

Development Application 4.15 Assessment Report

PART ONE: GENERAL ADMINISTRATION	
DA No	DA 047-2020-2021
PROPERTY INFORMATION	Lot 7 DP 754551 273 Walkers Road Corobimilla NSW 2700
APPLICANT DETAILS	Narrandera Solar Project No.2 Pty Ltd Suite 305-306 685 Burke Road Camberwell VIC 3124
LAND OWNERS DETAILS (if different)	BR Davies 404 Davies Road Corobimilla NSW 2700
PROPOSED DEVELOPMENT	Proposed micro solar farm (electricity generating works) including solar panels on tracking systems and associated infrastructure.
TYPE OF DEVELOPMENT	Regionally Significant. Solar farms of between \$5-30 million are assessed by the host Council and approved by the applicable Joint Regional Planning Panel.
OTHER APPROVALS Section 68 - Local Government Act 1993	Nil
LODGEMENT DATE	04 May 2021
VALUE OF DEVELOPMENT	\$6,831,613
Report Author/s	Garry Stoll
Report Date	15 June 2021

PART TWO: DEVELOPMENT & SITE INFORMATION	
DEVELOPMENT PROPOSAL	<p>Development Application 047-2020-2021 seeks approval to construct and operate a micro solar farm comprising of 16,128, 450 watt photovoltaic solar panels which are to be installed on a single-axis tracking system that will be connected to five DC coupled energy storage containers, a central inverter HV switchboard and three overhead power poles on a fenced site having a footprint of approximately 14.8ha on Lot 7 in DP 754551, 273 Walkers Road Corrobimilla.</p> <p>The development has an expected lifespan of 31 years and is designed to generate up to 5 MW of electricity annually and will be connected to an adjacent existing Essential Energy 11KV transmission line.</p> <p>The development site will be accessed directly from Walkers Road and will incorporate a carpark, off loading area and turning circle to permit all vehicles to enter and leave to site in a forward direction. Access to the development site will be from the existing farm gate off Walkers Road via a new internal access road to be constructed to appropriate standards.</p> <p>The western boundary of the proposed site is set back 70m from Walkers Road and the southern boundary will have an internal landscape area comprising of two rows of understorey and shrub plantings having a completed width of approximately 5 metres and height of 3metres on maturity.</p> <p>The development has an expected construction timeframe of 6 months after which it will be maintained by a staff for a maximum of 3 site visits a month.</p> <p>At the end of the expected life of the development it will be decommissioned by removing all assets on the site and returned to its pre- development use of agriculture.</p> <p>The development application is supported by a Statement of Environmental Effects (SOEE), Bushfire Assessment & Emergency Management and Operations Plan, Construction Management Plan and Development Application Cost Plan, as well as a site and construction plans.</p>
CURRENT LAND USE	<p>The site is currently a broadscale dry area cropping and grazing farm operation in the RU1 Primary Production zone of the Narrandera Local Environmental Plan 2013.</p> <p>The site has been heavily modified through previous cropping and grazing activities.</p>
SITE DESCRIPTION	<p>Lot 7 in DP 754551 forms part of an existing holding (land, even if separated by a road or railway, held by the same person or persons) and includes Lots 1 & 2 in DP1178519 and Lots 7, 45, 108 & 151 in DP 754551.</p> <p>Lot 7 is approximately square in shape with an area of 258ha. The western boundary runs approximately in a north south direction and directly adjoins Walker Road. The southern boundary adjoins Davies Road.</p> <p>The lot is generally surrounded by similar cleared broad scale dry land cropping and grazing properties. The nearest dwelling is located adjacent to the south-west corner of the property at the junction of Walkers and Davies Roads.</p>


	<p>On the western side of the site on the southern end of Walkers Road is an area of crown land (Lot 110 in DP 754551 approx. 184ha) that has extensive coverage of mature native vegetation.</p> <p>Lot 7 is predominately cleared with a small area (approximately 11ha) of remnant native vegetation on the south-western corner of the lot. Within this area of vegetation there is an old dwelling and associated farm buildings.</p> <p>There is also another smaller area of remnant native vegetation of a small high point located on the north-east corner of Lot 7.</p> <p>Neither of these two areas of remnant vegetation are located within the footprint of the proposed solar farm.</p> <p>Lot 7 has a high point at its north-eastern corner (166m AHD) and slopes downwards towards the western boundary where an existing farm dam has been excavated (154mAHD).</p> <p>The actual site of the proposed solar farm is just to the eastern side of this dam.</p>
<p>SITE PHOTOS</p>	 <p>Photo 1: Site of proposed development from existing access into Lot 7 looking north east.</p>



Photo 2. Site of proposed development looking south.



