

DATE OF DEFERRAL	13 August 2025
DATE OF PANEL MEETING	29 July 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Ruth Ormella, Allan McGrath
APOLOGIES	Grant Christmas
DECLARATIONS OF INTEREST	None

Public meeting held by videoconference on 29 July 2025, opened at 3pm and closed at 5.09pm.
Papers circulated electronically on 16 July 2025.

MATTER DETERMINED

PPSSTH-461– YASS – DA240159 at Turton Place MURRUMBATEMAN - Distribution Battery Energy Storage System (as described in Schedule 1).

REASONS FOR DEFERRAL

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

The Panel agreed to defer the determination of the matter to allow for the provision and consideration of the following information:

1. Clarification of the statutory reference in the submission from the elected Council to the Panel (dated 26 July 2025). Specifically, detail regarding the reference in the submission to CI 2.55 “Matters for consideration – Electricity Generating Works” in “the SEPP” (or any similar clause).
2. A locality map showing the sites referenced by speakers during the Public Determination Meeting and in written submissions. The map should identify:
 - a. the location of the key wineries
 - b. the location of sensitive receivers
 - c. the proximity of wineries and sensitive receivers to the proposed BESS using accurately scaled distances
 - d. notated locations of where the photos submitted in support of the visual impact assessment were taken from
 - e. the view corridors from sensitive receivers to the proposed development site
3. An explanation of the broader public benefit of the BESS, including:
 - a. details of the level of firming to be provided by the proposed BESS
 - b. detail in relation to regional, State and National firming requirements/objectives
 - c. clarification of benefits flowing to the local community as a result of the proposed BESS
4. Detail regarding the methodology used for the site selection process.

The decision to defer the matter was unanimous.




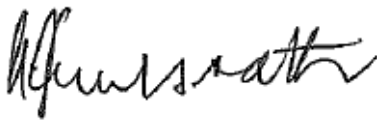
ACTIONS

To allow for the progression of the Development Application to determination, the Panel directed that the Applicant is to upload the following information to the Planning Portal **within fourteen (14) days** of the publication of the Notice of Deferral:

1. Clarification of the statutory reference in the submission from the elected Council to the Panel (dated 26 July 2025). Specifically, detail regarding the reference in the submission to CI 2.55 “Matters for consideration – Electricity Generating Works” in “the SEPP” (or any similar clause).
2. A locality map showing the sites referenced by speakers during the Public Determination Meeting and in written submissions. The map should identify:
 - a. the location of the key wineries
 - b. the location of sensitive receivers
 - c. the proximity of wineries and sensitive receivers to the proposed BESS using accurately scaled distances
 - d. notated locations of where the photos submitted in support of the visual impact assessment were taken from
 - e. the view corridors from sensitive receivers to the proposed development site
3. An explanation of the broader public benefit of the BESS, including:
 - f. details of the level of firming to be provided by the proposed BESS
 - g. detail in relation to regional, State and National firming requirements/objectives
 - h. clarification of benefits flowing to the local community as a result of the proposed BESS
4. Detail regarding the methodology used for the site selection process.

When the addendum assessment report is received by the Panel, it will be published on the Sydney and Regional Planning Panels website, and the Panel will hold a final briefing with Council’s assessment planner to finalise its decision by way of electronic determination.

If the outstanding information is not provided by time frames indicated above, the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Chris Wilson (Chair)	 Juliet Grant
 Ruth Ormella	 Allan McGrath

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-461 – YASS VALLEY - DA240159
2	PROPOSED DEVELOPMENT	Electricity Generating Works (5 MW distribution battery energy storage system (BESS))
3	STREET ADDRESS	Lot 23 DP 248413, 3 Turton Place, Murrumbateman
4	APPLICANT/OWNER	ACEnergy / Mr J Ghirardello & Ms B Collins
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 (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ Yass Local Environmental Plan 2013 • Development control plans: <ul style="list-style-type: none"> ○ Yass Valley Development Control Plan 2024 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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: 14 July 2025 • Council Objection Submissions BESS v1: 28 July 2025 • Written submissions during public exhibition: 48 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Susan Lewis ○ John Runko ○ Trudi Brooker ○ Ineke Redmond ○ Stephanie McCall ○ Pauline Runko ○ Stephanie Helm • Councillor Representations at the public meeting: <ul style="list-style-type: none"> ○ Mayor Jasmin Jones ○ Cr David carter • Council assessment officer: <ul style="list-style-type: none"> ○ Jeremy Knox (Development Planner) • On behalf of the applicant: <ul style="list-style-type: none"> ○ Hugh Shackcloth-Bertinetti (Premise) • Total number of unique submissions received by way of objection: 47

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ○ Site Visit 21 January 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u> Chris Wilson (Chair), Juliet Grant, Grant Christmas, Ruth Ormella, Allan McGrath ○ <u>Council assessment staff</u>: Jeremy Knox, Kate Baker ○ Briefing: 22 January 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u> Chris Wilson (Chair), Juliet Grant, Grant Christmas, Ruth Ormella, Allan McGrath ○ <u>Council assessment staff</u>: Jeremy Knox, Kate Baker, Emily Dawe ○ <u>Applicant representatives</u>: Ahmed Adel (Senior Project Development Engineer, ACEenergy), Danny Wilkinson (ACEnergy), Henry King Sicad (ACEnergy), Hamish Doncaster (ACEnergy), Daniel Balkin (Premise), Hugh Shackcloth-Bertinetti (Premise) ○ <u>DPHI</u>: Amanda Moylan, Nikita Lange ○ Final determination briefing; 29 July 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u> Chris Wilson (Chair), Juliet Grant, Grant Christmas, Ruth Ormella, Allan McGrath ○ <u>Council assessment staff</u>: Jeremy Knox, Kate Baker ○ <u>DPHI</u>: Amanda Moylan, Tracey Gillett, Nikita Lange
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report