

From: ConveyancingTeam
Sent: Thursday, 18 February 2021 4:37 PM
To: 'a.faulkner@tamworth.nsw.gov.au'
Subject: Re: NSW Government concurrence and referral request CNR-17699 / DA2021-0295
- 329 Country Road, Warral (Lot 4 DP1048145) 5MW solar farm & associated infrastructure

Dear Sir/Madam,

We refer to the above matter and to your correspondence via the NSW Planning Portal seeking comment from Essential Energy in relation to the proposed development.

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
3. The proposal/proposed improvements should remain clear of any registered easement on title. However, if there is no registered easement, then the proposed improvements must maintain a minimum of 10.0 metres clearance from the centreline of the powerline to the nearest structure.
4. Satisfactory arrangements are to be made with Essential Energy with respect to the proposed solar farm system which will form part of the development. It is the Applicant's responsibility to enter into the required Connection Agreements and any other requirements with Essential Energy for the development, which may include the payment of fees and contributions. Refer Essential Energy's Network Connections team for requirements via email networkconnections@essentialenergy.com.au.
5. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity of the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
6. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
7. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

Should you require any clarification, please do not hesitate to contact us.

Regards

Fiona Duncan
Conveyancing Officer
Legal & Conveyancing
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | conveyancingteam@essentialenergy.com.au
PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us  

From: NSW Planning <planning.apps@planning.nsw.gov.au>
Sent: Wednesday, 17 February 2021 1:19 PM
To: Fiona Duncan <fiona.duncan@essentialenergy.com.au>
Cc: ConveyancingTeam <conveyancingteam@essentialenergy.com.au>
Subject: Update: NSW Government concurrence and referral request CNR-17699(TAMWORTH REGIONAL COUNCIL)

WARNING: Do not click links or open attachments unless you recognise the source of the email and know the contents are safe.

Online Concurrence and Referral Service

planningportal.nsw.gov.au

The NSW Government consideration of an application DA2021-0295 at 329 COUNTRY ROAD WARRAL 2340 has been assigned to you for assessment.

Please log into the [NSW Planning Portal](#) and use reference number CNR-17699 to action this request.

You can find general information about the online concurrence and referral system [here](#) or call our help line on 1300 305 695.

This email has been automatically sent through the NSW Planning Portal. Please do not reply to this message. For more information please visit the [NSW Planning Portal](#), or email us at epanning@planning.nsw.gov.au, or call our help line on 1300 305 695.

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TAMWORTH
LOCAL
ABORIGINAL
LAND
COUNCIL

PO Box 57 | 123 Marius Street, Tamworth NSW 2340
P 02 6766 9028 F 02 6766 9036 E admin@tamworthlalc.com.au
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General Manager
Tamworth Regional Council
PO BOX 555
TAMWORTH NSW 2340
Attention: Amanda Faulkner

Dear Amanda

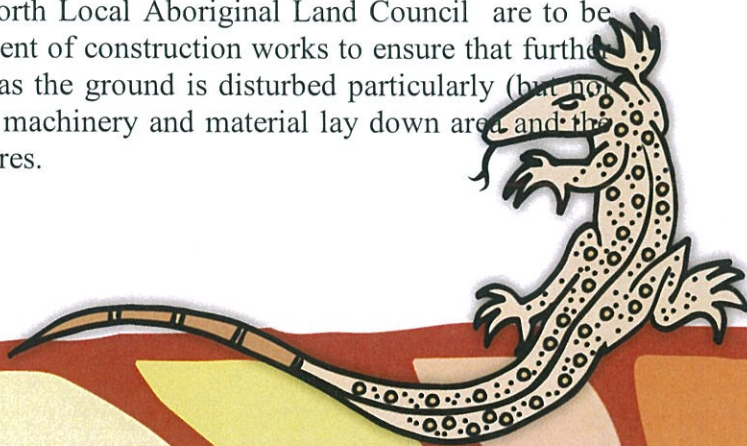
Development Application No. DA2021-0295 – 5MW Solar Farm – 329 Country Road, Warral

I refer to your correspondence dated 2 February 2021 regarding the proposed construction and use of a 5MW solar farm and associated infrastructure at 329 Country Road, Manilla.