Photo 3. Site of the proposed development looking east from Walkers Road.



Photo 4. Walkers Road looking north adjacent to existing site access.



Photo 5. Intersection of Newell Highway and Walkers Road.



Photo 6. Newell Highway/Walkers Road intersection looking south along Newell Highway indicating sight distance of approximately 300m.



Photo 6. Newell Highway/Walkers Road intersection looking North along Newell Highway indicating sight distance.

PART THREE: DEVELOPMENT ASSESSMENT	
PLANNING	<p>The site of the proposed development is within the RU1 Primary Production zone under the Narrandera Local Environmental Plan 2013 (NLEP).</p> <p>Solar farms are defined under the NLEP as being electricity generating works and includes a building or place used for the purpose of—</p> <p>(a) making or generating electricity, or (b) electricity storage.</p> <p>Under the Land Use Tables in the NLEP for the RU1 Zone electricity generating works are prohibited development. However, under section 34(7) of the NSW State Environmental Planning Policy (Infrastructure) 2007, solar energy developments for the purpose of a solar energy system may be carried out by any person with consent on any land.</p> <p>The NLEP establishes the following objectives for RU1 land;</p> <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones <p>In relation to these objectives it is considered that;</p> <ul style="list-style-type: none"> • The proposed micro solar farm will not have any impact on the surrounding area to undertake sustainable primary production as the establishment and operation of a solar farm will not reduce or impede the natural resource base in this area, through traffic, bushfire risk, weeds, use of water or development of an excessive area of land. • The proposed micro solar farm will increase diversity in the primary industry enterprises in the area as it will provide an alternate income stream for the owner of the land without isolating or quarantining an excessive amount of land. • The proposed micro solar farm will not result in any fragmentation or alienation of lands as the site of the development has not been subdivided and remains a part of an existing farm holding. • The proposed micro solar farm will not result in any land use conflict as its operation does not cause any negative externalities such as noise, dust, erosion or long-term increase in local traffic and further the site of the proposed development and surrounding land is part of an existing holding.

Whilst Lot 7 in DP 754551 has a long history of highly active and adaptive land use (e.g. ploughing, cropping etc) two sites on Lot 7 have been identified on the Terrestrial Biodiversity and Salinity Map under the NLEP as being areas of terrestrial biodiversity.

These areas refer to the areas of existing native vegetation in the northern eastern and the southern western corner of Lot 7. Both of these areas are outside of the footprint of the proposed solar farm site.

In accordance with Clause 6.4 of the NLEP, Council must consider before determining a development application for development on land to which this clause applies, the following matters;

(a) Whether the development is likely to have—

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land.

It is considered that the proposed solar farm will not have an adverse impact on the condition, ecological value or significance on these two areas as the solar farm is outside of the area, no vegetation or habitat will be removed or destroyed as part of the development of the proposed solar farm and the operation of the solar farm will not result in any negative externalities such as dust or noise.

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna.

It is considered that the proposed solar farm will not have an adverse impact on the existing vegetation in these two areas as the solar farm is outside of the area, no vegetation or habitat will be removed or destroyed as part of the development of the proposed solar farm and the operation of the solar farm will not result in any negative externalities such as dust or noise.

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land.

It is considered that the proposed solar farm will not fragment, disturb or diminish these areas as no vegetation or habitat will be removed or destroyed as part of the development of the proposed solar farm and the operation of the solar farm will not result in any negative externalities such as dust or noise.

(iv) any adverse impact on the habitat elements providing connectivity on the land.

It is considered that the proposed solar farm will not have adverse impact on the connectivity of these two areas as the solar farm is outside of these areas, no vegetation or habitat will be removed or destroyed as part of the development of the proposed solar farm and the operation of the solar farm will not result in any negative externalities such as dust or noise.

