

APPENDIX C CONSULTATION

C.1 AGENCY CONSULTATION

C.1.1 Greater Hume Shire Council subdivision consent



Greater
Hume
Council

All correspondence
PO Box 99 Holbrook NSW 2644

P 02 6036 0100 or 1300 653 538
E mail@greaterhume.nsw.gov.au
greaterhume.nsw.gov.au

ABN 44 970 341 154

Stephanie Anderson
NGH Environmental Pty Ltd
PO Box 5464
WAGGA WAGGA NSW 2650

C/- steph.a@nghenvironmental.com.au

Dear Stephanie

SUBDIVISION ENQUIRY ASSOCIATED WITH STATE SIGNIFICANT SOLAR FARM DEVELOPMENT (CULCAIRN SOLAR FARM) – LOT 70 and LOT 71 DP 753764, LOT 54 DP 753753, BENAMBRA AND SCHNEIDERS ROADS WALLA WALLA

I refer to your enquiry wherein you sought an indication as to whether Council would object to the subdivision of the abovementioned allotments to facilitate the development of a proposed solar farm development.

In response to your enquiry it is advised that Council is not the determining authority for the proposed development and a final decision concerning the subdivision component of the proposed development would be a matter for the determining authority.

As the configuration of the land is not permanently altered by the subdivision of land for leasehold purposes, Council does not apply the provision of the Greater Hume Local Environment Plan 2012 (the LEP) and in this instance would not be concerned by subdivision for leasehold purposes.

In addition Council would not be concerned with subdivision being undertaken in conjunction with the development as Clause 4.2AA of the LEP can be applied concurrently with a development consent for a permissible use.

Should you require further information please contact Colin Kane, Director Environment & Planning, on 6044 8928 or email ckane@greaterhume.nsw.gov.au.

Yours faithfully

Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

4 November 2019

Our Ref: CK



C.1.2 *Greater Hume Shire Council GIPA request of development applications for the proposal lots.*

From: [Development Applications](#)
To: [Nicola Smith](#)
Subject: Greater Hume Council
Date: Thursday, 24 October 2019 2:47:36 PM
Attachments: [image001.jpg](#)

Good afternoon

Council refers to your request for the development history submitted 15 October 2019 and advises records show no development applications have been approved on the lots since the creation of Greater Hume Council in 2004.

Should you require further information please contact Council's Planning & Building Department on 6036 0100.

Do not reply to this email – this address is not monitored.

Regards

Development Applications
Culcairn Office
Ph. 02 6036 0100



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C.1.3 *Greater Hume Shire Council approval in principle for use of standpipe*

From: [Colin Kane](#)
To: [Damien Hegarty](#)
Subject: RE: Culcairn Solar Farm - Update, DA and VPA
Date: Thursday, 21 November 2019 3:04:07 PM
Attachments: [image007.png](#)
[image009.png](#)

Hello Damien

The Councils General Manager and I would like to meet and discuss with you the offered VPA. Would you be available in the afternoon on Monday the 2 December? If you are in the area we could meet in person or alternative via telephone.

I spoke to our water staff there is no problem for the potable water as requested and we may be able to assist with non-potable water if you cannot obtain the required water from other sources.

Colin Kane
Director Environment & Planning
Greater Hume Council
39 Young St
PO Box 99
Holbrook NSW 2644
T 02 6044 8928 M 0428 667 071



www.greaterhume.nsw.gov.au

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From: Damien Hegarty [mailto:damien.hegarty@neoen.com]
Sent: Wednesday, 20 November 2019 6:12 PM
To: Colin Kane; Steven Pinnuck; David Smith
Cc: Patrick Dale
Subject: RE: Culcairn Solar Farm - Update, DA and VPA

Hello Colin,

Thanks for providing the report for the open Council meeting – we look forward to receiving feedback from the meeting and from your water and sewer team.

