Evidence that sections of the site supporting native grasses do not meet the definition of 'native vegetation'.

Response: The grasses mix on site is a result of a set-stocking regime that has degraded any native vegetation values to the point where the open grassland is >80% exotic and dominated by barley grass and rye. Photos have been added

- v. Confirmation that there will be no increased sedimentation or change to the hydrology of any existing nearby wetland or to other adjacent / nearby land supporting native vegetation. Note that mapped wetlands are deemed to support native vegetation.

Response: I can confirm that the design seeks to contain all on site drainage. It is highly unlikely that the development will result in concentrated flows of water existing the site as there are few sealed surfaces proposed. Water that falls on the site will be retained naturally, under and in between the panels, which will all be left as grass to be eaten by stock as per the current state of play.

- vi. Identify the species of any trees that will be impacted by the proposal. If any of the trees impacted are Buloke, Stringybark or Red Gum, describe their contribution to Red-tailed Black Cockatoo habitat as suitability as feeding, nesting or trees that assist movement across the landscape.

Response: No trees will be lost, all are to be retained.

- vii. Further details are required on the impacts on any Red-tailed Black Cockatoo habitat trees as per points 3. a. ii, iii, iv, v and vi above.

Response: The species is highly mobile and given my responses to the points above, it is highly unlikely that the species home range will be reduced or the species put at risk by the development of the site.

**Preliminary Assessment:**

- The nearby wetlands support several species listed under the *Flora and Fauna Guarantee Act 1988* (FFG Act) including Brolga (Endangered), Australian Shoveler (Vulnerable), and Musk Duck (Vulnerable). DELWP Environment recommends the proponent consider clarifying if any of these or other FFG Act listed species could be impacted by collision with the solar panels or any new or upgraded section of powerline (if required). In particular, Brolga are known to collide with powerlines.

Response: The panels are not tall enough (average 2m) to be considered a collision risk to any species that might be using the site opportunistically. A solar farm presents far fewer risks of bird strike than a wind farm. New power poles and lines are very unlikely to present as a hazard that will cause a high degree of population stress or native bird kills, as these structures have been in the same environment for over 100 years and species have adapted to their presence, and even utilised them for nesting/roosting harbour given the impacts of wide scale clearing....which this project design has worked hard to avoid.

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