

DETERMINATION AND STATEMENT OF REASONS

SOUTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	13 March 2018
PANEL MEMBERS	Renata Brooks (Chair), Stuart McDonald, Mark Grayson, Tony Donoghue, Nigel Judd
APOLOGIES	Pam Allan, Alison McCabe
DECLARATIONS OF INTEREST	None

Public meeting held at Temora Shire Council, 105 Loftus St, Temora on 13 March 2018, opened at 11:40 am and closed at 12:35 pm.

MATTER DETERMINED

2017STH037 – Temora – DA23/2 at 124 Taylors Road, Gidginbung (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel formed the opinion that the development, as modified, is substantially the same as the application that was approved previously by the Planning Panel.
- The Panel considered the reasons given for the granting of the original development consent and concurs with the previously stated reasons that the solar farm will bring economic benefits to the local area and the broader national needs of renewable energy supply.
- That any increased bushfire risk associated with locating the panels closer together can be managed as part of the applicant's bushfire risk management plan including spraying and selective grazing as required.
- That the application, as modified, will have no unacceptable environmental impact on adjoining properties or on the local road network.
- The development, as modified, is generally consistent with State Environmental Planning Policy (Infrastructure) 2007, Temora Local Environmental Plan 2010 & Temora Development Control Plan 2012.

CONDITIONS

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

PRIOR TO CONSTRUCTION

19. A landscape strategy that provides for a minimum of four (4) metres of landscape screening around the full property boundary shall be submitted to Council for approval, prior to release

of a construction certificate. The landscape strategy shall include the proposed landscape zone shown in the SW corner on Drawing No. J-1795-100 Concept Site Layout (Gidginbung Solar Farm) prepared by Clean Technology Partners. The landscape species shall incorporate those detailed in section 4.7.2 of the Statement of Environmental Effects prepared by Geolyse dated March 2016 and incorporate suitable advanced species. The landscape plan shall include identification of the location of the security fence. The landscaping shall be maintained by the applicant for a period of two years, including suitable watering and replacement of lost plantings.

20. The approved landscaping strategy shall be implemented prior to the construction of the facility and be maintained for the life of the facility.

Reason: Landscaping needs to be established early to maximise the screening effect.

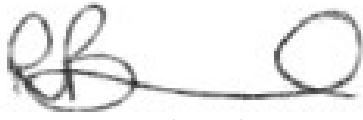
26. Landscaping of the site shall be in accordance with Section 4.7 of the Statement of Environmental Effects prepared by Geolyse dated March 2016, except where varied by these conditions.
29. The site shall be monitored and maintained to a satisfactory condition by maintenance staff, for the management of grass and weeds growth including maintenance of ground cover, and any indications of erosion. Prior to the commencement of the Bushfire Danger Period, a joint inspection shall be conducted in conjunction with Temora Shire Council's Director of Environmental Services and the Captain of Pinnacle Bushfire Brigade, to ensure that vegetation mitigation measures have been conducted to a satisfactory standard.
30. Prior to release of Occupation Certificate:
Prior to the commencement of the solar energy system an Operation Environmental Management Plan (OEMP) shall be prepared and submitted for approval by Council. The approved plan shall be implemented for the lifetime of the development on the subject site. The Plan must include a range of measures as outlined in the approved original SEE which include, but are not limited to:
- a) General maintenance and operation of the site e.g. inspection times, contact details of the site manager/maintenance staff;
 - b) Addressing complaints relating to the operation of the premise;
 - c) Access arrangements to the site;
 - d) Emergency, safety and security;
 - e) Bushfire management; and
 - f) Reviews, amendments and updates to the plan.
 - g) Management of water runoff and risk of erosion

Reasons: to manage potential for increased risk of dust generation, erosion and fire as a result of increased density of solar panels.


Other conditions within report are renumbered to include these conditions.

In addition, all other references to SEE in the conditions are amended to refer to the Statement of Environmental Effects prepared by Geolyse dated March 2016 accompanying the original application, except where varied by the subsequent Statement of Environmental Effects prepared by Hydro Power Pty Ltd dated December 2017.

PANEL MEMBERS



Renata Brooks (Chair)



Stuart McDonald



Mark Grayson



Tony Donoghue



Nigel Judd

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH037 – Temora – DA23/2
2	PROPOSED DEVELOPMENT	Construct and operate a 25MWp solar farm
3	STREET ADDRESS	124 Taylors Road, Gidginbung
4	APPLICANT/OWNER	Hydro Power Pty Ltd
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"> State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Rural Lands) 2008 Temora Local Environment Plan 2010 Draft environmental planning instruments: Nil Development control plans: Nil Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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: 23 February 2018 Written submissions during public exhibition: Four Verbal submissions at the public meeting: <ol style="list-style-type: none"> Support – Nil Object – Nil On behalf of the applicant – Tony Flannery
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection 13 March 2018 Final briefing meeting to discuss council's recommendation, 13 March 2018 at 11:00am. Attendees: <ul style="list-style-type: none"> Panel members: Renata Brooks (Chair), Stuart McDonald, Mark Grayson, Tony Donoghue, Nigel Judd Council assessment staff: Claire Golder, Kris Dunstan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report