Thanks, Damien

From: Colin Kane <CKane@greaterhume.nsw.gov.au>
Sent: Tuesday, 19 November 2019 9:22 AM
To: Damien Hegarty <damien.hegarty@neoen.com>; Steven Pinnuck

<SPinnuck@greaterhume.nsw.gov.au>; David Smith <DSmith@greaterhume.nsw.gov.au>

Cc: Patrick Dale <patrick.dale@neoen.com>

Subject: RE: Culcairn Solar Farm - Update, DA and VPA

Hello Damien

In relation to your offer of a VPA and our need to consider the offer in Open Council. I think the best way forward will be for a report to be prepared to the Council November meeting (20 November) which will indicate that an initial offer has been made without the details of the offer, other than an indication that the offered amount is beneath the 1 % contribution provided through our section 7.12 contribution plan and it required Council to contribute to road works.

The report will recommend that Councils General Manager and Director Environment and Planning continue to negotiate the terms of a VPA which could be considered as an open council agenda item to our December ordinary meeting.

I will ask our water and sewer staff to provide comment on whether we can supply the requested water. For non-potable water have you explored buying the water from Boral Hurricane Hill Quarry. I have seen that the bottom of the quarry contains significant amounts of water and FRV the applicants for the Walla Walla solar farm indicate in their EIS that they are buying non-potable water from the Boral Quarry.

Regards

Colin Kane
Director Environment & Planning
Greater Hume Council
39 Young St
PO Box 99
Holbrook NSW 2644
T 02 6044 8928 **M** 0428 667 071



www.greaterhume.nsw.gov.au

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From: Damien Hegarty [<mailto:damien.hegarty@neoen.com>]

Sent: Monday, 18 November 2019 5:44 PM

To: Colin Kane; Steven Pinnuck; David Smith

Cc: Patrick Dale

Subject: RE: Culcairn Solar Farm - Update, DA and VPA

Thanks for your response Colin,

We are happy for the VPA proposal to be considered during your open Council meeting, given that this is the Council's preference. Please could you confirm the date and time for the meeting?

We also appreciate the consideration of our request to utilise the Council's existing standpipe. The anticipated amount of non-potable water required during construction (i.e. expected to commence in mid to late 2020 with a 16-18 months duration) is around 62 ML. This water is predominantly used for dust control. Around 2.5 ML of potable water would also be required during construction.

Regards,

Damien Hegarty

Project Development - Victoria



SYDNEY | CANBERRA | PARIS (HQ) | LISBON | MEXICO | EL SALVADOR
Neoen Australia | Level 10 | 227 Elizabeth St | Sydney NSW 2000
M : + 61 422 814 902
Damien.Hegarty@neoen.com | www.neoen.com

From: Colin Kane <CKane@greaterhume.nsw.gov.au>

Sent: Monday, 18 November 2019 5:01 PM

To: Antoine Lajouanie <antoine.lajouanie@neoen.com>; Steven Pinnuck <SPinnuck@greaterhume.nsw.gov.au>; David Smith <DSmith@greaterhume.nsw.gov.au>

Cc: Damien Hegarty <damien.hegarty@neoen.com>; Patrick Dale <patrick.dale@neoen.com>

Subject: RE: Culcairn Solar Farm - Update, DA and VPA

Hello Antoine, Damien and Patrick

I refer to your email below concerning a voluntary planning agreement and the Culcairn Solar Farm.

It is Councils interpretation of Section 7.7 of the EPA Act 1979 that a Voluntary Planning Agreements should be negotiated in advance of the determination of a development application so that applicant (NEON) can include the VPA in their statement of commitments and the consent authority can as a condition of consent require the imposition of the VPA.

I understand that you are very close to lodging your application with the Department of Planning Industry and Environment and so I would like Council to consider your request for a VPA as a matter of urgency at the Ordinary Council meeting to be held this week.

In the past Council has dealt with request for a VPA in **open** Council and this would be our preference. Can you please advise whether you would be agreeable to the offer of a VPA being undertake in open Council and whether you wish to submit your request for a VPA in a more formal manner.

