

22 July 2019

Roads and Maritime have the following comments for Council's consideration in response to DA0288/2019:

- Based on available data, the Castlereagh Highway is likely to have an Annual Average Daily Traffic (AADT) of approximately 2000 vehicles per day (total for both directions) within this locality.
- The proposed access is within 100km/h speed zone and the nominated peak for heavy vehicles movements resulting from the proposal during construction is 2/hr from 10am – 2pm.
- In addition it was noted from the documentation submitted there would be a peak of approximately 50 staff required on site during construction which may equate to 50 light vehicle movements per hour during peak times. This would trigger a requirement in accordance with *Austroads Guide to Road Design Part 4 Figure A 10: Warrants for turn treatments...* for the proponent to construct a Basic Right Turn (BAR) and Basic Left turn treatment (BAL) at the access to the site. This would be a relatively significant cost for a 12 week construction period.
- Added to this is the close proximity to the access to the Windyhill Nursery.
- Roads and Maritime withholds granting concurrence to the proposed access via the Castlereagh Highway seeking the proponent address how a high level of safety can be provided by the currently proposed access being in such close proximity to the nursery on the opposite side of the road.
- With the currently proposed peak vehicle movements triggering an intersection upgrade this would impact the current access to the nursery. The proponent did mention the possible use of buses to commute staff to and from the site. If a commitment to a minimum of 50% of the workforce to be bused to and from site and a commitment to carpooling again lessening the number of light vehicle movements during peak hours, this would lessen the requirement for an intersection upgrade in accordance with *Austroads Guide to Road Design Part 4 Figure A 10: Warrants for turn treatments...*
- Can the proponent confirm the proposed access is via the gate on the right hand side in front of the sign on the image below as it was difficult to confirm from the documentation submitted?

Roads and Maritime seeks a determination is not made for this proposal until such time as the proponent addresses the aforementioned.

Ainsley Bruem
A/Manger Land Use Assessments

Roads and Maritime Services





21 July 2020

SF2019/129237; WST19/00146/02

General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

Attention: Kayla Robson

Dear Ms Robson,

**DA0288/2019: Lot 6 DP1069441; 3B Sydney Road (Castlereagh Highway, HW18),
Burrundulla
Mini Sustainable Park – 10 MW Solar Farm
Response to additional information**

Thank you for referring additional information to Transport for NSW (TfNSW) on behalf of the applicant via email dated 22 June 2020. This was a response to a request TfNSW had sent to the applicant (via Council) dated 30 March 2020.

It is noted the applicant confirmed a site inspection was undertaken at the proposed access, using a conservative estimate of vehicle approaches which equated to a site distance of 390 metres in each direction as being achieved.

Noting the Safe Intersection Sight Distance may have been achieved, the location of the proposed access remains a concern for TfNSW. In particular how the intersection upgrade will not impact both the adjoining and opposing accesses.

Although the applicant has noted they are willing to construct an upgrade to the intersection from the proposed access, the location of this access is not ideal from a road safety perspective in relation to the other accesses within the locality.

The provision of the concept design did not clearly identify the interface of the intersection treatment in relation to the other accesses. The design would need to provide enough storage capacity to accommodate the largest vehicle required to access the site and be in accordance with *Austroads Guide to Road Design Part 4A* Figures A 28 and 8.2.

TfNSW acknowledge the applicant has attempted to address the proposed timing of construction traffic with the movements from the properties in close proximity to not occur during the same peak travel times. However, the ability to control such timing and in order to safely accommodate for the background traffic along this State Classified road network in relation to the location of the proposed access remain unresolved.

Further the commitment by the applicant for the approximate 50 staff required on site during construction to utilise buses other than noting they would commit to at least 25 staff using these buses did not clearly identify how this would be committed to and subsequently the likely uptake by staff was unclear.

