

<b>DATE OF DETERMINATION</b>	25 April 2024
<b>DATE OF PANEL DECISION</b>	25 April 2024
<b>DATE OF PANEL MEETING</b>	23 April 2024
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Graham Brown, Donna Rygate
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Manjit Singh Lally, Christine Stead

Public meeting held by teleconference on 03 March 2024, opened at 9.30am and closed at 10.25am.

#### **MATTER DEFERRED**

**PPSWES-210-DA 228/2023 – Griffith**

**Lot 363 DP751743 394 Macedone Road, BILBUL**

Electricity Generating Works – Proposed construction of a 4.95 MW Solar Farm

#### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings listed at item 8 in Schedule 1.

The Panel agreed to defer the matter to allow for the provision and assessment of required information as listed below:

1. To enable a detailed Landscape Plan to be prepared which provides, as a minimum, a 5m wide landscape buffer around the site. The Landscape Plan is to include details of the proposed planting including species, likely height, spread and spacing and details of how the landscaping will be maintained and watered, particularly at the early stages of growth. The Landscape Plan is to include increased tree and shrub planting within the western portion of the site, utilising the area between the proposed security fencing and the proposed internal track. In addition, the eastern portion of the site is to include increased tree and shrub planting in those areas where the solar array has greater setbacks from the site boundary. Furthermore, planting proposed along the site's southern boundary should comprise a mixture of screening tree and shrub species not limited to a 3 metre mature height.
2. To enable a detailed Construction Noise and Vibration Management Plan to be provided that clearly identifies how the construction activities will achieve the Construction NML's goals set out in Table 3-2 of the SoundIN Bilbul Solar Farm Noise and Vibration Impact Assessment dated October 2023. Specific details, such as the use of moveable acoustic panels or shields around specific activities, times for specific activities etc and any other treatment must be included and the Construction and Vibration Management Plan and must be endorsed by an experienced and qualified acoustic consultant.
3. To enable more information to be provided on access to the site for construction vehicles including the use of B-Double deliveries using local roads and ability to gain access to the site.
4. To enable the additional information provided by the Applicant on the day of the Panel meeting to be properly assessed and included in a revised assessment report together with the additional information required in points 1 -3 above.




The decision to defer the matter was unanimous.

## ACTIONS

Council is requested to provide a revised assessment report responding to the matters listed above, with the report being uploaded to the Planning Portal by 27 June 2024 so the Panel can meet on 11 July 2024 to determine the application at a time to be advised.

When the revised assessment report is received the Panel will determine the application by way of electronic determination.

If the outstanding information is not provided by 27 June 2024 the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-210-DA 228/2023 – Griffith
2	PROPOSED DEVELOPMENT	Electricity Generating Works – Proposed construction of a 4.95 MW Solar Farm
3	STREET ADDRESS	Lot 363 DP751743 394 Macedone Road, BILBUL
4	APPLICANT/OWNER	Applicant: Cliff Schmidt of PSA Consultants for ATLAS RENEWABLES PTY LTD Owners: Rocco Fattore, Elizabeth Fattore
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:</li><li>Griffith Local Environmental Plan, 2014</li><li>Draft environmental planning instruments: Nil</li><li>Development control plans:</li><li>Griffith Development Control Plan No 1 – Non-Urban Development</li><li>Griffith Development Control Plan No. 20: Off Street Parking (2011)</li><li>Planning agreements: Nil</li><li>Relevant provisions of the Environmental Planning and Assessment Regulation 2021</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></ul>

		<ul style="list-style-type: none"> <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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council Assessment Report with recommended conditions of consent</li> <li>• Written submissions during public exhibition: 11</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>• Council - Brett Stonestreet, General Manager</li> <li>• Members of the community –Andrew Rowe, Solicitor, on behalf of Roberto and Viviana Bellato and a community group</li> <li>• On behalf of the applicant – Cliff Schmidt, David Ireland, Paul Watson, George Guse</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• 12 March 2024 – Briefing <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown</li> <li>○ <u>Council assessment staff</u>: Pat Ngwira, Kerry Rourke</li> </ul> </li> <li>• 23 April 2024 - Final briefing to discuss council’s recommendation: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate</li> <li>○ <u>Council assessment staff</u>: Pat Ngwira, Carel Potgieter, Alana McGibbon</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached with Council Assessment Report