

**From:** [EPD Impact](#)  
**To:** [IPCN Enquiries Mailbox](#)  
**Subject:** ACT Government EPSDD submission re Wallaroo Solar Farm - SSD-9261283  
**Date:** Wednesday, 31 July 2024 4:59:30 PM  
**Attachments:** [Submission to NSW IPC.pdf](#)  
[Attachment A - Summary of EPSDD comments on the proposed Wallaroo Solar Farm.docx](#)

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OFFICIAL

Good afternoon Mr Mills,

Please find attached a submission for the Wallaroo Solar Farm proposal, REF # SSD-9261283.

Kind regards,

**Eliza Larson**

**A/g Senior Director Impact Assessment | Statutory Planning**

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Environment, Planning and Sustainable Development Directorate | ACT Government

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**ACT**  
Government

Environment, Planning and  
Sustainable Development

Andrew Mills  
Panel Chair  
NSW Independent Planning Commission

[ipcn@ipcn.nsw.gov.au](mailto:ipcn@ipcn.nsw.gov.au)

Dear Mr Mills

**DEVELOPMENT OF A 100 MW SOLAR FARM AND ASSOCIATED INFRASTRUCTURE,  
INCLUDING BATTERY STORAGE AT WALLAROO (REF # SSD-9261283)**

I am writing on behalf of Environment, Planning and Sustainable Development Directorate (EPSDD) to make a submission providing comments for consideration in relation to the above project.

The ACT Government recognises the importance of renewable energy generation in achieving local, national and international decarbonisation objectives as well as the need to obtain and maintain social licence in pursuing these objectives.

EPSDD has previously provided comments on the proposal via the Planning Secretary's Environmental Assessment Requirements, Environmental Impact Statement and draft conditions of consent processes, and these are summarised at [Attachment A](#).

The key matters of interest to EPSDD include:

- consideration and mitigation of indirect impacts to the adjacent Jarramlee Nature Reserve (an environmental offset site with associated Commonwealth commitments);
- appropriate consultation with ACT emergency management stakeholders; and
- management of construction traffic impacts.

I would like to take the opportunity to reiterate EPSDD's previous comments, noting that the [RFI response](#) from the applicant dated 27 June 2024 has been limited to two of various comments provided. EPSDD's requested a 10m wide vegetation buffer to protect Jarramlee Nature Reserve. The RFI response to this comment appears to be limited to visual impacts only.

To clarify, a 10m buffer between the development and the nature reserve was intended to mitigate indirect impacts such as overland flows, fertiliser treatments, soil disturbance/weed spread and litter. EPSDD is of the view that a buffer of scattered vegetation planting as suggested by the applicant would provide some protection but may not provide sufficient mitigation for potential indirect impacts.

Inclusion of a 10m wide vegetated buffer area for Jarramlee in the Conceptual Landscape Plan at Appendix 4 of the conditions of consent would significantly strengthen the protections for this reserve and its values.

It is also recommended that the conditions of consent include consultation with ACT emergency management stakeholders on emergency fire related matters due to the likelihood that ACT Fire and Rescue would be the first responders to any incident.

In relation to management of traffic impacts during construction, the applicant's RFI response to Yass Valley Council regarding upgrades along the access route is noted. However, the conditions of consent would benefit from the minor changes suggested in Attachment A, particularly by capturing the Barton Highway/Wallaroo Road intersection as a site proposed for future road upgrades in Appendix 6.

Although the proposed future works for the Barton Highway/Wallaroo Road intersection are relatively minor and primarily associated with managing construction impacts it is essential that this occurs in accordance with Transport Canberra and City Services standards.

Thank you for consideration of these suggested improvements to the conditions of consent to reduce the risk of unintended impacts from the proposed development, and to ensure its safe construction and operation.

If you require any further information, please contact the Impact Assessment team at [epdimapact@act.gov.au](mailto:epdimapact@act.gov.au).

Yours sincerely,



Executive Group Manager, Statutory Planning  
Environment, Planning and Sustainable Development Directorate

31 July 2024

## EPSDD comments on the proposed Wallaroo Solar Farm

Below is a summary of comments provided by EPSDD at various assessment stages for the proposed development.

### Draft conditions of consent

Summarised comments provided to NSW Department of Planning, Housing and Infrastructure in June 2024:

#### Environmental and bushfire considerations

1. The draft conditions of approval do not adequately address the concerns raised previously by ACT Government about possible impacts on Jarramlee Nature Reserve.