Background traffic data along the Castlereagh Highway (HW18) should be taken as year 2031 (a ten year post development forecast) as TfNSW typically adheres to for review of all development applications. Subsequently the utilisation of buses to transport staff to and from site will influence the traffic impact in accordance with *Austroads* Figure A10, when calculated in conjunction with the background traffic volumes.

Thank you for the opportunity to address the additional information provided by the applicant. Should you require further information please contact Ainsley Bruem, A/Manager Land Use Assessments on 02 6861 1449.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Holly Davies'.

Holly Davies
A/Senior Customer Services Manager
West Region

Transport for NSW

51-55 Currajong Street PARKES NSW 2870 | PO Box 334 PARKES NSW 2870 DX20256

P 6861 1449 | W development.western@rms.nsw.gov.au | ABN 18 804 239 602



3 November 2020

SF2019/129237; WST19/00146/03

General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

Attn: Kayla Robson

Dear Ms Robson

**DA0288/2019: Lot 6 DP1069441; 3B Sydney Road (Castlereagh Highway, HW18),
Burrundulla Mini Sustainable Park – 10 MW Solar Farm
Response to additional information**

It is noted that the proponent submitted additional information on the 23 September 2020 in response to the submission from Transport for NSW (TfNSW) dated 24 July 2020.

TfNSW in reviewing this new information supports, in principle, the relocation of the access as detailed within plan **Triaxial Plan** MX10595.01-MC1.0(c) proposed along the frontage of Lot 6 DP 1069441; Castlereagh Highway.

It is noted the new location is distanced further from conflicting driveways that were previously in relative close proximity to the proposed access.

The concept plan and swept path analysis identified however, that the storage capacity of the taper associated with the Basic Left Turn treatment from the westbound lane is deficient to allow for the largest vehicle being a 26m B-double to complete the manoeuvre into the site within the taper.

In offering this in-principle support, TfNSW seek the following conditions are included in any development consent determined for this proposal:

- Prior to any works commencing within the Castlereagh Highway (HW18) a State classified road, concurrence to the detailed design must be obtained from TfNSW pursuant to Section 138(2) of the *Roads Act 1993*, by sending to development.western@rms.nsw.gov.au drawings and supporting information. Note that the consent of Council is also required as the roads authority.
- Any such plans are to address the deficiencies of the length and width of the taper.
- The intersection treatments should be designed to provide Safe Intersection Sight Distance (SISD) requirements as outlined in Part 4A *Austroads Guide to Road Design*.

- SISD is to be provided and maintained in both directions at the intersection of the vehicular access and the Castlereagh Highway. For a 100km/h speed environment, SISD is a minimum of 250 metres in each direction.
- A Road Occupancy Licence (ROL) is required prior to any works commencing within three (3) metres of the travel lanes of a State classified road, or work that has potential to impact traffic flow such as the use of traffic control devices or signage to protect workers. The applicant is to contact 1300 656 371 for further information regarding a ROL. A Traffic Control Plan prepared by a TfNSW accredited person is to be submitted as part of the ROL application.
- Works in a State Classified Road are subject to the developer being required to undertake private financing and construction of these works in which TfNSW has a statutory interest. A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and TfNSW prior to works commencing. This will be further addressed as part of a Section 138 *Roads Act, 1993* referral to TfNSW.

TfNSW provides the following comments for consideration by the consent authority pursuant to clause 101 of the *State Environmental Planning Policy (Infrastructure)*:

