

## DETERMINATION AND STATEMENT OF REASONS

### WESTERN REGIONAL PLANNING PANEL

|                          |  |
|--------------------------|--|
| DATE OF DETERMINATION    | 11 December 2024                                       |
| DATE OF PANEL DECISION   | 11 December 2024                                       |
| DATE OF PANEL BRIEFING   | 10 December 2024                                       |
| PANEL MEMBERS            | Garry Fielding (Chair), Natasha Harras and Rick Warren |
| APOLOGIES                | Clare Brown  |
| DECLARATIONS OF INTEREST | None   |

Papers circulated electronically on 12 November 2024.

#### MATTER DETERMINED

PPSWES-228 – Carrathool – DA 2024/038 at Kidman Way, Hillston – 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 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.



*[Note: The Panel considered that the applicant's submitted site plans were barely adequate for the purpose of this DA, with the legend details being less than informative and not being clearly consistent with the details in the site plans. The Panel therefore requests that, with any future solar farm DAs, the applicant must submit plan details that are appropriately informative of the solar farm proposal. To this end, the Council should reject acceptance of solar farm DAs under section 39 of the EP&A Regulation should such details not form part of the submitted DA documentation.]*

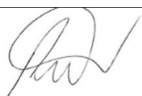
#### CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report, with minor edits to draft Conditions 3, 10 and 57, together with the deletion of draft Condition 24 for the reason that screen landscaping was not considered necessary given the setting of the proposed solar farm.

#### 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   |  |
|---|--|
| <br>Garry Fielding (Chair) | <br>Natasha Harras |



Rick Warren

#### SCHEDULE 1

|   |   |  |
|---|---|--|
| 1 | PANEL REF – LGA – DA NO.                              | PPSWES-228 – Carrathool – DA 2024/038  |
| 2 | PROPOSED DEVELOPMENT                                  | Construction of a 5MW Solar Farm and Associated Inverter Infrastructure  |
| 3 | STREET ADDRESS  | Lot 1 DP 626213, Kidman Way Hillston NSW 2675  |
| 4 | APPLICANT OWNER                                       | Green Gold Energy Pty Ltd<br>Christopher Yerbury and Christine Yerbury   |
| 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 (Transport and Infrastructure) 2021;</li><li>○ State Environmental Planning Policy (Primary Production) 2021</li><li>○ State Environmental Planning Policy (Planning Systems) 2021;</li><li>○ State Environmental Planning Policy (Resilience and Hazards) 2021;</li><li>○ NSW State Plan 2021</li><li>○ Riverina Murray Regional Plan 2041</li><li>○ NSW Renewable Energy Action Plan 2018</li><li>○ Carrathool Local Environmental Plan 2012</li></ul></li><li>• Draft environmental planning instruments: Nil</li><li>• Development control plans: Nil</li><li>• Planning agreements: Nil</li><li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li><li>• Coastal zone management plan: Nil</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: November 2024</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>• Final briefing to discuss council's recommendation: 10 December 2024<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Garry Fielding (Chair), Natasha Harras and Rick Warren</li><li>○ <u>Council assessment staff</u>: Jason Nicholson</li><li>○ <u>Applicant</u>: Elton Zhang and Sarah Hillis</li><li>○ <u>Department staff</u>: Lillian Charlesworth and Jade Buckman</li></ul></li><li>• Briefing to discuss council's recommendation: 26 November 2024<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Garry Fielding (Chair), Clare Brown, Natasha Harras and Rick Warren</li><li>○ <u>Council assessment staff</u>: Jason Nicholson</li><li>○ <u>Department staff</u>: Lillian Charlesworth and Jade Buckman</li></ul></li></ul>  |

|    |                        |   |
|----|------------------------|---|
|    |                        | <ul style="list-style-type: none"><li>• Applicant Briefing: 26 November 2024<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Garry Fielding (Chair), Clare Brown, Natasha Harras, and Rick Warren</li><li>○ <u>Council assessment staff</u>: Jason Nicholson</li><li>○ <u>Department staff</u>: Lillian Charlesworth and Jade Buckman</li><li><u>Applicant representatives</u>: Sarah Hillis and Elton Zhang</li></ul></li></ul> |
| 9  | COUNCIL RECOMMENDATION | Approval  |
| 10 | DRAFT CONDITIONS       | Attached to the Council Assessment Report   |