The Draft Conditions outline the needs for a vegetation buffer as per Appendix 4 (Landscaping: Vegetation Buffer text box), however the map in Appendix 4 (see Appendix 4: Conceptual Landscape Plan maps) does not provide any buffer for Jarramlee.

2. In addition the draft conditions have not adequately addressed previous comments regarding the key role that ACT RFS and ACT Fire & Rescue will play in facilitating any emergency response to the site.

#### **Additional conditions should be included to ensure the vegetation buffer and ACT RFS and Fire and Rescue are included**

Conditions could include the wording:

- Prior to the commencement of the battery storage facility, the applicant must provide a landscape plan showing inclusion of the vegetation buffer to the satisfaction of the Conservator.
- ACT RFS and ACT Fire & Rescue are to be included as main stakeholders for all emergency and fire related matters.

#### Access and traffic management

##### **1. Item B5 – Road Upgrades**

- Appendix 6 outlines required road upgrade prior to construction for the Southwell Road/Gooroomon Ponds Road intersection and Southwell Road widening
- In 2022, Transport Canberra and City Services (TCCS) were consulted regarding the possible upgrade of the Barton Highway/Wallaroo Road intersection to accommodate construction traffic. Based on the most recent communication between TCCS and NGH Consulting in February 2023, it was TCCS' understanding that designers will approach TCCS regarding intersection upgrade approvals for the Barton Highway/Wallaroo Road intersection, once planning approval for the Wallaroo Solar Farm was given by the NSW authority. However, since February 2023, TCCS has not been approached regarding any intersection upgrade works for the Barton Highway/Wallaroo Road intersection. TCCS would like to understand if

the proponent is still seeking upgrades for the Barton Highway/Wallaroo Road intersection as it has not been reflected in the Instrument of Consent document and TCCS has not been approached further regarding intersection upgrade approvals.

## 2. Item B6 – Road Maintenance

- Please see below changes to include in Item B6  
The applicant must
  - (a) undertake an independent dilapidation survey to assess the:
    - (i) condition of Wallaroo Road, Gooromon Ponds Road and Southwell Road, between from Barton Highway and the site access point, including the Barton Highway/Wallaroo Road intersection, following upgrade in accordance with condition B4 and prior to construction, upgrading and decommissioning activities; and
    - (ii) condition of Wallaroo Road, Gooromon Ponds Road and Southwell Road, between from Barton Highway and the site access point, including the Barton Highway/Wallaroo Road intersection, following the completion of construction, upgrading and decommissioning activities;
  - (b) repair and/or make good any development-related damage to Wallaroo Road, Gooromon Ponds Road, and/or Southwell Road and/or the Barton Highway/Wallaroo Road intersection identified in dilapidation surveys during construction, upgrading or decommissioning works in consultation with the relevant road authority,

## 3. Item B8 – Traffic Management Plan

- Please see below changes and additional points (h to k) to include in Item B8  
Prior to commencing the road upgrades identified in condition B5 of this consent, the Applicant must prepare a Traffic Management Plan, prepared by a qualified person for the development in consultation with TfNSW, Yass Valley Council, and Transport Canberra and City Services and to the satisfaction of the Planning Secretary. This plan must include:

- (h) the start date and end date of works
- (i) the extent of the proposed work area
- (j) any TCDs, including temporary devices, that are to be installed, removed or altered
- (k) the licence number of the person who prepared the plan.

### Noise and water considerations

1. The Noise assessment provided in the EIS for the Wallaroo Solar Farm has assessed noise at the nearest residential receiver. For the ACT their compliance points were situated in Dunlop and Macgregor at existing residences. The Gininderry FUA with zoning for high density residential is located less than 300 m from the proposed solar farm. The ACT EPA therefore requires noise levels to comply on the ACT/NSW border with the noise zone limit of 45/35 dB for the operational phase of the development.
2. There appears to be no assessment of water runoff from fire extinguishing in the case of on-site fires. Given the close proximity of the site to Gininderry Creek and the Murrumbidgee

River, there is a risk that contaminated water can be dispersed into these waterways during and after firefighting activities. The ACT EPA requests more information and/or conditions on how this will be managed (for instance through the construction of a retention pond).

*Note – The Environment Protection Authority have lodged a separate submission with regards to the above noise and water comments.*

## Environmental Impact Statement

Summarised comments provided to NSW Department of Planning and Environment in June 2023:

### Environmental values

It is noted there may be an indirect impact from the proposal on the Jarramlee/West Macgregor Grasslands Nature Reserve and on regional ecological connectivity. The Jarramlee/West Macgregor Grasslands Nature Reserve protects high environmental values including critically endangered Natural Temperate Grassland (NTG) and habitat for the endangered Golden Sun Moth.