It is understood from the Statement of Environmental Effects (SEE) accompanying the DA2021-0295 that NSW Community Renewables (Warral) Pty Ltd seeks development consent to construct and use of a 5MW solar farm and associated infrastructure.

The Statement of Environmental Effects (SEE) and the accompanying Preliminary Aboriginal Archaeological Advice have been reviewed. As a result of this review, the following submission is made:

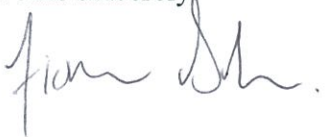
1. The location of the Aboriginal artefact scatter (WSF001) is to be marked as a no-go zone on all construction plans with a 10m exclusion buffer being put in place around the scatter. During construction this site is to be demarcated using temporary fencing or other visual markers to prevent inadvertent impact.
2. All on-site personnel are to be made aware of their obligations under the NSW National Parks and Wildlife Act 1974, which must be implemented through a heritage induction.
3. A minimum 10m exclusion buffer area is to be identified and maintained from the Aboriginal site.
4. The access track is to be relocated to avoid the newly recorded artefact scatter, WSF001.
5. Site/s Officer representing Tamworth Local Aboriginal Land Council are to be present on site at the commencement of construction works to ensure that further investigations can be undertaken as the ground is disturbed particularly (but not limited to) along the access road, machinery and material lay down area and the locations of the solar panel structures.



6. Aboriginal objects are protected under the NPW Act regardless if they are registered on AHIMS or not. If suspected Aboriginal objects, such as stone artefacts are located during works on the site, works must cease in the affected area and TLALC sites officer and archaeologist called into assess the finds. If finds are found to be Aboriginal objects, the appropriate Department is to be notified. Appropriate management and avoidance or approval under a section 90 AHIP should then be sought if Aboriginal objects are to be moved or harmed.
7. In the unlikely event that human remains are found, works should immediately cease and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the appropriate Department is to be contacted to assist in determining appropriate management.
8. Completion of an AHIMS site recording form from the artefact scatter and any associated deposits and submission to the AHIMS database to comply with Section 91 of the National Parks and Wildlife Act, in consultation with the Tamworth Local Aboriginal Land Council.
9. Council is to confirm in writing that a copy of the Development Application and associated documentation has been provided to Gomeroi Traditional Owners for their consideration and comment.

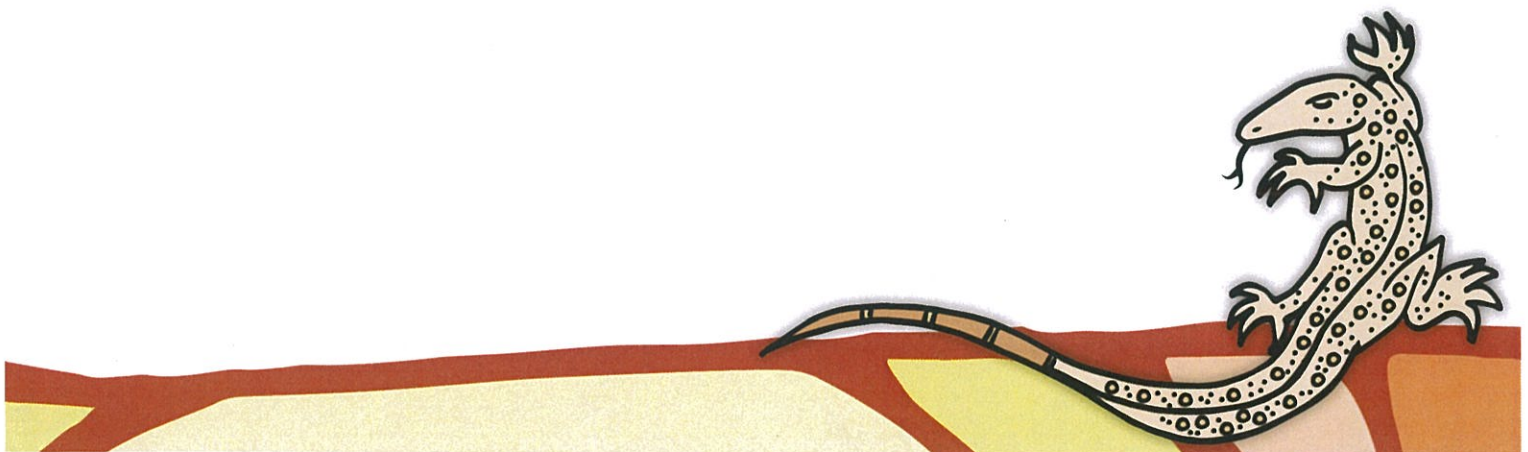
Thank you for the opportunity to provide comments on DA2021-0295. If you wish to discuss any aspect of this submission please do not hesitate to contact me on (02) 6766 9028.

