

## DETERMINATION AND STATEMENT OF REASONS

### WESTERN REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	3 March 2022
<b>DATE OF PANEL DECISION</b>	1 March 2022
<b>DATE OF PANEL MEETING</b>	1 March 2022
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Sandra Hutton, Clare Brown, Will Marsh
<b>APOLOGIES</b>	Graham Brown, Ray Smith
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 16 February 2022.

#### MATTER DETERMINED

PPSWES-113 - Bland - DA2022/0022 - 364 Wargin Road, Wyalong – Electricity Generating Works (5MW 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 the meeting and the briefing 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 following reasons:

- The proposed development complies with the relevant provisions of all applicable environmental planning instruments.
- The site is considered suitable for the proposed development
- Having regard to the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and the recommended conditions of consent, the proposal is considered an appropriate form of development for the site and the locality.

#### CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- New condition A5 to read:  
***Connection to the Network***  
*Prior to the commencement of works, satisfactory arrangements are to be made with Essential Energy with respect to the proposed solar farm and its connection to the network. The applicant is*

to enter into the required Connection Agreements and any other requirement with Essential Energy for the development, which may include the payment of fees, design and environmental assessment for works outside the lease area, and contributions or creation of easements for the electricity supply.

Reasons: To ensure works do not commence until appropriate arrangements are in place with the relevant electricity supply authority.

- Condition B4, amended to read as follows:

**Construction Site Management Plan**

*Prior to the issue of a Construction Certificate, the applicant must submit a Construction Site Management Plan to Council for approval incorporating all mitigation measures as identified in Table 10 of the Statement of Environmental Effects dated 3 September 2021.*

Reason: To require details of measures that will protect the public and the surrounding environment during site works and construction.

- Condition B21, amended to read as follows:

**Car Parking**

*All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1-2004: Parking Facilities – Off-street Car Parking and AS 2890.2:2018 - Parking facilities Off-street commercial vehicle facilities. Details are to be provided with the Construction Certificate application.*

Reason: To ensure driveways, access ramps, vehicular crossings and car parking complies with the relevant Australian Standards.

- New condition B25 to read:

*An amended landscape plan prepared by a landscape architect shall be submitted to the Council for approval incorporating an increase in width of all landscaping screening from 3m to 5m, with the landscaping located on the outer-side of the security fencing and being appropriately protected by stock proof fencing.*

- New condition B27 to read:

**Accommodation and Employment Strategy**

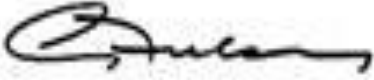



*Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council. This strategy must:*

- propose a strategy to ensure there is sufficient accommodation for the workforce associated with the development;*
- consider the cumulative impacts associated with other State and Regionally significant development projects in the area;*
- investigate options for prioritising the employment of local works for the construction and operation of the development, where feasible; and*
- include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.*

*Following the approval, the applicant must implement the Accommodation and Employment Strategy.*

### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Sandra Hutton
 Clare Brown	 Will Marsh

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-113 - Bland - DA2022/0022
2	PROPOSED DEVELOPMENT	Electricity Generating Works (5MW Solar Farm)
3	STREET ADDRESS	364 Wargin Road, Wyalong
4	APPLICANT/OWNER	Sam Rorke, ITP Development
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Bland Local Environmental Plan 2011</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Bland Development Control Plan 2012</li> </ul> </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: 21 January 2022</li> <li>Written submissions during public exhibition: Nil</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 7 December 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Will Marsh</li> <li><u>Council assessment staff</u>: Erin Green, Lesley Duncan</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 1 March 2022 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Clare Brown, Will Marsh</li> <li><u>Council assessment staff</u>: Lesley Duncan</li> <li><u>Applicant representatives</u>: Allan Grimwood, Albert Ngo, Jou Jong,</li> <li><u>Panel Secretariat</u>: Sung Pak, Brianna Cheeseman</li> <li></li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report