

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

| | |
|---------------------------------|--|
| DATE OF DETERMINATION | 12 December 2023 |
| DATE OF PANEL DECISION | 05 December 2023 |
| DATE OF PANEL MEETING | 28 November 2023 |
| PANEL MEMBERS | Garry Fielding – Chair, Graham Brown, Donna Rygate, Ruth McRae, Robert Black |
| APOLOGIES | Nil |
| DECLARATIONS OF INTEREST | Nil |

Papers circulated electronically on 15 November 2023.

MATTER DETERMINED

PPSWES-189 - DA 22/2023 – Murrumbidgee - Lot 86 DP750872, 5037 Kidman Way, Coleambally, Electricity generating development (sub 5MW) involving the installation of 11,502 solar panels, one (1) high voltage switch board, two (2) medium voltage power stations, two (2) poles and associated security fencing and landscaping (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 proposed development is permissible within the zone under State Environmental Planning Policy (Transport and Infrastructure) and is generally consistent with the aims, objectives and provisions of Murrumbidgee Local Environmental Plan 2013.
- The proposed development is consistent with the provisions of the relevant SEPPs.
- The proposed development is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified, appropriate conditions have been imposed to mitigate the effects.
- The subject site is suitable for the proposed development.
- The proposed development does not raise any matter contrary to the public interest.

CONDITIONS

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

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) |  Donna Rygate |
|  Graham Brown |  Ruth McRae |
|  Robert Black | |

| SCHEDULE 1 | | |
|------------|-----------------------------------|---|
| 1 | PANEL REF – LGA – DA NO. | PPSWES-189 - DA 22/2023 – Murrumbidgee |
| 2 | PROPOSED DEVELOPMENT | Coleambally, Electricity generating development (sub 5MW) involving the installation of 11,502 solar panels, one (1) high voltage switch board, two (2) medium voltage power stations, two (2) poles and associated security fencing and landscaping |
| 3 | STREET ADDRESS | Lot 86 DP750872, 5037 Kidman Way, Coleambally |
| 4 | APPLICANT/OWNER | Applicant - Green Gold Energy Pty Ltd Owner - BP & EM James |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Regionally significant development (as per Schedule 7, clause 5 of State Environmental Planning Policy (Planning Systems) 2021. |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Murrumbidgee Local Environmental Plan 2013 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: 15 November 2023 Statement of Environmental effects incorporating the following appendices: <ul style="list-style-type: none"> Access track route Aboriginal Cultural Heritage Due Diligence Assessment Agricultural Impact Assessment Biodiversity Impact Assessment |

| | | |
|----|----------------------------------|--|
| | | <ul style="list-style-type: none"> • CIV Report • Construction Environmental Management Plan • Glint and Glare Assessment Report • Landscape Plan (revised) • Stormwater Management Plan • Traffic Impact Assessment • Solar Panel & Power Station details • Draft VPA • Construction Noise Assessment (additional information) • Written submissions during public exhibition: 0 |
| 8 | MEETINGS, BRIEFINGS BY THE PANEL | <ul style="list-style-type: none"> • Briefing: 19 September 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate ○ <u>Council assessment staff</u>: Steven Parissotto • Final briefing to discuss Council's recommendation: 28 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate, Ruth McRae, Robert Black ○ <u>Council assessment staff</u>: Steven Parissotto ○ <u>Applicant</u>: Duncan Lewis, Elton Zhang |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the Council Assessment Report |