Yours sincerely



Fiona Snape
Chief Executive Officer

1 March 2021



Gillogly, Mitchell

From: Government Relations <government.relations@casa.gov.au>
Sent: Friday, 26 February 2021 12:36 PM
To: Faulkner, Amanda
Cc: Government Relations
Subject: CASA Response GI21/81 - Tamworth Regional Council re solar electricity generation plant at 329 Country Road, Warral - DA2021-0295 [SEC=OFFICIAL]

OFFICIAL

Dear Ms Faulkner

Thank you for your letter dated 2 February 2021 requesting Civil Aviation Safety Authority's (CASA) feedback on the referral of a development application for the proposed construction and use of a 5NM solar PV electricity generation plant and associated infrastructure at 329 Country Road Warral, DA2021-0295 refers.

CASA has reviewed the information provided and notes that the site is approximately 4km south east from threshold 30R along the centre line of runway 12L/30R and approximately 2.1km offset south west from the extended centre line of runway 12L/30R. CASA also notes that there will be an estimated 11,928 solar PV panels on 142 ground mounted single axis trackers.

CASA does not have any "reflectivity standards" with specific regard to solar installations, is not an approving authority and does not have expertise in this area. CASA agrees that a Solar Glare Hazard Analysis by an expert is not necessary in this case. The proposed solar farm is not likely to impact on pilots' sight during the critical approach phases of a flight and therefore has no objection to the installation of the solar farm.

In the event that safety concerns relating to glare caused by the solar farm are raised by pilots, the location and/or configuration of the solar panels may need to be reviewed and revised.

I trust this information is of assistance.

Yours sincerely

Cathy Koch
Section Manager Corporate Reporting & Government Relations
CASA\Corporate Services Division
p: +61 2 6217 1527 / +61 447 518 751
e: Cathy.Koch@casa.gov.au

Aviation House, 16 Furzer Street, PHILLIP ACT 2606
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



From: Development and Approvals Lodgement <FileTransfer@tamworth.nsw.gov.au>
Sent: Tuesday, 2 February 2021 12:10 PM

Gillogly, Mitchell

From: Airport Developments <Airport.Developments@AirservicesAustralia.com>
Sent: Wednesday, 14 April 2021 2:59 PM
To: Development; Faulkner, Amanda
Cc: Airspace Protection
Subject: AIRSERVICES RESPONSE: NSW-MA-702 - Solar Farm, 329 Country Rd, Warral
[SEC=OFFICIAL]

Hi,

I refer to your request for an Airservices assessment of a **solar farm at 329 Country Rd, Warral.**

Airspace Procedures

With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at a height of 409.19m (1343ft) AHD the solar electricity generation plant will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Tamworth aerodrome.

Note: procedures not designed by Airservices at Tamworth aerodrome were not considered in this assessment.

