

Mr Hamish McTaggart

Muswellbrook Shire Council

By email: Hamish.McTaggart@muswellbrook.nsw.gov.au

Friday 14 March 2025

Dear Hamish,

Sandy Hollow Solar Farm - DA 2019/102

Notice of works commencement

On page 1 of the notice of determination of DA 2019/102 issued on 6 May 2020 (**DA 2019/102**), it was confirmed that the consent will lapse on 6 May 2025 if work has not commenced in accordance with Section 4.53(4) of the *Environmental Planning and Assessment Act 1979*.

We hereby confirm that the following works have been completed on the development:

- a. extensive engineering, in collaboration with TfNSW, relating to the intersection upgrade for the development (Clauses 9 & 40 of the Notice of Determination);
- b. topographical survey has been completed;
- c. earth resistivity testing has been completed on site and the report is being finalised

We are of the view that works commencement has been achieved, noting such approach is consistent with other NSW projects being constructed by Birdwood. Evidence of the above work having been undertaken is attached to this letter.

We note that section 96 of the *Environmental Planning and Assessment Regulation 2021* sets out examples of where physical commencement of works is not taken to apply however this section does not apply in respect of DA 2019/102 as the development consent was granted prior to 15 May 2020

In light of the above, we proceed on the basis that work has commenced on the development and that the lapse date of 6 May 2025 is no longer relevant.

Should you have any questions please do not hesitate to contact me on 0490 365 464.

Sincerely,



Tristan Raulings

Development Manager

For and on behalf of Sandy Hollow Solar Pty Ltd (developer of Sandy Hollow Solar Farm)

L18, 1 Nicholson Street,

East Melbourne 3000

Attachments:

Appendix 1: Detailed design (intersection)

Appendix 2: Topographical survey