(a) Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development –

	<p>The impact of the proposed development can be mitigated by ensuring that no works are carried out within or near the two areas mapped as having terrestrial biodiversity.</p> <p>(b) The development is designed, sited and will be managed to avoid any significant adverse environmental impact.</p> <p>The development is sited to avoid the two identified areas having terrestrial biodiversity.</p> <p>(c) If that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact.</p> <p>The impacts of the development will be avoided by ensuring that the development site does not enter onto the two identified areas of terrestrial biodiversity.</p> <p>(e) If that impact cannot be minimised—the development will be managed to mitigate that impact.</p> <p>It is considered that the impacts can be minimised.</p>
<p>NSW GOVERNMENT</p> <p>LARGE-SCALE SOLAR ENERGY GUIDELINES</p>	<p>Whilst the proposed development involves the establishment and operation of a micro solar farm the following guidelines from the NSW Government created for large scale solar farms will be utilised in the assessment of this proposal;</p> <p>Strategic Context</p> <p><u>Riverina Murray Regional Plan</u></p> <p>Goal 1 of the Riverina Regional Plan lists renewable energy as a priority growth sector for its importance to ongoing regional economic prosperity of infrastructure networks such as energy generation.</p> <p>The establishment and operation of a new renewable energy development fits this objective of the Riverina Murray Regional Plan.</p> <p><u>Narrandera Shire Council Community Strategic Plan</u></p> <p>Strategy 32 of the Narrandera Shire Council Community Strategic Plan requires Council to <i>investigate and implement energy efficiency measures where practical and financially viable in Council's own operations.</i></p> <p>Strategy 53 of the Narrandera Shire Council Community Strategic Plan requires Council to <i>investing resources in projects and encouraging business opportunities that create long term employment.</i></p> <p>It is considered that these two Strategies can be met with the establishment and operation of a new renewable energy development.</p> <p><u>Local Strategic Planning Statement 2020 – Narrandera Shire Council</u></p> <p>Priority 6 of the Local Strategic Planning Statement 2020 Council will <i>support renewable energy production in suitable locations.</i></p>

The site of the proposed solar farm the subject of this assessment is considered to be a suitable location.

Land Use Conflicts

The proposed development was notified in accordance with the Narrandera Community Strategic Planning Policy to surrounding landowners and the Narrandera community via the local press, direct notification and Council's website for twenty-eight (28) days.

No responses were received other than an inquiry from NSW Roads & Maritime Services in relation to the use of Davies Road as the main access to the site. In lieu of Walkers Road. This will be discussed further in the section relation to access.

Traffic and Transport

The period when the greatest impact of the proposed development on local traffic will occur will obviously be during the approximate six (6) month long construction phase when 50 field crew employed to instal the solar panels and their supports will enter and leave the site from Monday to Sunday, creating an estimated maximum of 15 vehicles movements a day, and the delivery of the solar panels, panel framework, battery containers, fencing materials etc which will be delivered by either 5 axle semi-trailers and/or 3 axle rigid trucks, will take place.

The SOEE states that the majority of material would be transported to the site via the rigid trucks with only the power station requiring transport via the semi-trailer. The majority of deliveries will be undertaken over a three week period averaging two deliveries per day with the first delivery at approximately 8am.

It is noted that the proponent has stated that the field crew will be accommodated in Narrandera and that the equipment (solar panels etc) will be sourced and delivered via Wagga Wagga to the east on the Sturt Highway and onto the Newell Highway.

This means that the majority of traffic travelling to and leaving the site will be doing so by travelling south from Narrandera on the Newell Highway and turning via either Walkers Road or Davies Road.

The intersections of the Newell Highway and Walkers Road and Davies Road has been inspected by Council's Works Manager, who has recommended that the most satisfactory access from the Newell Highway is onto Walkers Road due the width of the intersection and the unlimited sight distance along the Newell Highway to the north and the length of the sight distance to the south (approximate distance 300m) at this point.

Davies Road is considered to have a much narrower intersection with the Newell Highway and has a much shorter sight distance of approximately 150m when turning right onto the Newell Highway from Davies Road or when turning left into Davies for vehicles travelling to the site and it is therefore cannot be recommended as being the preferred access road.

The potential impact on both Walkers Road resulting from the construction traffic is considered to be accepted given the current state of the gravel roads and in perspective of the normal impact during the summer grain harvest season of up to 3 months.

Council intends to apply a condition of consent requiring that access to and egress from the site is to be via the Newell Highway and Walkers Road and that the proponent is to inspect Walkers Road from the intersection of the Newell Highway to the proposed development site with Council before any works commence and at the completion of works to determine the damage, if any, to this section of Walkers Road, which will require repair by the proponent.