- The management strategy to rehabilitate land to previous productive land use, post solar farm life, will have flow on effects to Jarramlee Nature Reserve and NTG. Measures should be included to prevent cover crops from entering the reserve and fertilisers should not be used anywhere near the reserve and NTG.
- Sediment control fencing is only proposed in relation to aquatic habitat. Sediment and litter control fencing should be installed along the fence line with Jarramlee Nature Reserve to prevent impacts on the reserve.
- The EIS states that large machinery cannot be used for weed control while the panels are in place. It is therefore unclear how weeds are going to be adequately controlled in a way that will not spread to the nature reserve.
- The utilisation of a 10m buffer in addition to the exclusion fencing around Jarramlee is recommended for consideration. This would help avoid and minimise impacts to NTG from disturbance of soils in the construction area, litter, soil and overland flow after periods of high rainfall, and would provide some protection from soil improvement strategies.

### Bushfire risk

- The site is within 1 km north-west of the western edge of the ACT built up area, with the intervening area being an important ecological habitat (i.e. environmental offset). It is noted that the offset area is sensitive to inappropriate fire regimes. The proposal is also around 1 km south-west of a cluster of rural residential properties along Wallaroo Road. This space is sufficient to allow a fire originating from the proposal to develop full rate of spread and intensity with limited warning. As such, robust controls through construction and operation will be required to manage the risk of bushfire ignition.
- It is recommended that the Construction Environmental Management Plan (CEMP), and Operational Plan/Environment Management Plan include provisions for the cessation of works on days of total fires bans. Additionally, the operational plans for the facility should consider how the operation of the BESS units can be further safeguarded on days of elevated fire danger by limiting their use and risk of thermal runaway or other failure.

- The 40,000 L water tank is likely to be insufficient. The amount of water available on site should be reviewed and confirmed as appropriate by ACT/NSW fire agencies, noting the problematic nature of battery fires. There also does not seem to be any outline of how this will be refilled, apart from rainfall harvested from roofs, which may be unreliable in drought conditions.

### Planning Secretary's Environmental Assessment Requirements

Summarised comments provided to NSW Department of Planning, Industry and Environment in October 2020:

#### Specific planning advice

- Any ancillary works for the Wallaroo Solar Farm that are planned to occur in the ACT may require assessment and approval under the *Planning and Development Act 2007*. For example, the construction of 132kV electrical transmission lines from the solar farm to the ACT power grid would likely require a separate Environmental Impact Statement and subsequent Impact track development application assessed by the ACT Government in accordance with the *Planning and Development Act 2007*.

#### General advice and considerations

- If any new transmission lines are required in the ACT, it is noted that it will be subject to a separate and further approval process, however, the NSW EIS needs to accurately document what the options are; where the connection to the existing transmission line/network will be; what the impact will be on whether it is a new easement or additional infrastructure within an existing easement; what changes may be required to the existing infrastructure such as poles/towers; and what the preferred alignment is.
- The above should also be in the context of all the other existing 332kv and 132kv powerlines and easements in the vicinity and connections to the Transgrid substation in Holt. The proponent should discuss this aspect specifically with the Riverview Joint Venture/Suburban Land Agency as they are considering rationalising existing electrical infrastructure and easements in the area.
- Whilst the scoping report includes the Territory Plan map zonings of the adjacent areas including Ginninderry, it does not provide any commentary about the impacts on Ginninderry. Part of this future residential development will be within the 1km and possibly 500m from the proposed site. Ginninderry is already zoned for urban development/residential and needs to be considered fully in the EIS.
- The NSW component of Ginninderry (referred to as Parkwood) is not included. In July this year, the NSW Government approved Parkwood's rezoning and as such, also needs to be included in the EIS to assess the impacts etc.
- On page 16 of the scoping report, it alludes to there not being a requirement to augment the existing HV network. This will need confirmation so that a separate 132kV line linking the Holt substation is not required to be constructed. However this is a matter for NED and TransGrid.
- The proponent is requested to consult with EPSDD on biodiversity conservation issues in close proximity to the ACT/NSW border and environmental offset sites within the ACT adjacent to the eastern and southern project boundary.

- The proponent is requested to consider bushfire risks during construction and operation that may affect the ACT. It is recommended that the proponent contact the ACT Emergency Services Agency to consider potential bushfire risks and asset protection zones that may be influenced by the close proximity of the ACT/NSW border.
- The proponent is requested to inform the ACT EPSDD of future consultation with sensitive receivers in the ACT.