Communications/Navigation/Surveillance (CNS) Facilities

This proposal will not adversely impact the performance of any Airservices Precision/Non-Precision Nav Aids, Anemometers, HF/VHF/UHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.

Air Traffic Control (ATC) Operations

No impact.

Summary

Based on the above assessment, Airservices view is that the proposed solar farm would not have an impact on the safety, efficiency or regularity of existing, or future air transport operations into or out of Tamworth aerodrome.

Kind regards,

JOHN GRAHAM

AIRPORT DEVELOPMENT APPLICATIONS COORDINATOR, CUSTOMER ENGAGEMENT

Mobile 0439 385 472

Email John.Graham@airservicesaustralia.com

Da Vinci Building

2a Boronia Rd, Brisbane Airport, Brisbane QLD 4009



Gillogly, Mitchell

From: Thorncroft, Matthew
Sent: Tuesday, 2 February 2021 12:30 PM
To: Development
Subject: Email response to Assessment Officer - Airport RE: DA2021-0295 - 329 Country Road, Warral

Categories: Carolyn

Amanda,

As the proposed development is between 4 and 5 Km from the threshold of Runway 12R/30L and with no new structure more than approx. 2.575m AGL, the airport can see no impact on our operations.

Please advise if you require any more from me.

Regards
Matt

Matthew Thorncroft

Airport Assets & Technical officer

P 02 67675547 | **M** 0418 438 545 | **E** m.thorncroft@tamworth.nsw.gov.au

437 Peel Street

PO Box 555 Tamworth NSW 2340

www.tamworth.nsw.gov.au



From: TRC FileTransfer
Sent: Tuesday, 2 February 2021 11:01 AM
To: Thorncroft, Matthew
Subject: DA2021-0295 - 329 Country Road, Warral

Hello Matt,

Please find attached a referral letter for the proposed solar farm at 329 Country Road, Warral.

The application has also been referred to Air Services Australia and CASA.

Regards,

Amanda Faulkner

Senior Development Assessment Planner

Our ref: DOC21/476526

Your ref: DA2021/0295

Mitch Gillogly
Team Leader – Development Assessment
Tamworth Regional Council
m.gillogly@tamworth.nsw.gov.au

Dear Mr Gillogly

Warral Solar Farm – response to BCS submission

Thank you for your email of 8 June 2021 to the Biodiversity, Conservation and Science Directorate (BCS) providing the applicant's response to our submission to the Warral Solar Farm project.

BCS is satisfied that the applicant has provided sufficient evidence to support identifying the entire project site as category 1 – exempt land. A biodiversity development assessment report is not required.

The flora and fauna assessment report has been updated to include information relating to cumulative impact and has clearly identified the paddock trees to be cleared. This has addressed the issues raised by BCS in our submission dated 26 April 2021.

If you require any further information regarding this matter, please contact Liz Mazzer, Conservation Planning Officer, via liz.mazzer@environment.nsw.gov.au or (02) 6883 5325.

Yours sincerely



Samantha Wynn
Senior Team Leader, Planning North West
Biodiversity, Conservation and Science Directorate

10 June 2021

memo

REFERENCE: DA2021-0295

TO: Amanda Faulkner

DATE: 24 February 2021

SUBJECT: DEVELOPMENT ENGINEERING CONDITIONS

DA NO.: DA2021-0295

APPLICANT: Nsw Community Renewables (Warral) Pty Ltd C/- Kdc Pty Ltd

PROPOSAL: Construction and use of a 5MW solar PV electricity generation plant with associated infrastructure

LOCATION: Lot 4 DP 1048145, 329 Country Road WARRAL NSW 2340

In response to your memo dated 28/01/2021 requesting engineering comments on the above proposal, the following comments / conditions are provided:

Comments:

Country Road has been assessed and approved as a B-Double route. No further action is required in this respect.

Dilapidation report details included in SEE. Bond level still being reviewed within TRC. The bond however will be based on the standardised figure of \$4,000 per kilometre as agreed with Regional Services. The final length upon which the bond would be based is to be agreed, however it is likely that this will be the distance along Country Road between Oxley Highway and the proposed site access. This distance measures approximately 3.2km, resulting in a bond value of \$12,800.

