

The General Manager  
Muswellbrook Shire Council  
P O Box 157  
Muswellbrook NSW 2333

Email: [Hamish.McTaggart@muswellbrook.nsw.gov.au](mailto:Hamish.McTaggart@muswellbrook.nsw.gov.au)

20 March 2020

Dear Hamish,

**Development Application – DA 2019-102 – Sandy Hollow – Muswellbrook Solar Farm  
Lot 12 DP 1042612**

Thank you for your correspondence regarding the abovementioned Development Application.

I advise that Australian Rail Track Corporation (ARTC) has no objections to the proposed Development, however Council should consider the *State Environmental Planning Policy (SEPP) (Infrastructure) 2007* and *Development Near Rail Corridors And Busy Roads – Interim Guideline*, published in the NSW Government Gazette No.158 on 19 December 2008 when determining this application, particularly Lighting, External Finishes and Design.

A copy of the guidelines can be found by following the below link:

<http://www.planning.nsw.gov.au/rdaguidelines/documents/DevelopmentNearBusyRoadsandRailCorridors.pdf>

**Stormwater**

ARTC has concerns, the current drainage plans will impact the rail corridor. ARTC wants to ensure that stormwater from the development, does not affect the rail corridor and requests that Council impose as a condition of consent that the developer will ensure that stormwater does not affect the rail corridor, such as:

1. Prior to a Construction Certificate being issued, the applicant must obtain ARTC's written concurrence to the final design. . The flow of stormwater toward the rail corridor must not be increased by the proposed development. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

### **Lighting, external finishes and design**

ARTC wants to ensure that no lighting and external finishes of buildings which face the rail corridor have the potential to affect the safety of rail operations, that is, the temporary blinding effects or distraction caused by lighting and glare from reflective surfaces. The recommended measures associated with lighting and external finishes could include the use of non-reflective materials and landscaping along with adherence to AS4282-1997 *Control of Obtrusive Effects of Outdoor Lighting*.

### **Excavation, earthworks and other construction**

ARTC requests that due to the proposed development being within 25m of the rail corridor that the proponent seek ARTC concurrence to carry out excavation and any other adjacent earthworks including access and any set down areas as it has the potential to impact on the safety and operation of the rail network. The proponent is requested to contact ARTC Property Officer, as below in the first instance to assist with obtaining and submitting an application for these works.

HV Property Services Team  
[HVPropertyServices@ARTC.com.au](mailto:HVPropertyServices@ARTC.com.au)

Should you have any further enquiries with regard to this matter please do not hesitate to contact the undersigned on [MCox2@ARTC.com.au](mailto:MCox2@ARTC.com.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'MCox2', is written over a horizontal line.

Monica Cox  
**Property Services Manager - Hunter Valley**