The drawing of water from our standpipe requires a Section 68 approval under the Local Government Act. We would need to know the volumes you would draw and when this would occur.

Regards

Colin Kane
Director Environment & Planning
Greater Hume Council
39 Young St
PO Box 99
Holbrook NSW 2644
T 02 6044 8928 M 0428 667 071



www.greaterhume.nsw.gov.au

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From: Antoine Lajouanie [<mailto:antoine.lajouanie@neoen.com>]

Sent: Wednesday, 13 November 2019 7:33 PM

To: Steven Pinnuck; Colin Kane

Cc: Damien Hegarty; Patrick Dale

Subject: Culcairn Solar Farm - Update, DA and VPA

Dear Colin and Steven,

I wanted to give you an update on our Development Application. We are looking to submit it to the Department of planning Industry and Environment of NSW before the end of the month, and we will inform you as soon as we do so.

In previous discussions we had started to discuss about a Voluntary Planning Agreement (VPA), and we have said that we would come back to you with something. We wanted to take the opportunity of this email to outline what it would look like.

Within the project a budget envelope of \$150,000 per year indexed on CPI over the 25 year lifetime of the project is set aside for the VPA. We'd also like to have any road upgrade costs done for this project to be deducted from the payments made under the VPA.

From our previous discussions we understood that you didn't really know when was the best time to submit the VPA for discussion with Council compared to when the DA is submitted. Therefore, we would be happy to know how you'd like to proceed on this regards, and what additional information you will require from us.

Also, we wanted to inquire about the possibility to source water from the council standpipe in Culcairn during construction and operation. What information would you need from us on this regard?

Additionally, Damien Hegarty and Patrick Dale, who also are Project Managers at Neoen, will be taking over the project from now on. Their contact details are the following:

Damien.hegarty@neoen.com and patrick.dale@neoen.com .

I let you come back to them for any further points that deal with the project.

For communications regarding the VPA, you can also copy Garth Heron, Head of Development, and Lisa Stiebel, Community Relations Manager.

Kind regards,
Antoine

Antoine Lajouanie

Project Manager



Level 10 / 227 Elizabeth Street, Sydney NSW 2000
M. +61 4 37 474 674

C.1.4 Response from Division of Resources and Geoscience Clause 13 Compatibility



16 November 2018

Sarah Hillis
Senior Environmental Consultant
NGH Environmental
PO Box 5464
Wagga Wagga NSW 2650

Emailed: sarah.h@nghenviromental.com.au

Dear Ms Hillis,

**Culcairn Solar Farm Project – NGH Environmental
Pre-Secretary's Environmental Assessment Requirements**

I refer to your email dated 7 November 2018 inviting NSW Department of Planning & Environment – Division of Resources & Geoscience to provide comments on the Culcairn Solar Farm Project proposal.

The Division appreciates the opportunity for early consultation on this State Significant Development proposal for a large scale solar farm in the Greater Hume LGA. The Division provides project specific requirements to supplement the Secretary's Environmental Assessment Requirements (SEARs), issued by Department of Planning and Environment – Planning Services, for the preparation of Environmental Impact Statements (EIS) accompanying State Significant Development applications for renewable energy proposals.

Resources specific SEARs for renewable energy projects require an assessment of the impact of the development on existing land uses, including the compatibility of the development with the existing land uses on the site and adjacent land (e.g. operating mines, extractive industries, mineral or petroleum resources, exploration activities), during operation and after decommissioning.

This requires the proponent to identify any of the above in the EIS and consult with the operators and or titleholders to establish if the proposal is likely to have a significant impact on current or future extraction of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and any way the proposed development may be incompatible with any existing or approved uses, or current or future extraction or recovery under the land use compatibility requirements of Part 3 (13) of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

In fulfilling these requirements, a search of current mineral, coal and petroleum titles must be undertaken through the Division's MinView application, with the results shown on a map, in drafting of the EIS. Additionally, the EIS must identify whether there are adjacent mines or quarries for land use compatibility considerations.