- Prior to the commencement of construction works a Traffic Management Plan (TMP) including Driver Code of Conduct is to be submitted to and concurrence obtained from TfNSW. The preparation of the TMP will require consultation with TfNSW, Mid-Western Regional Council, principal contractor(s) and relevant stakeholders. The requirements of the TMP and Driver Code of Conduct are to cover the matters referred to within the TMP Annexure (attached).
- TfNSW had previously noted in correspondence dated 21 July 2020, that the applicant commit to a minimum of 25 employees (and or 50 per cent of employees) to utilise buses to commute to and from site during construction phase.
- The TMP and Driver Code of Conduct should detail a suitable and safe location for employees to park their vehicles to access a bus, this is to be negotiated with Council.
- The TMP should clearly identify how such a commitment will be implemented in order for it to be effective in reducing the reliance on single vehicle use to access the site by employees; subsequently reducing impacts to the road network resulting from this proposal and providing a road safety benefit to all road users.
- The TMP is to be reviewed and updated in response to any changes in operating conditions. A copy of the TMP and Driver Code of Conduct is to be provided to contractors and employees as a part of the site induction and a copy is to be made available to TfNSW with each major update.
- At all times during construction and operation of the development, movements between the highway and the site shall be in a forwards-only direction, and all vehicle parking or storage of materials shall be contained within the site boundary unless otherwise agreed to in writing by Council as the roads authority and TfNSW.

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- The solar panels and all screening vegetation as approved under this consent shall be maintained in good condition for the life of the development, including prompt repair or replacement of any breakdowns or losses that occur, to ensure the development operates in accordance with the consent.
- Any signage proposed in connection with the development should be designed to meet the objectives of the publication Transport Corridor Outdoor Advertising and Signage Guidelines (*Department of Planning and Environment, 2017*), and if required by *State Environmental Planning Policy No 64 – Advertising and Signage*, details are to be referred to Roads and Maritime.
- The proposal is to include vegetation screening of the fenced compound where it is visible from the highway.
- All road users of the classified road are not to be adversely impacted by glint and glare from the proposal, even before screening vegetation.

Please be advised that under the provisions of the Environmental Planning & Assessment Act it is the responsibility of the Consent Authority to assess the environmental implications, and notify potentially affected persons, of any development including conditions.

Please forward a copy of Council's determination to TfNSW at development.western@rms.nsw.gov.au when it is sent to the applicant. If you wish to discuss this matter further, please contact Alexandra Power, Development Assessment Officer on (02) 6861 1449.

Yours faithfully



Ainsley Bruem
A/Manager Land Use Assessment
Western Region

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TMP Annexure: Traffic Management Plan and Driver Code of Conduct

The Traffic Management Plan (TMP) and Driver Code of Conduct is to outline measures to manage traffic related issues associated with all phases of the development (e.g. deliveries, construction, operation, maintenance, decommissioning), any construction or excavated materials, machinery and personnel involved. The TMP is to detail the potential impacts associated with the development, the measures to be implemented, and the procedures to monitor and ensure compliance. The TMP is to address (but not be limited to):

- a. Specific commitments for the provision and use of buses and car-pooling during construction to limit peak hourly traffic in accordance with the approved Environmental Impact Statement (EIS) and conditions of consent. Plans and measures to manage the impacts of personal vehicle parking at pickup points (e.g. in towns) are to be detailed.
- b. An enforceable policy for staff and contractors to use the designated commuter route in preference to back roads, where the journey is not unreasonably lengthened, as detailed in the approved EIS.
- c. Details of origin, destination, quantity, size and frequency of vehicle movements associated with the development including those accessing and egressing the site.
- d. Timings and staging of construction and operation of the development.
- e. Existing and projected background traffic, peak hour volumes and types and their interaction with projected development related traffic.
- f. Loads, weights, lengths and number of movements of haulage and construction related vehicles including Over Size Over Mass (OSOM)
- g. The management and coordination of construction and staff vehicle movements to the site and measures to limit disruption to other motorists, including special OSOM management measures.
- h. Scheduling of haulage vehicle movements to occur outside of daily commuter peak periods, local special event times, school bus (both in rural and town areas) and school zone operating hours.
- i. Active communication procedures for traffic such as school buses or haulage vehicles from other quarries, or near potential safety hazards.
- j. Scheduling of heavy vehicle movements to minimise convoy or platoon lengths.
- k. Consideration to minimise the route length for road transport, particularly for OSOM loads.
- l. Any OSOM will be the subject of separate permits through the National Heavy Vehicle Regulator.
- m. Mitigation of local climate conditions that may affect road safety for vehicles used during construction, operation and decommissioning of the facility (e.g. scheduling during daylight hours, or outside of fog, wet weather, ice or snow).
- n. Transport of hazardous materials in accordance with the relevant transport codes.
- o. Specific mitigation measures along the approved transport routes. Road and intersection improvement works are to be completed prior to the commencement of on-site construction unless specifically approved otherwise in the conditions of consent.
- p. Consultation and engagement with affected stakeholders, including regulatory authorities, landowners, businesses, bus operators and so forth.

