

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	25 October 2021
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Graham Brown, Ruth Fagan
APOLOGIES	None
DECLARATIONS OF INTEREST	Peter Moffit declared a conflict of interest as his firm of Gordon Garling Moffitt are currently acting for the owner of this application on another matter.

Papers circulated electronically on 12 October 2021.

MATTER DETERMINED

PPSWES-101 – Weddin – DA37/2021 at Lot 1112 DP 754578, Mary Gillmore Way, Grenfell for a 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.

Development application

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 panel determined to approve the application for the reasons outlined in the council assessment report and the amendments and addition to conditions to provide greater clarity and understanding.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments:

- Condition A1 amended to ensure the details and recommendations in supporting documentation form part of the consent and to confirm the length of consent. Condition A1 amended to read as follows:
The development must be implemented in accordance with the approved plans, specifications and supporting documentation and any specific recommendations in the supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended by conditions of this consent:

Plan/Report Title	Reference No	Revision	Prepared by	Date
<i>Location Plan</i>	<i>GRE1D-G-0400</i>	<i>1</i>	<i>ITP Renewables</i>	<i>17/6/2021</i>
<i>General Arrangement Plan</i>	<i>GRE1D-G-2100</i>	<i>2</i>	<i>ITP Renewables</i>	<i>17/6/2021</i>
<i>Site Elevations</i>	<i>GRE1D-G2200</i>	<i>1</i>	<i>ITP Renewables</i>	<i>3/6/2021</i>
<i>Inverter Footings Detail</i>	<i>GRE1D-C-4300</i>	<i>1</i>	<i>ITP Renewables</i>	<i>3/6/2021</i>
<i>BESS Footing Detail</i>	<i>GRE1D-C-4301</i>	<i>1</i>	<i>ITP Renewables</i>	<i>3/6/2021</i>
<i>Fencing Details</i>	<i>GRE1D-C-5300</i>	<i>1</i>	<i>ITP Renewables</i>	<i>3/6/2021</i>
<i>Gate Details</i>	<i>GRE1D-C-5301</i>	<i>1</i>	<i>ITP Renewables</i>	<i>3/6/2021</i>

Access Path Details	GRE1D-C-6300	1	ITP Renewables	3/6/2021
Landscape Details	GRE1D-C-7300	1	ITP Renewables	3/6/2021
Nextracker Array Details	GRE1D-E-3400	1	ITP Renewables	3/6/2021
Inverter Station Details	GRE1D-E-4300	1	ITP Renewables	3/6/2021
Typical BESS Detail	GRE1D-E-5300	1	ITP Renewables	3/6/2021
Typical DC-DC Skid Details	GRE1D-E5301	1	ITP Renewables	3/6/2021
Statement of Environmental Effects	-	B	Zenith Town Planning Pty Ltd	28/9/2021
Biodiversity Inspection Report	-	-	Red-Gum Environmental Consulting	27/9/2021
Landscape character & visual impact assessment	-	B	Zenith Town Planning Pty Ltd	28/9/2021
Water Assessment	-	1	ITP Renewables	18/3/2021
Noise Assessment	MAC180781	1	Muller Acoustic Consulting	25/6/2021
Glint and Glare Assessment	-	2	ITP Renewables	22/6/2021
Fire Assessment	-	1	ITP Renewables	25/6/2021
Traffic Impact Assessment Report	F8641	4	Price Merrett Consulting	23/6/2021
Waste and Decommissioning Assessment	-	2	ITP Renewables	21/6/2021

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions prevail. In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail.

This consent shall operate for a period of 35 years from the operative date of this consent.

- Condition D6 amended to confirm the requirements of the noise report. Condition D6 amended to read as follows:
A Construction Noise Management Noise Protocol is to be prepared based on the recommendations in the report by Muller Acoustic Consulting Pty Ltd dated June 2021.

A one-off noise validation monitoring assessment is to be completed to quantify operational noise emissions from the site and to confirm emissions meet relevant criteria consistent with the Muller Acoustic Consulting Pty Ltd dated June 2021





- Condition E2 is amended to clarify the requirements for landscaping. Condition E2 amended to read as follows:
The submission of an amended Landscape Plan, to the satisfaction of the council, generally consistent with the Landscape Character and Visual Impact Assessment, but with the following amendments:
 - a landscaping width of 5m (rather than 3m),*
 - identification of species of landscaping and their potential growth characteristics,*
 - density of landscaping,*
 - short term and long-term maintenance of the landscaping.*

Landscaping, including the removal of all noxious weeds, must be completed prior to the issue of an Occupation Certificate.

- New condition to require the provision of an Emergency Services Management Plan. New *Condition E4 to read as follows:*
An Emergency Services Management Plan is to be prepared, to the satisfaction of council.
Reason: *To provide a management plan for emergency services.*

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Sandra Hutton
 Graham Brown	 Ruth Fagan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-101 – Weddin – DA37/2021
2	PROPOSED DEVELOPMENT	Construction and use of a 5MW solar farm and associated infrastructure and minor allotment boundary change.
3	STREET ADDRESS	Lots 1112 and 1113 DP 754578 – Mary Gilmore Way, Grenfell.
4	APPLICANT/OWNER	ITP Developments (Mr Zaed Aznam) / Mr Warren Schaefer
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 No. 55 –Remediation of Land. State Environmental Planning Policy (State and Regional Development) 2011. State Environmental Planning Policy (Infrastructure) 2007. State Environmental Planning Policy (Koala Habitat Protection 2011). State Environmental Planning Policy (Primary Production & Rural Development) 2019. Weddin Local Environmental Plan 2011. Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Weddin Shire Council Development Control Plan 2014 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: 12 October 2021 Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 31 August 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Ruth Fagan <u>Council assessment staff</u>: Luke Sheehan <u>Panel Secretariat</u>: Kim Holt, Carolyn Hunt, Holly McCann Final briefing to discuss council's recommendation: 19 October 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Ruth Fagan <u>Council assessment staff</u>: Luke Sheehan <u>Applicant representatives</u>: Zaed Aznam, Allen Grimwood, Mishka Talent <u>Panel Secretariat</u>: Kim Holt, Carolyn Hunt, Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report