Elle Donnelley
Senior Planner
Resource & Energy Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms. Donnelley,

Yanco Solar Farm (SSD 9515)

Thank you for your correspondence to John Holland Rail (JHR) dated 18 April 2019 in regards to reviewing the subject State Significant Development (SSD) application.

TfNSW is the land owner of the Country Regional Network (CRN) across NSW. As of 15 January 2012, JHR have been appointed to manage the CRN. In the capacity of managing the CRN, JHR is responsible for reviewing development proposals and policies adjoining the rail corridor to ensure that potential impacts to rail operations (current and future) are considered and addressed.

The SSD seeks approval for construction, operations and decommissioning of a 72 MW DC solar farm and installation of electrical transmission lines to connect the solar farm to Yanco Transgrid Electrical Substation. The land to which the SSD is related is Lots 142, 145-152 DP 751745, Lot 10 DP 844961 and Lot 6650 DP 1197165 (Development Land) for solar farm development and Lot 1700 DP 1181161 (Access Land) for installation of transmission lines.

The Development Land is separated by Ronfeldt Road from the non-operational Yanco to Willbriggie rail corridor. As the Development Land is adjacent to the rail corridor, the application is assessed with consideration of Clause 85 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP). It is also noted that the Development Land is in close proximity to the operational Yanco to Griffith rail corridor. The Access Land, where the installation of transmission lines is proposed, forms part of the non-operational rail corridor owned by TfNSW and would trigger the need for concurrence in accordance with Clause 86 of the ISEPP.

As the subject application being assessed under Part 4.1 of the Environmental Planning & Assessment Act, formal concurrence does not strictly apply. Nevertheless, TfNSW in consultation with JHR has taken into account the statutory requirements under these provisions in its assessment of the proposed development and its associated works.

Comments regarding the subject application are provided in **Attachment A**. TfNSW would be happy to review further information provided by the Applicant as outlined in the attachment and would then provide recommended conditions of consent.

Thank you again for the opportunity of providing advice for the above development application. If you require any further information, please don't hesitate to contact Billy Yung, Senior Transport Planner, via email at billy.yung@transport.nsw.gov.au. I hope this has been of assistance.

Yours sincerely

22/5/2019

Mark Ozinga
Principal Manager, Land Use Planning & Development
Customer Strategy & Technology

CD19/03371

Excavation in, above or adjacent to rail corridor

Comment:

Clause 86 of the ISEPP stipulates that the consent authority must not grant consent without consulting with the rail authority and obtaining concurrence consistent with clauses 86(2) – (5) in the event that the development involves penetration of ground to a depth of at least 2m below ground level on land within 25m of a rail corridor. The EIS states that the underground power line will need to be drilled (under the railway line and under Houghton Road) and the depth would be up to 3m. In addition, the EIS states that piles to support solar panels, boundary fences and switching station will be driven or screwed into the ground up to 2.2 m depending on the geotechnical site investigation.

Recommendation:

It is requested that the Response to Submission (RtS) must include a detailed design of power line under Houghton Road to confirm whether the power lines will be within 25 m from the boundary line of the rail corridor. The Applicant should also provide further information regarding whether the proposed infrastructure, as shown in Figure 1-3 of the EIS, will be constructed within 25m of the boundary lines of the rail corridor and involving the penetration into the ground level in excess of 2m.

Subject to the review of further information prepared as part of the RtS, TfNSW would provide relevant conditions with consideration of the statutory requirements under the provisions of Clause 86 of the ISEPP.

Access to rail corridor

Comment:

The EIS includes a proposal to access the rail corridor for installation of a new 33kV transmission line to connect the solar farm to Yanco Transgrid Electrical Substation. It is acknowledged that the Applicant had undertaken early consultation with TfNSW prior to lodging the development application. TfNSW has forwarded a letter dated 9 January 2019 providing its approval in principle to install the transmission line by underboring a 150mm conduit containing 33kV cable across the rail corridor with conditions. The letter clearly states that no works are to be commenced in the rail corridor until the relevant legal agreement is executed as part of the construction application process. TfNSW has made its position clear to the Applicant that the relevant legal document is a licence rather than an easement in support of their proposed works that requires access to the rail corridor.

Table 4-5 in the EIS has acknowledged the requirement of obtaining the licence from TfNSW for construction of the powerline across the rail corridor, however, Section 5.3.6 of the EIS states that the Proponent is still in discussion with TfNSW and JHR regarding easement over the rail corridor.

Recommendation:

Prior to commencing the works to install the transmission line over the rail corridor, the Applicant must satisfy conditions set out in TfNSW's letter dated 9 January 2019 including but not limited to execution of a licence.

It is requested that the Applicant be conditioned to enter into a licence agreement with TfNSW prior to approval of this application. The applicant should consult with JHR (*Joanne Cheoung, Commercial Property Analyst, via email at joanne.cheoung@jhg.com.au*) regarding this matter.

For the avoidance of doubt, the earlier letter (dated 9 January 2019) does not constitute a final approval from TfNSW in respect of installation of transmission lines over the non-operational rail corridor.