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- q. Policies and procedures for addressing concerns raised by the community on project related matters.

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MWRC – DEVELOPMENT APPLICATION REFERRAL
ADDITIONAL ENGINEERING COMMENTS AND CONDITIONS

DEVELOPMENT APPLICATION NO: DA0288/2019

FILE NO: DA0288/2019

PROPOSAL: Electricity generating works – Solar Farm

**PROPERTY DESCRIPTION: Lot 6 DP 1069441 - Burrundulla 3B Sydney Road
BURRUNDULLA NSW 2850**

REFERRED TO DEVELOPMENT DESIGN ENGINEER ON: 19 June 2019

ASSESSING OFFICERS NAME: K Robson

Subsequent to original comments and conditions (previously provided and attached below) the Applicant has provided an amended plan that shows:

- The proposed access driveway being shifted to a more appropriate location,
- The solar arrays being set back approximately an additional 100 metres from the Castlereagh highway road frontage, and
- The Laydown area for construction and proposed car parking for use during construction being located at the front of the site.

Whilst it can be noted that:

- The proposed access is now shown at a more appropriate location,
- The proposed car parking areas and laydown area for construction can be conditioned to be rehabilitated at the completion of construction activities,

concerns regarding the visual impact of the development immediately adjacent a major highway and ongoing site management (to minimise risk of grass fires) are still applicable and suggest the proposal is not a preferred use for the site.

Accordingly the development is still not recommended for approval.



David Webster
Manager Development Engineering
26 November 2020

MWRC – DEVELOPMENT APPLICATION REFERRAL
ENGINEERING COMMENTS AND CONDITIONS

DEVELOPMENT APPLICATION NO: DA0288/2019

FILE NO: DA0288/2019

PROPOSAL: Electricity generating works – Solar Farm

**PROPERTY DESCRIPTION: Lot 6 DP 1069441 - Burrundulla 3B Sydney Road
BURRUNDULLA NSW 2850**

REFERRED TO DEVELOPMENT DESIGN ENGINEER ON: 19 June 2019

ASSESSING OFFICERS NAME: K Robson

COMMENTS:

Introduction

The applicant is seeking approval for development of a combined 10MW solar farm on a site located to the south-east of Mudgee on the Castlereagh Highway.

The solar arrays will consist of variable tilting modules aligned in a north south direction arranged in two separate systems / farms which will occupy a total area of approximately 26.9 hectares and be generally located to the south of an existing overhead 22KV High Voltage power line that runs generally parallel with the Castlereagh Highway in this locality.

While there are multiple aspects of development to be considered as part of the overall assessment of this application the following comments are generally limited to engineering aspects including access, traffic (including construction traffic and ongoing operational requirements), and servicing including stormwater drainage. Some general comments are also made to landscaping and a requirement for the preparation and implantation of site management plans.

It is noted that there will be 31,000 solar modules mounting on driven piles installed in rows running north – south and two inverter stations mounted on skids and incorporating High/Medium voltage switchgear and transformers with one for each array.

Construction activities are expected to employ around 50 people on site over a period of approximately 6 months. During operation the site will be un-manned with quarterly maintenance expected to be carried out by a crew of 2 – 3 persons.

Site Description

The subject land is comprised of a single parcel with a generally irregular trapezoidal shape.