NSW Department of Planning and Environment
DIVISION of RESOURCES & GEOSCIENCE
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4063 6500 Fax: 02 4931 6726
ABN 38 755 709 681

Current mining, and exploration titles and applications can be viewed at:
<https://resourcesandgeoscience.nsw.gov.au/miners-and-explorers/geoscience-information/services/online-services/minview>

According to current departmental databases, the Division has identified that there are no current mineral, coal or petroleum titles over the site or adjacent lands.

The Division has identified that the 'Hurricane Hill' hard rock quarry operated by Boral Resources Pty Ltd is located approximately <1.5km to the southeast of the project site (refer to Figure 1). Consideration should be given to the impacts the project may have on the quarry's operations. The Division recommends consultation with Boral during the preparation the EIS.

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the Division of Resources & Geoscience - Land Use team at landuse.minerals@geoscience.nsw.gov.au.

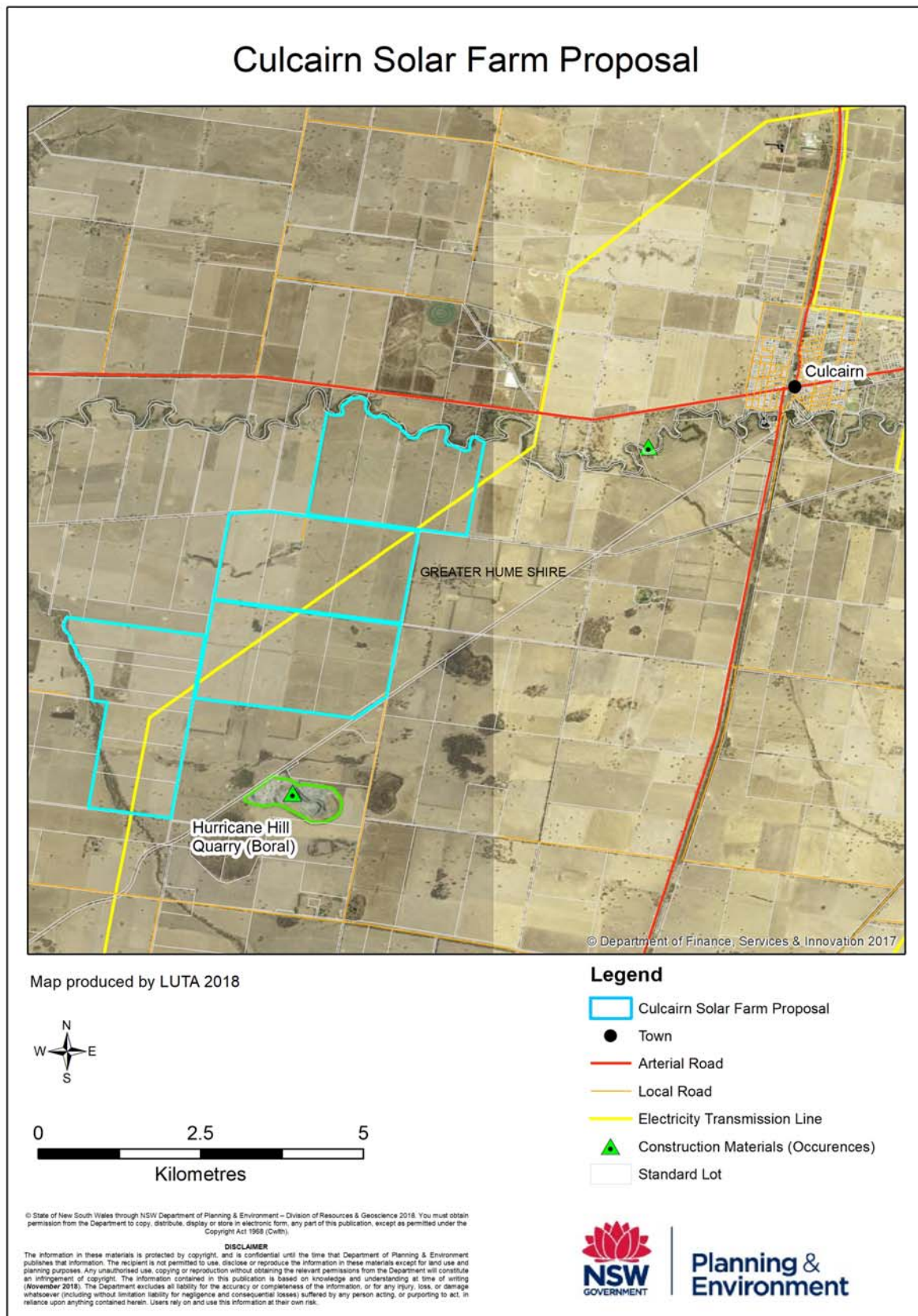
Yours sincerely

Malcolm Drummond
Senior Geoscientist – Land Use

A handwritten signature in black ink, appearing to read 'M. J. Drummond'.

for Paul Dale
Director – Land Use & Titles Advice

Figure 1: Culcairn Solar Farm Proposal



C.1.5 Response from Land Management and Biodiversity Conservation for the Swift Parrot Important Areas

From: [OEH ROD LMBC Support Mailbox](#)
To: [Julie Gooding](#)
Subject: RE: LMBC-6560 Mapped Important Areas
Date: Tuesday, 30 July 2019 10:17:41 AM

Hi Julie

The lots are not within draft important areas for swift parrot.

Regards

Shannon

Support Service Centre
Land Management and Biodiversity Conservation

Biodiversity and Conservation Division | Department of Planning, Industry and Environment
T 1800 931 717 | E lmbc.support@environment.nsw.gov.au

Centre Hours 9am – 4pm Monday to Friday (excluding public holidays)
Please ensure you keep all cc'ed parties included in any replies to this email.