Batteries

Australian Standard AS 5139:2019: Electrical installations - Safety of battery systems for use with power conversion equipment (Standards Australia).

This standard specifies requirements for general installation and safety requirements for Battery Energy Storage Systems, where the battery system is installed in a location, such as a dedicated enclosure or room, and is connected with power conversion equipment.

Council intends to apply a condition of consent requiring the storage and operation of any battery energy storage system to comply with Australian Standard AS 5139:2019.

Biodiversity

The proposal does not involve any clearing of native vegetation or threatened species habitat or ecological communities and therefore it is considered that there is no impact on biodiversity either on the site or in the area.

Heritage

The site is listed under either the NLEP as having any local heritage significance or as having State Heritage significance.

The SOEE states that a AHIMS search was undertaken *on 2nd March 2021 with a buffer of 1,000 meters* of the site with *no Aboriginal Sites* being found.

Visual Impacts

The solar arrays will have a maximum height of 2.5m and will be visible from Walkers Road.

However, both Walkers Road and Davies Road are relatively remote rural roads. In the area of the proposed development there are only two dwellings; a old dwelling on Lot 7 just south of the development site and another at the junction of Davies and Walkers Road to the south of the proposed site, which is owned by the owner of Lot 7.

The site cannot be seen from the Newell Highway approximately 1 km to the west.

Water

The proposed site is not flood affected.

Immediately adjacent on the western boundary of the proposed solar farm sight is an existing farm dam which will be used to irrigate the vegetation screening along the southern boundary of the development site.

During the construction phase if dust suppression is required water from this dam can also be used.

It is also noted that the proponent will be installing a 20,000 It tank for bush fire fighting purposes.

The proposed development will not need water for any other purpose.

Hazards and Risks

It is considered that the proposed development may have the following operational hazards and/or risks;

- Contamination of the site from the battery storage. This can be avoided by compliance with the Australian Standard AS 5139:2019: Electrical installations - Safety of battery systems for use with power conversion equipment (Standards Australia).

It will be a requirement of the development consent that potential contamination or hazards from battery storage will need to be addressed in the Operational Plan.

- Noxious Weeds. The site will need to be managed to prevent the growth and spread of noxious weeds. There does not appear to be any strategies put forward by the proponent addressing noxious weed management.

Mention is made of routine maintenance visits by staff but no details of their activities when onsite are provided. It will be a requirement of the development consent that noxious weed management will need to be addressed in the Operational Plan.

- Impact on the development from Bush Fires. The Planning for Bush Fire Protection Guidelines produced by the NSW Rural Fire Service addresses the potential impact of bushfires on solar farms and recommend the following requirements;
 - i) A minimum 10m APZ for the structures and associated buildings/infrastructure to be maintained to the standard of an IPA for the life of the development.
 - ii) Essential equipment should be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It should also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush.
 - iii) A Bush Fire Emergency Management and Operations Plan should identify all relevant risks and mitigation measures and include This should include: detailed measures to prevent or mitigate fires igniting; work that should not be carried out during total fire bans; availability of fire-suppression equipment, access and water; storage and maintenance of fuels and other flammable materials; notification of the local NSW RFS Fire Control Centre for any works that have the potential