The northern boundary abuts Castlereagh Highway, the eastern boundary abuts vacant land generally used for grazing and cropping, the southern boundary abuts three other parcels with a dwelling on one and the remainder of that land also used for grazing and cropping. The parcel abutting the western boundary is occupied by vineyard and a winery.

The subject land is mostly cleared with scattered isolated trees and having also been used for grazing and cropping activities.

The site is generally flat sloping down from south to north with a poorly defined waterway and a dam providing water for stock.

Land to the north of the site (on the opposite side of Castlereagh Highway) is also mostly used for agricultural and pastoral purposes with associated dwellings. A former nursery on the northern site immediately adjacent the proposed access has approval for conversion to a dwelling.

It is considered that, being in such close proximity to both the town of Mudgee and with direct abuttal to Castlereagh Highway, the visual impact of the development and ongoing management suggests the proposal is not a preferred use for the site.

Ongoing Site Management

It is noted that a number of submissions have been made in regards to fire risk.

While the operation of solar farm equipment and infrastructure is not likely to generate any significant additional fire risk it is considered essential that site management and maintenance be undertaken at greater than quarterly intervals to ensure that grassed areas and other vegetation are appropriately managed to minimise fire risk.

Access and Road Maintenance

Plans submitted with the application and subsequent to a further information request indicate that a single access point is proposed from Castlereagh Highway which runs generally in a north-west to south-east direction in this locality.

Castlereagh Highway is a classified road under the control of TfNSW and any intersection / access crossover requirements will need to be constructed in accordance with their requirements.

However, the proposed access location is adjacent to the western boundary and as noted above there is a neighbouring vineyard / winery with an access approximately 90 metres away and the former nursery on the northern side of the road is separated by approximately 40 metres.

It is suggested that the location of the entry crossover may need to be relocated some distance to the south-east to allow for safe intersection design providing separation from existing accesses.

As mentioned above the plans provided indicate a single access point with an internal loop road providing access to the two systems which will each have three (3 No.) laydown areas for construction. A single car park is to be provided during construction.

Site Access

It will be necessary for the applicant to construct an access intersection prior to the commencement of any on site construction activities generally in accordance with the proposed intersection treatment plan MX10595.00 SK01 prepared by Triaxial Consulting.

Traffic and Construction Activities.

The Planning report has a number of contradictions.

Section 3.4 Services of the Planning Report estimates there will be "eight semi-articulated trucks per day accessing the site".

However,

Section 5.5 Traffic and Access of the Planning Report suggests that vehicles accessing the site during construction over 12 weeks includes 90 B-double trucks, light vehicles transporting workers and buses as may be required.

Given that all access to and from the proposed development will be limited to a TfNSW classified road any access crossover / intersection construction and road upgrade and maintenance requirements must be carried out in accordance with an TfNSW standards, requirements and approvals.

Services and Infrastructure

While the facility will operate as an un-manned site there will be no apparent need for permanent servicing. Some water may be available from the existing dam.

There is no sewer infrastructure servicing the property. All servicing requirements will need to be provided by the Applicant in accordance with relevant standards and approvals.

Stormwater Controls

Stormwater management requirements are likely to be limited to minor works for access tracks and some bunding / contour drains to control surface runoff where necessary. This would include culverts under internal roadways.

Environmental Considerations

It is considered that some screening is essential which could be managed by establishment and maintenance of suitably located vegetation buffers.

Waste Management

Solar farm components are generally shipped with large amounts of packaging to protect solar panels and other electrical components from damage caused during shipping and handling. This creates large volumes of waste.

Given that components are often imported from overseas timber packaging is often chemically treated rendering usual waste disposal methods for timber products inappropriate

Accordingly preparation and implementation of an extensive waste management strategy and plan for safe and convenient disposal of waste materials. Such plan should not include a reliance on Council accepting waste at any of its waste management facilities.

Recommendation

As noted above, the visual impact of the development immediately adjacent a major highway and concerns regarding ongoing site management (to minimise risk of grass fires) suggests the proposal is not a preferred use for the site and accordingly the development is not recommended for approval.