www.dpie.nsw.gov.au



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Julie Gooding <julie.g@nghenvironmental.com.au>
Sent: Wednesday, 24 July 2019 3:12 PM
To: OEH ROD LMBC Support Mailbox <lmbc.support@environment.nsw.gov.au>
Cc: Nicola Smith <nicola.s@nghenvironmental.com.au>
Subject: LMBC-6560 Mapped Important Areas

Hello,

Could you please tell me if the following lots near Culcairn fall within a mapped important area for the Swift Parrot.

The lots are; Lots 70-73, 86 DP 753764; Lots 9-11, 45-47, 53, 54 DP 753735; Lot 1 DP 179854; Lot 114 DP 664997; Lot 1 DP 575478; Lot 1 DP 171815; Lot 1 DP 945904; Lot B DP 972054

Many Thanks,

Julie Gooding | Environmental Consultant – Ecologist
Accredited NSW BAM Assessor (BAAS17026)

Please note that I don't work on Tuesdays

nghenvironmental

www.nghenvironmental.com.au | www.sumosystem.com.au

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

C.1.6 Crown Lands Application and response to Landowner's consent

Sydney, October 29th 2019,

Subject: Request for landowner's consent – Culcairn Solar Farm – Neoen Australia Pty Ltd

Dear Sir, Dear Madam,

Neoen Australia Pty Ltd is currently developing a Solar Farm project in Culcairn, NSW. In order to link the different freehold properties that comprise the development site, Neoen would need to have the agreement to lay-down underground Medium Voltage cables across an unused crown road: Schoffs Lane.

As we will be submitting our Development Application to the Department of Planning, Industry and Environment, we would like to request Crown Land's landowner consent.

We attach to this letter the Landowner's consent application form.

We are available to provide further details.

Kind regards,



Damien Hegarty

Project Manager
+61 422 814 902
damien.hegarty@neoen.com

Landowner's consent application

Use this form to seek landowner's consent for lodgement of applications to other approval authorities* in respect of development proposals on Crown land.

