

DATE OF DETERMINATION	Tuesday, 13 August 2019
PANEL MEMBERS	Gordon Kirkby, Ruth Fagan, John Griffin, Christine Stead and Rina Mercuri
APOLOGIES	None
DECLARATIONS OF INTEREST	Mark Grayson: The principal of Zenith (Applicant's consultant) is a friend of Mark Grayson.

Public meeting held at Griffith City Council on 13 August 2019, opened at 1:30pm and closed at 1:45pm.

MATTER DETERMINED

- 2019WES001 – Griffith City Council – DA291/2018(1) at Lots 140 & 141 DP 751709 - 15 Bob Irvine Rd (note: new Rural Number for new access point) – Electricity Generating Works – Construction of 15MW Solar Farm (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The proposed development is permissible with consent by virtue of *State Environmental Planning Policy (Infrastructure) 2007*;
- The visual impact of the proposed development can be suitably screened from public roads by required setbacks and landscaping;
- Construction traffic impacts are able to be managed through the implementation of road upgrades at the intersection of Irrigation Way and Bob Irvine Road;
- A condition of consent will require the proponent to prepare a decommissioning plan to ensure the site is returned to agricultural land at the end of its operational period.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.






- The conditions to be re-ordered sequentially

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The Panel notes that issues of concern included:

- The use of agricultural land, suitable for intensive irrigation, for a non-agricultural use for the life of the project;
- Decommissioning of the project and removal of infrastructure;
- Visual impact;
- Traffic impacts and dust during construction;
- Construction workforce accommodation.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues appropriate conditions have been imposed addressing the impacts.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Ruth Fagan
 John Griffin	 Christine Stead
 Rina Mercuri	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019WES001 – Griffith City Council – DA291/2018(1)
2	PROPOSED DEVELOPMENT	Electricity Generating Works – Construction of a 15MW Solar Farm
3	STREET ADDRESS	15 Bob Irvine Road (note: new Rural Number for new access point)
4	APPLICANT/OWNER	Applicant: It Power (Australia) Pty Ltd Owner: Mrs J L Emery
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> SEPP (State and Regional Development) 2011 SEPP (Infrastructure) 2007 SEPP (Rural Lands) 2008 SEPP (Primary Production and Rural Development) 2019 Griffith Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Development Control Plan 1 Non-urban Development Development Control Plan 25 Public Notification of Development Applications Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 92, 93, 94 & 94A Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 31 July 2019 List any clause 4.6 variation requests here: Nil Written submissions during public exhibition: 6 Verbal submissions at the public meeting: <ul style="list-style-type: none"> In objection – Noel Hicks Council assessment officer – Joanne Tarbit On behalf of the applicant – Mishka Talent
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: Tuesday, 13 August 2019 Briefing: Nil Final briefing to discuss council's recommendation, Tuesday, 13 August 2019 12:30pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Gordon Kirkby (Chair), Ruth Fagan, John Griffin, Christine Stead and Rina Mercuri <u>Council assessment staff</u>: Joanne Tarbit
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report