The Stormwater Management Report contains the following clause "It should be noted that this report has been prepared to a level suitable for Development Application only". This report will therefore need to be reviewed, and if necessary, updated prior to the Construction Certificate being issued.

Conditions:

Item	Proposed Condition
General Transport and Drainage Engineering Requirements	
1	The development shall be carried out in accordance with the Development Application and accompanying plans, drawings and other documents unless otherwise as amended by conditions of this consent. Any amendment to the development or to these conditions will require the consent of the Council.
Stormwater	
2	A stormwater servicing strategy for the development site shall be prepared and submitted to Council for approval in accordance with the requirements of Minimum Standards for Stormwater Drainage of Council's current version of Engineering Design Minimum Standards for Subdivisions and Developments.

Item	Proposed Condition
	<p>The stormwater servicing strategy for this development must also include calculations and associated commentary for the following:</p> <ul style="list-style-type: none"> (i) Stormwater from the driveway pavement shall be captured in appropriate gully pits and/or trench grates or other drainage structures as appropriate to the site. (ii) Stormwater from roofs shall be directed to appropriately sized eaves tanks with piped overflows directed to the approved point(s) of discharge. (iii) All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage. (iv) Temporary down pipes shall be connected as soon as the roof has been covered so as to not cause a nuisance to adjoining properties. (v) All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent excess overland flows discharging onto adjoining properties shall be implemented. (vi) Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property shall be avoided. (vii) Only a single point of discharge is approved for managed flows.
3	The approved point of discharge for the development site is defined as the ephemeral drainage line adjacent to the northern boundary of the site.
<i>Transport, Parking and Structures in the Road Reserve</i>	
4	All internal driveways and parking areas shall be constructed with a base course of adequate depth to accommodate heavy vehicle loading.
5	To provide for the safety and security of employees and users of the facility, outdoor lighting in accordance with AS1158.3.1 Pedestrian Area (Category P) Lighting shall be provided to all off-street parking areas. The lighting installed must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting.
6	<p>The new vehicle layback, crossover, driveway and parking areas shall be constructed in accordance with Council's Engineering Design Minimum Standards for Subdivisions and Developments, at the location shown on the drawings provided with the Development Application and shall comply with the following: -</p> <ul style="list-style-type: none"> (i) The alignment of the vehicle crossover across the verge shall be at right angles Country Road; (ii) The vehicle crossover shall have satisfactory clearance to any power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense. (iii) The vehicle crossover shall be of adequate thickness to accommodate heavy

Item	Proposed Condition
	<p>vehicle loading.</p> <p>(iv) The verge adjacent to either side of the vehicle crossover shall be established with turf and finished flush with the new vehicle crossover.</p> <p><i>Advisory Note:</i></p> <p><i>The installation of the layback and vehicle crossing in the Mathews Street road reserve are approved structures in accordance with Section 138 of the Roads Act 1993. The ongoing maintenance and/or repair of the vehicle crossing is the responsibility of the adjoining owner in accordance with Section 142 of the Roads Act 1993.</i></p>
Prior to Commencement of Work	
7	<p>The contractors engaged on the development must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.</p>
8	<p>Erosion and sediment control measures that will minimise damage to and avoid pollution of the environment are required for this development. An erosion and sediment control plan (ESCP) shall be prepared in accordance with the "Blue Book" Managing Urban Stormwater –Soils and Construction (Landcom 2004). THE ESCP is to be submitted to Council for approval and implemented prior to the commencement of any construction works.</p>
9	<p>A dilapidation survey of both the sealed and unsealed portions of Country Rod shall be undertaken prior to commencement of construction. A Management plan for the ongoing maintenance of Country Road shall be agreed with Council prior to commencement of construction, with the objective of maintaining a suitable level of service for all users, and minimising dust and noise nuisance to adjoining landowners.</p> <p><i>Advisory Note:</i></p> <p><i>The management plan shall include lodging a suitable performance bond with Council.</i></p>
10	<p>A Traffic Management Plan (TMP) detailing how movements in and out of the site during the construction will be adequately managed so as not to adversely impact the safe operation of the road network shall be submitted to Council for approval. This TMP shall consider both vehicular and pedestrian movements. Where the TMP is of a level of complexity that TCP's are required, the TCP's shall be prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.3-2009 and the RMS current version of the "Traffic Control at Worksites" manual.</p>
Prior to Issue of a Construction Certificate (Building)	
11	<p>Section 138 approval from Council under the Roads Act 1993 to construct vehicle crossings for this development. Construction plans shall be provided to Council for approval.</p>
12	<p>Approval from Council under Section 68 of the Local Government Act 1993 to carry out stormwater, plumbing and drainage works for this development is required. Detailed stormwater plans and calculations shall be provided to Council for approval.</p>