Important information

The Department of Planning, Industry & Environment—Crown Lands (the department) has the authority to grant minister's consent as landowner under the *Crown Land Management Act 2016* to the lodging of:

- development applications, Complying Development Certificate applications, and major project applications under the *Environmental Planning and Assessment Act 1979*
- development applications under the *Native Vegetation Act 2003*
- applications required under other applicable legislation.

Landowner's consent will only be given if it is determined that the proposal is consistent with the management of Crown land under the *Crown Land Management Act 2016*. Crown land includes waterway areas.

If your proposal requires the lodgement of a Development Application (DA) with council, the completed DA in its entirety, must be forwarded to the department for the provision of land owner's consent prior to lodgement with council

* Approval authorities include council, the Minister for Planning, other government agencies, local Catchment Management Authority, or an accredited certifier for the issue of a Complying Development Certificate. You should make your own enquiries as to the type of application, if any, you need to make.

Fee

\$84.00 - For further information please refer to the NSW Department of Planning, Industry & Environment—Crown Lands website.

Contact us

For more information, please contact us at:

NSW Department of Planning, Industry & Environment—Crown Lands
PO Box 2155
DANGAR NSW 2309

Phone: 1300 886 235

Fax: 02 4925 3517

Web: industry.nsw.gov.au/lands

Privacy statement

The personal information you provide on this form is subject to the Privacy & Personal Information Protection Act 1989. It is being collected by NSW Department of Industry and will be used for purposes related to this application. NSW Department of Planning, Industry & Environment will not disclose your personal information to anybody else unless authorised by law. The provision of this information is voluntary or required to be supplied. If you choose not to provide the requested information we may not be able to process this application. You have the right to request access to, and correct details of, your personal information held by the department. Further information regarding privacy can be obtained from the NSW Department of Planning, Industry & Environment website at www.industry.nsw.gov.au/legal/privacy

Applicant details

Salutation	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other:				
First name	Damien		Surname	Hegarty	
Home address					
Postal address	Suite 1 - Level 10, 227 Elizabeth Street				
Home telephone		Work		Mobile	0422 814 902
Email address	damien.hegarty@neoen.com				
Business name	Neoen Australia Pty Ltd				
Company contact person	Damien Hegarty				

Salutation	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other:				
First name	Antoine		Surname	Lajouanie	
Home address					
Postal address	Suite 1 - Level 10, 227 Elizabeth Street				
Home telephone		Work		Mobile	0437 474 674
Email address	antoine.lajouanie@neoen.com				
Business name	Neoen Australia Pty Ltd				
Company contact person	Antoine Lajouanie				

Salutation	<input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other:				
First name			Surname		
Home address					
Postal address					
Home telephone		Work		Mobile	
Email address					

Business name	
Company contact person	

If insufficient space, please attach additional applicant details

Site identification details

Address	Schoffs Lane, Culcairn NSW 2660
Property description include Lot(s) and DP(s)	Schoffs Lane, between Lots 53,54 in DP 753735 and 1 in DP 575478, and Lot 45,46 and 47 in DP 753735.
Site area	5.5 hectares
Site and locality description (Attach plan(s) identifying the locality, the site, the position of the proposed development and mean high water mark if applicable)	
Local Government area	Greater Hume Shire
Name of affected waterway (if any)	N/A
Land status e.g. leasehold or reserve Crown land	Reserve Crown Land
Current use(s) of the land	Unused
Details of current tenures held over the land (Proposals not covered by the terms of an existing tenure)	

Proposed details

Neoen Australia Pty Ltd (Neoen) is proposing to develop a Solar Farm on the land adjacent to Schoffs lane. Neoen would need the consent of Crown Roads to cross Schoffs lane, and lay-down cables through Schoffs lane to connect the two part of the site.

Description of proposal

List plans attached

- Map of relevant area that will be used to cross Schoffs Lane and to lay down medium voltage cables. Crown road area to be crossed by Medium voltage cables is highlighted in orange on the map.
- Proposed lay-out of the Solar Farm.

Consent authority(s)*

Department of Planning, Industry and Environment of New South Wales.