It is requested that the Applicant be made aware of the access to the rail corridor is prohibited at any time unless otherwise permitted in writing by TfNSW or its agent who manages the Country Regional Network.

Cranes and equipment

Comment:

Clause 85 of the ISEPP states that if the development involves the use of a crane in the air space above the rail corridor, the consent authority must take into consideration any response from the Rail Authority. As referenced to the relevant standard and guideline (*TfNSW Standard – External Developments T HR CI 12080ST and Department of Planning – Development near Rail Corridors and Busy Roads Interim Guidelines),* it must be noted that cranes, concrete pumps or other equipment must not be used in airspace over the rail corridor when the equipment is in operation. When not in operation, cranes are permitted to 'weathervane' into the rail corridor subject to approval of the rail authority.

The EIS indicates the use of mobile cranes including 50T mobile cranes during construction, however, it does not provide details whether the cranes will be used in the air space above the rail corridor.

Recommendations:

It is requested that the Response to Submission (RtS) should clarify whether mobile cranes will be used in the air space above the rail corridor.

The applicant should be made aware of the use of mobile cranes must be in accordance with the *AS 2550 series of Australian Standards, Cranes, Hoist and Winches*, including *AS2550 15-1994 Cranes – Safe Use – Concrete Placing Equipment*.

Subject to the further information prepared as part of the RtS, TfNSW would provide a condition if there is any intended use of cranes.

Noise, vibration and air quality

Comment:

Part of the proposed development are located adjacent to a rail corridor and the consent authority needs to be satisfied that the proposed development would not be adversely affected by rail noise, vibration or air quality due to the rail traffic.

Recommendations:

It is requested that the RtS should confirm the proposed development will not be adversely affected by rail noise, vibration and air quality should the rail corridor become operational in the future.

Construction and demolition impacts

Comment:

The application includes construction and installation of various infrastructure in the Development Land which is located adjacent to the rail corridor. The application also includes demolition of infrastructure as part of decommissioning to return the site to its pre-work state. The decommissioning includes removal of all above ground infrastructure and below ground infrastructure less than 500 mm deep including the solar arrays and its foundation of posts, all site amenities and equipment and fencing. The EIS stated that a Rehabilitation and Decommissioning Management Plan (RDMP), that describes how the infrastructure will be removed upon the decommissioning, will be prepared and approved by the relevant authorities. It is vital for TfNSW and JHR to be satisfied that decommissioning does not have any adverse impacts on the rail corridor and the existing rail infrastructure.

Recommendations:

It is requested that the RtS include a Risk Assessment/Management Plan and Safe Work Method Statements detailing any impacts on the rail corridor in respect of removal and construction of the infrastructure stated above.

It is also requested that the Applicant to provide TfNSW and JHR with a copy of the RDMP for approval in response to this submission.

Visual impacts

Comment:

The Visual Impact Assessment (VIA) concludes that visual impacts from various locations within both rail corridors are assessed as negligible or nil.

Recommendations:

It is requested that the RtS should confirm the level of reflectivity and glare produced by any materials, lighting and external finishes of infrastructure required for the proposed development will not adversely affect or cause distraction to train drivers for the Operational Rail Corridor. In addition, the RtS should confirm that red and green lights will not be used in all signs, lighting building colour schemes on any part of the proposed development which will face the Operational Rail Corridor.

Impacts on level crossings

Comment:

Clause 84 of the ISEPP states that the consent authority must not grant consent to development without the concurrence of the rail authority for the rail corridor if the development involves a likely significant increase in the total number of vehicles or the number of trucks using a level crossing. The proposed construction traffic route involves passing through level crossings of the Operational Rail Corridor.

Recommendations:

It is requested that the Applicant provide JHR with an assessment of the impacts on the Operational Rail Corridor in the context of the use of two (2) passive level crossings at McQillan Road and Irrigation Way and one (1) active level crossing at

Poplar Avenue as part of the RtS. TfNSW would then assess the relative risks and condition as required.

The Applicant should undertake a safety assessment including:

- A site inspection – which would include but not limited to identification of hazards
- A site specific risk assessment that includes, existing and future traffic (road and rail), speeds, frequency of trains, volume and heavy vehicle proportion, non-motorised road users, traffic control facilities (existing and proposed if required to ameliorate any specific project related risks)
- Evaluate the risks identified above using the Australian Level Crossing Assessment Model

In the event that significant risks are identified, the Applicant may be requested to prepare a plan of management that identifies how the risks will be mitigated or potentially an upgrade to the level crossings in accordance with JHR's engineering standards. In addition, the relevant Council will also be requested to update the current Road Rail Interface Agreement to reflect the change to those level crossings in accordance with the Rail Safety National Law 2012.

Construction traffic

Comment:

The traffic assessment, that forms part of the EIS, provides an outline of matters to be addressed in the Construction Traffic Management Plan (CTMP) that will be prepared during the construction phase. The proposed construction traffic route includes Irrigation Way, which is currently serving four school bus routes.

Recommendations:

The school bus routes running along Irrigation Way are operated by Patten's Transport Services and Patrick & Jan Lyons. It is requested that the Applicant should inform the bus operators with regard to the impact of the proposed development.