

<b>DATE OF DETERMINATION</b>	15 October 2021
<b>PANEL MEMBERS</b>	Gordon Kirkby (Chair), Renata Brooks, Susan Budd, Craig Filmer
<b>APOLOGIES</b>	Penny Day
<b>DECLARATIONS OF INTEREST</b>	Tim Fletcher – consultant who prepared the SEE is a personal friend.

#### **MATTER DEFERRED**

PPSSTH-89 - HILLTOPS - DA2021/0145 at LACHLAN VALLEY WAY BOOROWA 2586 – SOLAR ENERGY SYSTEM (5MW SOLAR FARM) (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The panel agreed to defer the determination of the matter for the following reason:





- The Panel requires specific advice from Council in accordance with Clause 66C(1)(a) of *State Environmental Planning Policy (Infrastructure) 2007* with respect to the potential safety risks or risks to the integrity of the APA gas pipeline in the vicinity of the development.

The following information is required to be submitted by Council to the Panel within 2 weeks of the date of this record:

- A plan clearly showing the location of APA gas pipeline and easement and its relationship to the proposed development.
- Advice by way of an assessment of the potential safety risks or risks to the integrity of the APA gas pipeline.
- The following amendments to the recommended conditions of consent:
  - Inclusion of condition requiring the preparation, approval and implementation of a Construction Environmental Management Plan (CEMP).
  - Inclusion of a condition requiring the preparation, approval and implementation of an Operation Environmental Management Plan (OEMP). The OEMP should specifically include measures to monitor glint and glare impacts, manage weeds on the site and on-going management of the landscape screen areas, including supplementary watering of plants to ensure establishment.
  - Include a condition requiring submission of an amendment to Landscape Details Plan drawing number BOO1B—7300 indicating a tree buffer width of 4m and height of 3m.
  - Amend Condition 19 to require Meads Lane to be restored to the applicable Council road standard following construction and prior to operation of the development.
  - Amend Condition 49 to referenced the amended Landscape Details Plan.
  - Amend Condition 60 to require that the decommissioning plan is to be reviewed 3 months prior to implementation, in consultation with Council.

When this information has been received, the panel will determine the matter electronically.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Renata Brooks
 Susan Budd	 Craig Filmer

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-89 - HILLTOPS - DA2021/0145
2	PROPOSED DEVELOPMENT	SOLAR ENERGY SYSTEM (5MW SOLAR FARM)
3	STREET ADDRESS	4177 LACHLAN VALLEY WAY, BOOROWA NSW
4	APPLICANT/OWNER	RICHARD PATRICK CORCORAN C/O- ITP DEVELOPMENT PTY LTD
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Private infrastructure and community facilities
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>◦ Boorowa Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: <ul style="list-style-type: none"> <li>◦ Draft Hilltops Local Environmental Plan 2021</li> </ul> </li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Boorowa Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 30 August 2021</li> </ul> Written submissions during public exhibition: 1
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing to discuss council's recommendation: Tuesday, 5 October 2021 <ul style="list-style-type: none"> <li>◦ <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Susan Budd, Penny Day, Craig Filmer</li> <li>◦ <u>Council assessment staff</u>: Bill Vanry, Andrew Raines</li> <li>◦ <u>DPIE Staff</u>: Sung Pak, Michelle Burns</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report