Relevant Act or environmental planning instruments(s)

Environmental Planning and Assessment Act 1979.

This proposed development would be assessed under Part 4 of the EP&A Act and is classified as 'State Significant Development' under Part 4 of the EP&A Act.

Zoning of the land

RU1 Primary production in the Greater Hume Local Environmental Plan 2012.

Is the development permissible in this zone? ☒ Yes ☐ No
 If no, do existing use rights apply to the land? ☐ Yes ☐ No

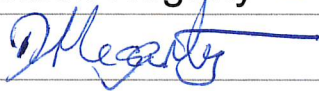
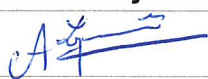
Is approval required from Maritime**?
 (attach approval) ☐ Yes ☒ No

Is approval required from Fisheries**?
 (attach approval) ☐ Yes ☒ No

Is approval required from other authorities?
 (attach approval of provide details on current status of approval) ☒ Yes ☐ No

The development is permissible with consent and is a State Significant Development. We are requesting a landowner consent in order to lodge the development application (Environmental Impact Statement) to the Department of Planning Industry and Environment of New South Wales.

Declaration

<input type="checkbox"/> I <input checked="" type="checkbox"/> We	do hereby declare and affirm that the information provided on this form is accurate to the best of my/our knowledge and belief:		
Applicant name	Damien Hegarty - NEOEN AUSTRALIA PTY LTD		
Signature		Date	29/10/2019
Applicant name	Antoine Lajouanie - NEOEN AUSTRALIA PTY LTD		
Signature		Date	29/10/2019
Applicant name			
Signature		Date	

Supporting documentation checklist

When submitting this form, check you have

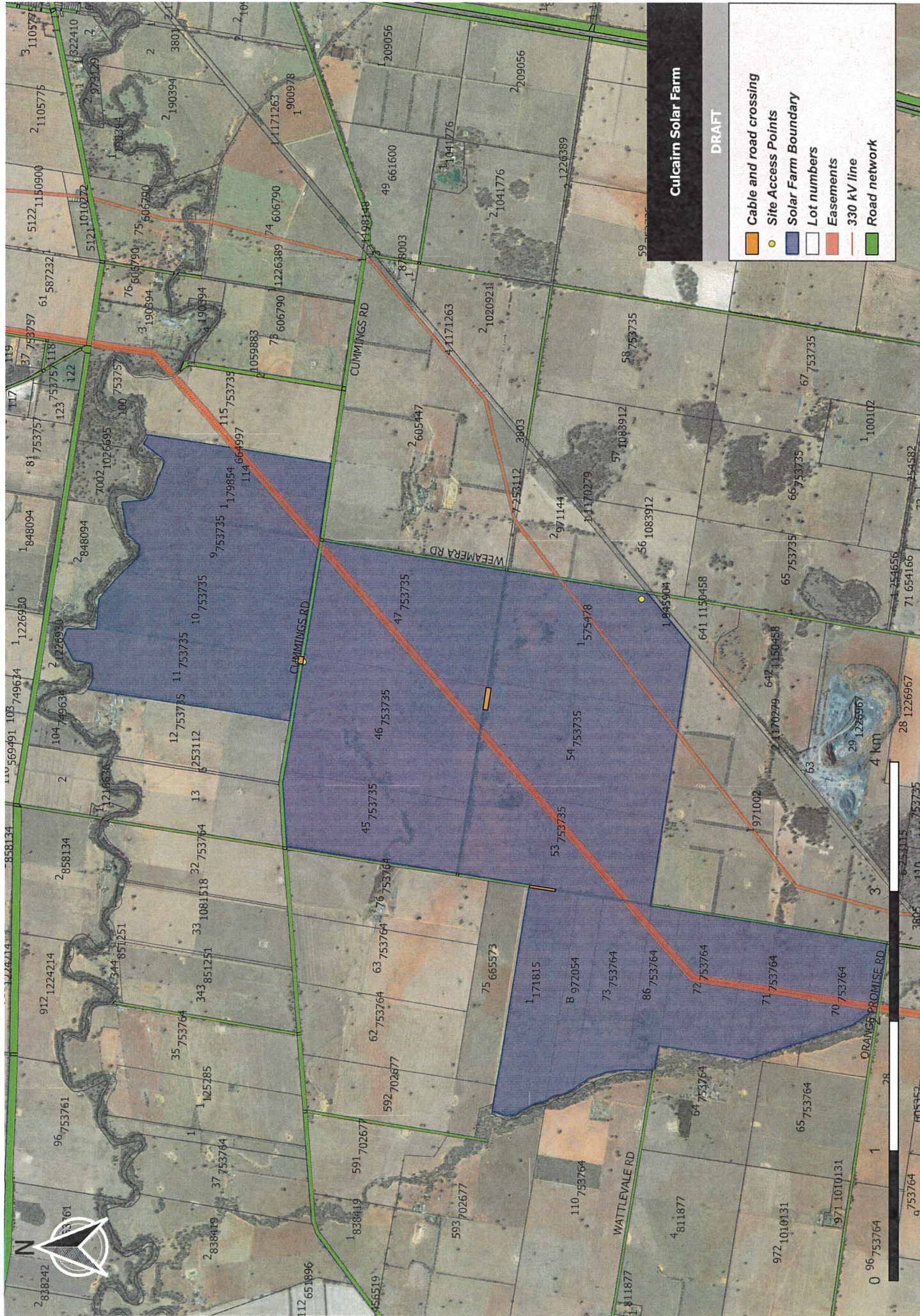
- ☐ Completed the form in full
- ☐ Completed the Development Application form (if required) and attached the original document
- ☐ Attached two copies of a site plan or survey showing the location of the proposal
- ☐ Included or attached a detailed description of the proposal sufficient to understand its full extent and likely impacts and any associated Statement of Environmental Effects or Environmental Impact Statement
- ☐ Attached two copies of plans or other drawings of proposal
- ☐ Attached any required approval/written support from NSW Maritime and likely impacts; and any associated Statement of Environmental Effects or Environmental Impact Statement
- ☐ Attached any required approval/ written support from NSW Fisheries
- ☐ Included the application fee