However, should this application be considered for approval the following are recommendations for conditions that should be applied to any approval that might be given.

RECOMMENDED CONDITIONS:

GENERAL

- 1 The applicant must demonstrate compliance with the conditions of this approval prior to the commencement of use.
- 2 Prior to the commencement of any construction within the proposed development site the applicant must construct an access crossover from Castlereagh Highway. The crossover must incorporate any and all intersection construction requirements as determined and required by Transport for New South Wales. Works must comply with any and all of TfNSW conditions of construction that may include re-location as necessary to avoid conflict with any other existing property access. Separate approval under the provisions of Section 138 of the Roads Act 1993 must also be obtained prior to the commencement of this work.
- 3 Prior to the commencement of any construction within the proposed development site the applicant must submit detailed plans of the final layout of the development to Council. Details must include the siting of solar panels, the design and layout of any internal access roads and driveways (including provision for stormwater drainage and culverts where necessary), car parking and laydown areas, and the location and design of all ancillary infrastructure.
- 4 Prior to commencing operations, or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development to Council.
- 5 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
- 6 Where required, all private sanitary drainage and water supply works which require Council's permit and private stormwater drainage works must be carried out in strict accordance with AS/NZS 3500, Plumbing and Drainage Act 2002 and Plumbing and Drainage Regulations to the complete satisfaction of the Plumbing and Drainage Inspector.
- 7 Where required, the developer must construct at no cost to Mid-Western Regional Council all external roadwork, external stormwater drainage, external water infrastructure and external sewerage infrastructure where necessary that may be required to service the development.

Traffic Management Plan

- 8 Prior to commencing the development, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council as may be appropriate, and to the satisfaction of Council and TfNSW. This plan must include:
 - (a) details of the transport route to be used for all development-related traffic;
 - a protocol for undertaking independent dilapidation surveys to assess the existing condition of all nominated access roads prior to the commencement of construction,

- (b) a protocol for the repair of any public road if dilapidation surveys identify the road to be damaged during construction, upgrading or decommissioning works;
- (c) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - procedures for receiving and addressing complaints from the community about development-related traffic;
 - minimising potential for conflict with school buses, other motorists and rail services as far as practicable;
 - minimising dirt tracked onto the public road network from development-related traffic;
 - details of any employee shuttle bus service and measures to ensure employee use of this service;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust and wet weather;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles;
- (d) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe driving practices;
- (e) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan; and
- (f) a flood response plan detailing procedures and options for safe access to and from the site in the event of flooding.

Following Council approval, the Applicant must implement all requirements of the Traffic Management Plan.

Noise

- 9 The Applicant must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.

Dust

- 10 The Applicant must minimise the dust generated by the development.

Visual

- 11 The Applicant must:
- minimise the off-site visual impacts of the development, including the potential for any glare or reflection;
 - ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and
 - not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

Operating Conditions

12 The Applicant must:

- ensure the solar panels and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on localised flooding and groundwater at the site;
- minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) manual, or its latest version; and
- ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site.

Site Management and Fire Safety

13 Prior to the commencement of use the Applicant must prepare a Site Management and Fire Safety Plan for the development to the satisfaction of Council. The study must detail all site management activities including scheduling of site, infrastructure and vegetation maintenance and be consistent with the:

- Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study'* guideline; and
- NSW Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*; and

Following Council approval, the Applicant must implement the measures described in the Fire Safety Study.

Operating Conditions

14 The Applicant must:

- (a) minimise the fire risks of the development;
- (b) ensure that:
 - there is defensible space of at least 10 metre around the perimeter of the solar arrays and battery storage area that permits unobstructed vehicle access;
 - the defensible space and solar array areas are managed as an Asset Protection Zone;
 - the development complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2006 (or equivalent)* and *Standards for Asset Protection Zones*;
 - the Asset Protection Zone for the development is wholly contained within the development footprint;
 - the development is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to the internal access road;
- (c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
- (d) notify the relevant local emergency management committee following construction of the development, and prior to commencing operations.

