

DATE OF DETERMINATION	31 July 2023
DATE OF PANEL DECISION	31 July 2023
DATE OF PANEL MEETING	11 July 2023
PANEL MEMBERS	Garry Fielding, Graham Brown, Donna Rygate, Daryl Jardine, Rick Warren
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 3 June 2023 (Assessment Report).

MATTER DETERMINED

PPSWES-164 – Carrathool Shire Council - DA2023/012, Lot 5 DP 1210276, 2245 Tabbita Lane, Goolgowi, Construction of a 4.95 MW Solar Farm and associated Battery Storage infrastructure (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 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 with conditions as per the Assessment Report, subject to amendments below.

LOT DESCRIPTION

The Panel noted that, following an unrelated boundary adjustment, the description of the subject site is now Lot 6 in DP1287937.

CONDITIONS

New condition 1A Schedule 1 is to read as follows:

PLANS AND DOCUMENTATION

The proposed development is to be carried out in accordance with the following plans and documentation and specifically with any specific direction or recommendation in any of these plans and documentation if not modified by any condition of this consent.

Statement of Environmental Effects 4.95MW Solar Farm Tabbita Lane, Goolgowi (Lot 5/-/DP1210276) Ref: 22127 by Chris Smith & Associates Pty Ltd dated October 2022
Traffic Impact Assessment Report Solar Energy Facility Tabbita Lane, Tabbita NSW Project No. 210905 by TrafficWorks Pty Ltd dated 18/10/2022
Noise & Vibration Impact Assessment Greentech No.3 Solar Farm Project ID: 14362 by Assured

Environmental dated 20/10/2022
Glint and Glare Assessment Report <i>Greentech Solar Project No.3</i> by Environmental Ethos dated June 2022
Flora and Fauna Assessment Report <i>Tabbitha Lane, Tabbitha NSW 2652 (Part Lot 5 DP 1210276)</i> Version 1.1 by Habitat Environmental Services dated 15/08/2022
Decommissioning Management Plan <i>Project Name: Greentech No.3 Solar Farm Document Number: GT3-DM-ACLE-PLN-001</i> Version A by Jane Bai dated 08/11/2022
AIMS Search <i>Lot 5 DP1210276</i> Ref/PO Number: 22127 dated 28 September 2022
Landscape Plans <i>Greentech Solar Farm #3 Tabbitha Lane, Tabbitha NSW</i> Project No. 22598(01-04) Rev 2 by ACEnergy Pty Ltd dated 30/10/22
Rural Driveway drawing RS-056 (1 Sheet) by Institute of Public Works Engineering Australasia Rev F dated 06/14
Architectural drawings: <i>Greentech Solar Farm No. 3</i> (G-1.1_000530 Site Plan 1 of 2 Rev C dated 30/09/2022, G-1.2_000530 Site Plan 2 of 2 Rev C dated 30/09/2022, G-2.1_000530 Locality Diagram 1 of 2 Rev C dated 30/09/2022, G-2.2_000530 Locality Diagram 2 of 2 Rev C dated 30/09/2022, G-3.0_000530 Central Inverter Elevations Rev A dated 13/05/2022, G-4.0_000530 Energy Storage Container Elevation Rev A dated 13/05/2022, G-5.0_000530 Tracking System Details Rev A dated 13/05/2022 and G-6.0_000530 Security Fence And Landscaping Details Rev A dated 13/05/2022) by ACEnergy Pty Ltd

The builder shall maintain on the site, at all times a legible copy of the following:

- Development Consent including plans and related documentation;
- Construction Certificate when applied for and issued, including plans, specifications and certificates.

Condition 3(g) Schedule 1 is deleted and replaced with new condition 3(g) as follows:

- (a) Provision of a temporary on-site car parking area for a minimum of 10 vehicles during the construction phase, with no vehicles being permitted to park within the Tabbitha Lane road reserve;

Condition 9 Schedule 2(9) Dust is amended to read as follows:

The Construction Environmental Management Plan is to consider whether or not a water cart is required on-site during construction activities to minimise and prevent dust generation so as to avoid community complaints.

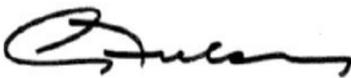
Condition 7 Schedule 3 is deleted.

Condition 8 Schedule 3 is amended by the deletion of dot point 9 being:

- any independent environmental audit, and the Applicant's response to the recommendations in any audit

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel noted no written submissions were made during public exhibition.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	Approved by email dated 31 July 2023 Daryl Jardine
Rick Warren	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-164 – Carrathool Shire Council - DA2023/012
2	PROPOSED DEVELOPMENT	Construction of a 4.95 MW Solar Farm and associated Battery Storage infrastructure
3	STREET ADDRESS	Lot 5 DP 1210276, 2245 Tabbita Lane, Goolgowi
4	APPLICANT/OWNER	Applicant: ACEnergy Pty Ltd Landowners: Rodney Fenwick and Christopher Morton
5	TYPE OF REGIONAL DEVELOPMENT	Section 5 – Private infrastructure and community facilities over \$5 million (a) Electricity generating works
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 (Primary Production) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ NSW State Plan 2021 ○ Riverina Murray Regional Plan 2041 ○ NSW Renewable Energy Action Plan 2018 ○ Carrathool Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: Nil • 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

		<p>on the natural and built environment and social and economic impacts in the locality</p> <ul style="list-style-type: none"> • 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. • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing: 27 April 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate ○ <u>Council assessment staff</u>: Jason Nicholson • 11 July 2023 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding, Graham Brown, Donna Rygate, Daryl Jardine, Rick Warren ○ <u>Council assessment staff</u>: Jason Nicholson, Leigh Jackson ○ <u>Applicant</u>: Duncan Lewis, Callista Harris, Jane Bai, Danny Wilkinson
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report.