Lodgement

Include fee payment - Cheque or Money Order payable to the Department of Planning, Industry & Environment—Crown Lands

Mail to: NSW Department Planning, Industry & Environment—Crown Lands, PO Box 2155,
DANGAR NSW 2309








Office use only – Refer to the Receipting and Referrals Codes Document						
<input type="checkbox"/> DO	Referral Code	DO	Receipting Code	LOC/DCPT4	TRIM DOC	
Fee Paid		Receipt Number		Account number		
Date						





Culcairn Solar Farm

DRAFT

-  Cable and road crossing
-  Solar Farm Boundary
-  Lot numbers
-  Easements
-  Essential Energy 11kV lines
-  330 kV line
-  Road network



From: [Damien Hegarty](#)
To: [Nicola Smith](#)
Cc: [Patrick Dale](#)
Subject: Culcairn SF EIS
Date: Tuesday, 26 November 2019 3:23:58 PM
Attachments: [image003.png](#)
[RE Culcairn Solar Farm - Update DA and VPA.msg](#)
[Re Water Supply Enquiry.msg](#)
[RE Land Owners Consent.msg](#)

Nicola,

As requested, attached are emails confirming options for water supply (from the Council and the nearby Boral quarry).

Also attached are initial attempts to get consent for the Crown Road.

Hannah Smith @ Crown Land subsequently called me at 11am on 21/11/19 to let me know that we should send the EIS to her directly once finalised.

Rgds,

Damien Hegarty

Project Development - Victoria

NEOEN

SYDNEY | CANBERRA | PARIS (HQ) | LISBON | MEXICO | EL SALVADOR
Neoen Australia | Level 10 | 227 Elizabeth St | Sydney NSW 2000
M : + 61 422 814 902
Damien.Hegarty@neoen.com | www.neoen.com