

DATE OF DETERMINATION	13 March 2024
DATE OF PANEL DECISION	13 March 2024
DATE OF PANEL MEETING	12 March 2024
PANEL MEMBERS	Garry Fielding (Chair), Graham Brown, Donna Rygate
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 29 February 2024 (Council Assessment Report).

MATTER DETERMINED

PPSWES-217 -DA - P16-23.18 – Warren

Lot 107 DP755276 130 Nevertire Bogan Road, Nevertire

Electricity generating facility – 5MW solar farm

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 meetings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application subject to conditions, 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.

CONDITIONS

The Development Application was approved subject to the conditions submitted in the Council Assessment Report, with the inclusion of Condition 4, as follows:

4. Site landscaping as proposed along the portions of the north-western and south-western side boundaries and along the Nevertire Bogan Road frontage of the site shall have a minimum width of 6 metres; shall be placed on the outside of the proposed chain-wire security fence; shall be appropriately protected by stock-proof fencing along the site's boundaries; shall be so positioned on the site to enable access maintenance by watercarts, etc; and shall be maintained for the life of the proposed development to the satisfaction of the Council.

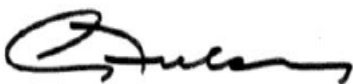
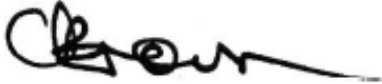

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Reason: *To reduce and soften the visual impact of the proposed development when viewed from the Nevertire Bogan Road.*

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-217 -DA - P16-23.18 – Warren
2	PROPOSED DEVELOPMENT	Electricity generating facility – 5MW solar farm
3	STREET ADDRESS	Lot 107 DP755276 130 Nevertire Bogan Road, Nevertire
4	APPLICANT/OWNER	Applicant - Green Gold Energy Pty Ltd Owner - Mrs CM Waters
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Private infrastructure and community facilities
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 – Section 5, Schedule 6 – electricity generating works CIV more than \$5 million State Environmental Planning Policy (Transport and Infrastructure) 2021 Warren Shire Council Local Environmental Plan 2012 Draft environmental planning instruments: Nil Warren Shire Council Development Control Plan 2012 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 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 with recommended conditions of consent. Statement of Environmental Effects, Site plan and elevations, existing conditions plan, landscape plan, flood assessment, construction environmental management, ecological assessment, AHIMS search, traffic impact assessment, glint and glare assessment, CIV, Certificate of title, DP and easement details. Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> 12 March 2024 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate <u>Council assessment staff</u>: Maryanne Stephens <u>Applicant</u>: Duncan Lewis, Elton Zhang

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report