

**From:** Jane Anderson  
**To:** Tim Mead  
**Cc:** Derek Powell; James Nicholas; Geoff Kwok  
**Subject:** RE: Pottinger Wind Farm - SSD 59235464  
**Date:** Wednesday, 2 July 2025 2:23:43 PM  
**Attachments:** image001.png  
image002.png  
image003.png  
image004.png

---

Hi Tim,

As per Geoff's email yesterday, the Panel has accepted the additional information, and it has now been published on the Commission's website (with contact information redacted).

Regarding the request at [1] of your email, the Commission notes its routine practice for taking advice on any conditions of consent it may be considering, irrespective of whether it proposes to grant consent to the Application or not. The practice is set out on page 3 of our [Transparency Policy](#) as follows:

**Seeking advice from the Department on conditions**

*Why be transparent?*

- As the Commission has no role in the implementation, monitoring or enforcement of conditions of development consent, the Commission routinely seeks advice from officers of the Department (in its capacity as the regulator) on the workability, enforceability and unintended consequences of conditions that a Panel may impose, should it decide to grant consent to an application.
- The Commission must balance its commitment to transparency in this regard against the risk of prejudice to its decision making by early disclosure of the Panel's deliberations before a final decision is made.

*How we're transparent:*

- When the Commission seeks or obtains the Department's advice on conditions in writing, the written request/advice will be published on the Commission's website after the case has been determined.
- When a Panel meets with the Department to seek advice on conditions, minutes will be taken of the meeting and a copy of the minutes will be published on the Commission's website after the case has been determined.

In certain circumstances, the Department in the course of providing any such advice to the Commission may choose to consult with an applicant.

Kind regards,  
Jane

**Jane Anderson | Principal Case Manager**

(Monday, Tuesday, Wednesday)

Office of the Independent Planning Commission NSW  
Level 15, 135 King Street Sydney NSW 2000



**New South Wales Government**  
Independent Planning Commission

FOLLOW US ON:



Please consider the environment before printing this e-mail.

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorised to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

---

**From:** Geoff Kwok [REDACTED]  
**Sent:** Tuesday, 1 July 2025 4:47 PM  
**To:** Tim Mead [REDACTED]  
**Cc:** Derek Powell [REDACTED]; James Nicholas [REDACTED]; Jane Anderson [REDACTED]  
**Subject:** RE: Pottinger Wind Farm - SSD 59235464

Hi Tim – confirming receipt.

The Panel have advised the additional information provided will be accepted as part of their consideration of the Application. Your correspondence and attachment will be published on the Commission's website shortly.

Regards  
Geoff

---

**From:** Tim Mead [REDACTED]  
**Sent:** Tuesday, 1 July 2025 9:01 AM  
**To:** Geoff Kwok [REDACTED]  
**Cc:** Derek Powell [REDACTED]; James Nicholas [REDACTED]  
**Subject:** Pottinger Wind Farm - SSD 59235464  
**Importance:** High

Dear Geoff,

We write to provide further information pertaining to Pottinger Wind Farm for the IPC's consideration.

**1. Request to Review Revised Conditions**

Should the IPC be minded to propose changes to any Conditions of Consent, we would appreciate having the opportunity to review any proposed condition changes prior to determination. This allows us to provide feedback in the case any proposed change has inadvertent or unintended consequences on the successful delivery of the development.

**2. Proposed Condition of Consent – Condition B45**

In support of our submission made to the IPC on 12 June 2025 on proposed Condition B45, we have received an email from Air Services Australia (as attached, dated 18/6/25) clarifying that they do not require a commercial agreement to be in place 7 months prior to erection of any met mast or wind turbine. It is sufficient for a commercial

agreement to be in place, without the 7 month requirement.

The email from ASA continues to describe the process for securing a commercial agreement, including engaging with Hay airport. Although not relevant to our request to alter B45, for information, we are undertaking this work as requested by ASA. In summary, Airservices has confirmed:

- The 7-month lead time is not necessary for met masts;
- Any infringement of flight protection surfaces (e.g. Hay 25 nm MSA) can be managed through either:
  - a letter of no objection from Hay Aerodrome and formal amendments to flight procedures,
  - a NOTAM.

We've engaged Aviation Projects to progress this, and ASA has confirmed it is a straightforward, low risk process. We request the IPC consider amending or removing the condition to reflect the actual regulatory requirements and avoid unnecessary delay. No similar condition relating to met masts has been applied to other recent NSW wind farm approvals as far as we are aware.

**3. Proposed Condition of Consent – Condition B31**

Proposed Condition of Consent B31 relates to undertaking archaeological test excavations. Since our submission to the IPC on 12 June 2025, our heritage consultant has confirmed with us that there will be opportunities to revise the draft Archaeological Research Design and Test Excavation Methodology (6 December 2024) to the benefit of all relevant stakeholders. This draft methodology was provided at the request of Heritage NSW pre-approval, and as detailed in correspondence between the Applicant, Department, and Heritage NSW during the assessment, is indicative and subject to change post-approval with further project design. Avoidance is the first principal of the mitigation strategy proposed in the Project's ACHAR and draft methodology, and we are seeking to preserve this including to consider the avoidance of disturbing archaeological sites which may be outside the Final Layout. We therefore request that leg (d) of this condition is adjusted to allow for appropriate post-approval amendments where necessary, as stated below:

B31)d) in accordance with the **draft Archaeological Research Design and Test Excavation Methodology (6 December 2024) or another research design and test excavation methodology agreed in consultation with the Planning Secretary and Heritage NSW.**

**4. Proposed Condition of Consent – Condition B42**

Condition B42 requires a Traffic Management Plan to be in place prior to commencing road upgrades identified in B38. We are supportive of providing a Traffic Management Plan, but it should be required prior to Commencement of Construction. The current requirement which states 'Prior to commencing road upgrades' could delay performance of certain road upgrades.

We would appreciate if the IPC could consider these comments and are happy to provide further information or discuss them with the Commission at any time.

Kind regards,

Tim



Tim Mead  
Development Director



Someva Renewables proudly acknowledges that our office is located on the country of the Gadigal People of the Eora Nation as well as the country of other traditional custodians where we work. We pay our respects to Elders past, present and emerging and value working with First Nation groups on renewable energy projects that respect the communities we work within.

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information. It is not permissible to share any part of this message with any third party, without a written consent of the sender.