Emergency Plan

- 15 Prior to commissioning operations, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of FRNSW and the RFS. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:
- (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*;
 - (b) identify the fire risks and controls of the development; and
 - (c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site.

Following approval, the Applicant must implement the Emergency Plan.

WASTE

- 16 The Applicant must:
- (a) minimise the waste generated by the development;
 - (b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - (c) store and handle all waste on site in accordance with its classification;
 - (d) not receive or dispose of any waste on site;
 - (e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal; and
 - (f) must not be reliant on disposal at any of Council's waste management facilities.

INTERNAL DRIVEWAYS

- 17 All internal driveways and Solar Farm access tracks must be constructed of compacted gravel to a suitable standard to sustain all construction and future maintenance traffic requirements. Pavement must be wide enough to allow two vehicles to safely pass or with provision made for localized widening. Where necessary culverts or suitable erosion protection measures must be made for stormwater drainage.
- 18 Access driveways and pavements must be maintained to the satisfaction of Council at all times.
- 19 Where applicable the Applicant must ensure at all times that provision and use of access complies with the requirements of the relevant Rail Authority.

CAR PARKING

- 20 Car parking areas must be provided of sufficient size to allow for one car parking space per two employees. Car parking areas must generally provide sufficient space for parking and manoeuvring as specified in AS2890.1 Parking facilities – Part 1: Off-street car parking.

STORMWATER DRAINAGE

- 21 The approved development must not interfere with the natural flow of stormwater over the land and must not cause ponding or concentration of stormwater runoff on the subject land or adjoining roads or other property.
- 22 Stormwater runoff from pavement areas must be managed within the site and dispersed to landscaped areas.
- 23 All earthworks must ensure that the site shall be graded so as to be free draining.

EROSION AND SEDIMENT CONTROL

- 24 No construction must take place until appropriate erosion control, dust control and silt collection measures are in place to the satisfaction of Council and to relevant engineering standards. Such erosion control, dust control and silt collection measures must remain onsite for the remainder of the construction period.

WATER AND WASTE WATER

- 25 Any permanent facilities on site must be provided with a water supply sufficient for use and the provision of fire fighting facilities and storage in accordance with relevant Australian Standards and Queensland Fire and Emergency Services requirements.
- 26 Any permanent facilities on the site must provide for adequate treatment of waste water. No treated waste water contaminated with oil, grease or other contaminants is permitted to discharge into any natural water course or/and Council stormwater system.

David Webster
Manager Development Engineering
Mid-Western Regional Council



OUT19/16477

The General Manager
Mid-Western Regional Council
PO Box 157
MUDGEE NSW 2850

By email: Kayla.Robson@midwestern.nsw.gov.au

Dear Ms Robson

DA0288/2019 for Mid-Western Regional Council at Lot 6 DP 1069441, 3B Sydney Road, Burrundulla - Burrundulla Mini Sustainable Energy Park

Thank you for the opportunity to provide comment on the above proposal. The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend. This advice is provided recognising the broader policy framework, including the government's commitment to net zero emissions by 2050.

It is acknowledged that this referral is made after the exhibition period where the issue of impact on agricultural land has been raised in some of the submissions. Generally we would request an agricultural impact statement be undertaken in these circumstances however noting the timeline we would ask Council consider the following information in undertaking the remainder of your assessment.

As noted in the Statement of Environmental Effects (SEE) only 2% of the Mid-Western Regional Council area is used for cropping purposes. The photos supporting this application indicate that this land is part of that 2%, supporting its identification as Land and Soil Capability class 3 and potentially making it a significant contributor to the Mid-Western Regional Council agricultural economy and supply chains. If an agricultural impact assessment was to be undertaken this matter should be considered.