Item	Proposed Condition
During Construction	
<i>General</i>	
13	Erosion and sediment control measures in accordance with the approved ESCP are to be maintained by the developer at all times.
14	The approved Traffic Management Plan (inclusive of any resultant Pedestrian Management Plans and the Traffic Control Plans) shall be implemented and any associated barriers, signage and controls shall be maintained in a functional state at all times.
15	The footpath and/or road reserve shall not be used for construction purposes or placing of building materials without prior written approval from Council. Approval will only be considered in extreme or highly constrained circumstances.
16	If the work involved in the construction of the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the closure of a public place, approval from Council's Infrastructure Planning Division is required.
17	Any damage caused to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of Council's infrastructure.
18	Any spillage of materials onto Council infrastructure, as a result of delivery or handling for this development, must be removed as soon as practicable by the developer and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
19	The Developer shall ensure that dust suppression is undertaken to ensure there is no visible dust emitted due to any works associated with the works associated with the development. This can be in the form of constant water spraying or other natural based proprietary dust suppressant, to ensure that dust caused by any vehicles moving in, out or within the development site does not cause a nuisance to surrounding properties.
20	<p>Work for this development shall be limited to the following hours to prevent unreasonable disturbance to the amenity of the area:-</p> <p>Monday to Friday: 7.00am to 5.00pm;</p> <p>Saturday: 8.00am to 1.00pm if audible on other residential premises, otherwise 7.00am to 5.00pm;</p> <p>No work to be carried out on Sunday or Public Holidays if it is audible on other residential premises.</p>
21	The Developer shall be responsible to instruct and control his contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act 1997, in the event that the building operations cause noise to emanate from the property on Sundays or Public Holidays or otherwise than between the hours detailed above.

Item	Proposed Condition
Prior to Occupation	
22	Notification being provided that satisfactory arrangements have been made with Telstra to ensure that telecommunications infrastructure is available for each lot in accordance with community expectations.
23	Notification being provided that satisfactory arrangements have been made with Essential Energy to ensure that electricity supply infrastructure is available for each lot in accordance with community expectations.
24	For developments where allotment filling has been undertaken, a copy of the NATA testing authority certification for compliance to the requirements of AS2870.1 (as amended) – Residential Slabs and Footings – Construction shall be provided to Council.
25	All works as required by these conditions of consent shall be complete.
Continued Operations	
26	The serviceability vehicle crossovers and all vehicular parking areas are to be maintained at all times.
27	The on-site stormwater systems shall be maintained at all times so as to ensure their effective operation for their intended purpose.
28	All vehicle movements into and out of the development site shall be in a forward direction.
29	To ensure that the required parking, associated driveways and manoeuvring areas are able to function efficiently for their intended purpose, they shall be maintained clear of obstruction and be used exclusively for the purposes of car parking and vehicle access and under no circumstances are such areas to be used for the storage of goods construction materials or waste material.

Steve Brake
Manager, Development Engineering
Planning and Compliance Directorate
Phone: Ext. 5109