

**Environmental Referral and Assessment Sheet**

ADMIN – ONLY PRINT FIRST PAGE FOR REFERRAL

<b>DA No.</b>	<b>10.2019.169.1</b>
<b>Proposal:</b>	Electricity Generating Station - 5 Megawatt Solar Farm
<b>Property description:</b>	LOT: 11 DP: 1066623 19 Grays Lane TYAGARAH
<b>Parcel No/s:</b>	239157
<b>Applicant:</b>	Dr Greg Wilding Coolamon Energy Pty Ltd
<b>Owner:</b>	Mr D Horstmann
<b>Zoning:</b>	Zone No. RU2 Rural Landscape / PART DM Deferred Matter
<b>Planning Officer:</b>	Mr I C Holland
<b>Referral Date:</b>	16 April 2019

**Concurrent Section 68 (Onsite): Not applicable***A copy of all supporting material & GIS locality map is attached.***Date Received by Specialist Team****Initial Assessment Due Date:****Full Assessment: Due Date**

Environmental Health Officer:	Mrs E L Holt	
<b>Initial Assessment</b>		
<input type="checkbox"/> Additional Information required	<input type="checkbox"/> No additional information required	
Comment:		
Doc Number: Click here to enter text.	Officer:	Date Click here to enter a date.
<b>Full Assessment</b>		
<input type="checkbox"/> Additional Information required	<input checked="" type="checkbox"/> No additional information required	
Comment:		
<input checked="" type="checkbox"/> Comments and conditions included in report		
Officer E Holt	Date 14/11/2019	

**PES ADMIN to Action:**

- ☐ Update Tracking as completed "COMP" if all completed and signed
- ☐ Update Contaminated Lands "56 Register" Admin Initial \_\_\_\_\_
- ☐ Stamp COMPLETED and return to [document officer]
- ☐ If RFI – outcome in Tracking to be RFI and hold in Referral Tray

## ASSESSMENT

The following assessment is based on information prepared by Byron Bay Planning dated 14 October 2019 for proposed 'Concept Plan' for a proposed 5MW Solar Farm at 19 Grays Lane Tyagarah. The concept development application specifically states that earthworks works, disturbance of acid sulfate soils, groundwater and surface waters are not proposed as a result of a concept proposal.

A further development application will be required to be submitted to enable the solar farm proposal to proceed to construction phase. The subsequent development application will be assessed at this time and a determination made based on the merit of the proposal including likely potential impacts to the environment.

From an environmental perspective I have no objection to approval of a concept plan subject to the imposition of conditions stipulating the requirement of a further development application for construction phase. Such application must be supported by all relevant environmental assessment reports necessary for Council to assess potential environmental impacts of the development. Refer to conditions imposed below.

### Recommendation:

<input checked="" type="checkbox"/> Supported	<input type="checkbox"/> Not Supported
<input type="checkbox"/> Additional Information Needed	<input type="checkbox"/> Information to be requested by Planner
	<input type="checkbox"/> Information already requested

### Supported

The development application is supported from environmental grounds. Should consent be granted then the following environmental conditions would be applicable:

### Parameters for Concept DA

#### 1. Development is to be in accordance with approved plans

The development is to be in accordance with plans listed below:

Plan No.	Description	Prepared by	Dated:
	Planner to add details for 'Concept Site Plan'		

The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.

#### 2. Ground works are not permitted

Ground works associated with construction of the solar farm are strictly not permitted to occur on the site concerned without prior development approval of the Council. Such approval must be obtained subsequent to the date of this consent. All works are subject to an assessment of environmental impacts.

Note: This condition does not predicate that an approval will be granted for ground site works associated with the concept solar farm.

#### 3. Development approval required

Development approval is required for all proposed works associated with the concept solar farm. Such approval must be obtained subsequent to the date of this consent. An application to council must include but is not limited to conditions imposed upon this consent.

**4. Minimum separation distance to waterways required**

A minimum forty (40) metre separation distance to all waterways and waterbodies is required. A development application must demonstrate compliance with this condition.

**5. Riparian restoration plan required**

A detailed riparian restoration plan is required demonstrating a minimum twenty (20) metre revegetation to all waterways located on the land of concern. Riparian restoration plan must be prepared by a suitably qualified and experienced ecologist for approval by Council. For further information refer to *Controlled activities on waterfront land - Guidelines for riparian corridors on waterfront land* prepared by Water NSW (2012).

**6. Acid Sulfate Soils Assessment Report required**

A development application must include an Acid Sulfate Soils Assessment prepared by a suitably qualified person to determine whether acid sulfate soils will be disturbed by the proposed development, together with any measures to manage such disturbance. Investigations and management measures must be in accordance with the Acid Sulfate Soil Guidelines (ASSMAC, 1998) and pursuant to Clause 6.1 of Byron LEP 2014. The report must confirm the depth of the water table.

**7. Groundwater Protection**

The interception of groundwater is not permitted. A development application must demonstrate to the Council that proposed construction of the development will not result in the disturbance of groundwater.

**8. Dewatering not permitted**

Dewatering is not permitted without the prior approval of Council. A development application must demonstrate compliance with this condition.

**9. Contaminated Land Assessment Report required**

A development application must include a Contaminated Land Assessment Report prepared by a suitably qualified person. Investigation and reporting must be in accordance with SEPP55 and NSW EPA Guidelines for Consultants report on contaminated sites and other relevant statutory requirements.

**10. Rous Water Main Easement**

No works are permitted within Rous Water Main Easement. A development application must include a letter from Rous County Council providing authorising future works associated with proposed solar farm.

**11. Solar Panels**

As stated by the applicant no photovoltaic (PV) solar cells containing cadmium telluride (CdTe) are permitted to be used in the solar array. Details and specifications of the proposed solar panels must accompany a development application for approval by Council.

**12. Site Waste Minimisation Management Plan**

A development application must include a Site Waste Minimisation and Management Plan (SWMMP) outlining measures to minimise and manage waste generated during demolition, construction and the ongoing operation and use of the proposed development. The SWMMP must specify the proposed method of recycling and/or disposal and waste management of solar panels and relevant waste service provider.

**13. Earthworks**

Note to Planner: Refer to conditions imposed by Development Council's Engineer.

**14. No import or export of fill permitted**

Note to Planner: Refer to conditions imposed by Development Council's Engineer.

**15. Noise Management Plan required**

A development application must include a Noise Management Plan prepared by a suitably qualified acoustic practitioner and detail the methods that will be implemented for the whole project to minimise noise. Information must include:

- a) identification of nearby residences and other sensitive land uses;
- b) assessment of expected noise impacts;
- c) detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts;
- d) strategies to promptly deal with and address noise complaints;
- e) details of performance evaluating procedures (for example, noise monitoring or checking work practices and equipment);
- f) procedures for notifying nearby residents of forthcoming works that are likely to produce noise impacts;
- g) reference to relevant consent conditions; and
- h) name and qualifications of person who prepared the report.

Note to Planner: The above condition could be imposed on a subsequent DA.

**Notes**

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**Protection of the Environment Operations Act 1997:**

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

Mrs E L Holt  
Environmental Health Officer

14/11/2019  
Date