The Central West Orana Regional Plan recognises that high quality agricultural land should be protected to ensure economies of scale for producers that will minimise costs across the supply chain. Being 63ha, this lot is above the average size of lots in Mid-Western LGA. The loss of 27ha for solar energy production will reduce the ability to achieve scales of economy at this site and could potentially lead to significant loss of production.

It is recognised that this land is located within the Central West Renewable energy zone pilot project area, but that this project has not been fully developed at this stage.

If Council determines that, on balance, this project should be supported, it is requested that conditions are included requiring:

1. An undertaking that some multifunctional use of the land is undertaken – page 56 of the SEE speaks about the possible use of the land for vegetables or grazing during operation of the solar industry. This is being done successfully internationally, with grazing common in NSW also. Studies into the possibility of agro-voltaics should be undertaken prior to issue of the construction certificate to enable the design to be modified as necessary to accommodate the multifunctional use.
2. Decommissioning - decommissioning is to include complete removal of all infrastructure including underground cabling and piping. While the SEE acknowledges the removal of solar arrays, to enable the return of the land to horticulture all underground cabling and footings etc will also need to be removed.

Should you require clarification on the information contained in this response, please contact Mary Kovac, Agricultural Landuse Planning Officer on 68811250.

Yours sincerely



21/1/20

Tamara Prentice
Manager Agricultural Land Use Planning

Michelle Murray

From: Michelle Murray
Sent: Tuesday, 9 July 2019 10:55 AM
To: 'council@midwestern.nsw.gov.au'
Subject: DA0288_2019 3B Sydney Road Burrundulla

We refer to Council's correspondence seeking comment from Essential Energy in relation to the proposed development at the above property of two 5MV solar farms.

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:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- No development is to take place within 10 metres either side of the centreline of the 22,000 volt overhead powerline and the support poles including changing the ground levels under this powerline and around the poles;
- Access is to be available to Essential Energy to this powerline at all times. This may include access points at each point, a lock on the gate or a gate to be installed to gain access to the powerline;
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location 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. <https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements.pdf>;
- Fencing and landscaping is to comply with the above ISSC 20 guideline;
- 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); and
- 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,

Michelle Murray
Conveyancing Officer
Governance and Corporate Services



T: 02 6589 8207 (Ext 88207) | 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

Dear NSW Planning,

TransGrid Reference Number: 2019/291

CNR 708 – DA 0288/2019

3B Sydney Road, Burrundulla (Lot 6 in DP 1069441)

Thank you for notifying TransGrid of the abovementioned proposal for review.

We have reviewed the subject area and can advise this proposal will not affect TransGrid's Infrastructure and/or Easements.

If you have any questions, please do not hesitate to contact our *Easements and Development Team* on (02) 9620 0515.

Kind regards,

Skye Shanahan

Property Services Coordinator | Works Delivery

TransGrid | 200 Old Wallgrove Road, Wallgrove, NSW, 2766

T: (02) 9620 0104

E: Skye.Shanahan@transgrid.com.au **W:** www.transgrid.com.au

All communications to be addressed to:

Headquarters
4 Murray Rose Ave
Sydney Olympic Park NSW 2127

Telephone: 1300 NSW RFS
e-mail: records@rfs.nsw.gov.au

Headquarters
Locked Bag 17
Granville NSW 2142

Facsimile: 8741 5433



The General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

Your Ref: 0288/2019
Our Ref: D19/2772
DA19081520056 AS

ATTENTION: Kayla Robson

23 August 2019

Dear Sir/Madam

Development Application - 1//547996 - 3 B Sydney Road Burrundulla 2850

I refer to your correspondence dated 9 August 2019 seeking advice regarding bush fire protection for the above Development Application in accordance with Section 4.14 of the 'Environmental Planning and Assessment Act 1979'.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and has no specific recommendations in relation to bush fire protection.

Should you wish to discuss this matter please contact Adam Small on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nika Fomin'.

Nika Fomin
Manager - Planning & Environment Services (East)

For general information on bush fire protection please visit www.rfs.nsw.gov.au