	<p>to ignite surrounding vegetation, proposed to be carried out during a bush-fire fire danger period to ensure weather conditions are appropriate; and appropriate bush fire emergency management planning.</p> <p>The proponent has submitted a Bushfire Assessment & Emergency Management and Operations Plan which addresses these matters and it will be a requirement of the development consent that this plan be adopted and used by the proponent during the life of the site.</p> <p>Waste</p> <p>Solar farms have the potential to create significant waste streams, not the least being solar panels and framework packaging and during the decommissioning of the site. The supporting documents lodged with the application address the disposal of this waste by stating that the waste will be collected and stored in two onsite waste containers, which when full <i>will collected from the site by a licensed waste contractor and disposed of appropriately.</i></p> <p>Given that the amount of packaging material especially could be considerable it will be a requirement of the development consent that a waste management and recycling plan be submitted to Narrandera Shire Council prior to works commencing for approval on the amount, type and proposed site of disposal of this waste, both for the general and recyclables waste streams.</p> <p>This Waste Management Plan is also to address the proposed method of the disposal of the solar panels and frames when the site is decommissioned.</p> <p>The Narrandera Landfill has limited resources to accept the likely waste to be generated by the proposed development and Council will require that all waste be subject to recycling as much as possible which will be the responsibility of the proponent.</p> <p>Cumulative Impacts</p> <p>It is considered that there are no cumulative impacts resulting from the establishment and operation of the proposed micro solar farm on Lot 7 in DP 754551.</p> <p>Social and Economic Impacts</p> <p>The development of the proposed micro solar farm on Lot 7 in DP 754551 will have a positive economic and social effect on the local economy from the creation of a number of short term jobs, accommodation etc.</p> <p>Noise</p> <p>The construction of the proposed solar farm will result in some construction noise through land forming and the construction of the solar panel framework and installation of the solar panels.</p> <p>The site is remote from any receptors other than those belonging to the property owner.</p> <p>Construction hours are expected to be from 7.00am to 6.00pm Monday to Friday and 8.00am to 1.00pm on Saturday. These generally confirm to the requirements of the NSW Environmental Protection authority construction noise guidelines.</p> <p>Public Interest</p>
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	The development would be acceptable the Narrandera Community. During the exhibition period in accordance with the Narrandera Community Participation Plan no submissions or comments were received by Council.
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PART THREE: MATTERS FOR CONSIDERATION

SECTION 4.15 (1)(a)(i) any environmental planning instrument

State Environmental Planning Policies

[List applicable to NSC](#)

The following SEPPS considered applicable to this development

- **State Environmental Planning Policy No 33—Hazardous and Offensive Development**
The operation of the battery storage containers will need to be in compliance with SEPP 33 and the appropriate Australian Standard
- **State Environmental Planning Policy No 44—Koala Habitat Protection.**
Narrandera Shire Council is listed to be within the Koala Protection area and as such all development must assessed in consideration of it impact on koalas and/or their habitat. In this instance the site is clear of any recognised koala habitat and it is therefore considered not be to be core koala habitat or potential core koala habitat.
- **State Environmental Planning Policy (Primary Production and Rural Development) 2019**

Narrandera Local Environmental Plan 2013

- The subject site is zoned RU1 Primary production zone under the provisions of the Local Environmental Plan.
- The proposed development is prohibited under the RU1 Primary Production land but is permitted under the State Environmental Planning Policy (Infrastructure) 2007.
- The proposed development meets zone objectives

Part 1 Preliminary

Clause 1.2 - Aims of Plan

The plan objectives:

- to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and man-made resources,
- to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Narrandera,
- to promote the efficient and equitable provision of public services, infrastructure and amenities,
- to conserve environmental heritage

Generally the development complies with the above Plan objectives.

Part 2 Permitted or prohibited development

The subject land is zoned RU1 Primary Production under the NLEP 2013. The proposed development is defined as Electricity Generating Works under the LEP

	<p>and is prohibited under the land use table for RU1 land but is permissible the State Environmental Planning Policy (Infrastructure) 2007.</p> <p>Part 3 Exempt or complying development The proposed development does not satisfy the required provisions to be defined as Exempt and/or Complying Development, and therefore development consent has been sought.</p> <p>Part 4 Principal development standards No Principal Development Standards are applicable to the proposed development.</p> <p>Part 5 Miscellaneous provisions No Miscellaneous Provisions are applicable to the proposed development.</p> <p>Part 6 Additional local provisions Comment: Relevant to the proposed development:</p> <ul style="list-style-type: none"> • Clause 6.1 – Earthworks: Earthworks are associated with the development including site preparation works. • Clause 6.2 - Flood Planning: The subject land is not included within land identified as “Flood planning area” on the Flood Planning Map. • Clause 6.3 – Stormwater: Any additional runoff associated with the proposed building additions will be required to discharge to a legal point. • Clause 6.5 – Groundwater Vulnerability: The subject land is not affected by the Groundwater Vulnerability mapping. • Clause 6.13 – Essential Services: There is no sewer connection available to the site. The subject land has suitable road access. The development will also be connected to electricity services that are currently available to the land. <p>No Additional Local Provisions are applicable to the proposed development.</p>
SECTION 4.15 (1)(a)(ii) any proposed instrument	There are no draft amendments NLEP 2013 that have been identified changing the planning the provisions affecting the subject land.
SECTION 4.15(1)(a)(iii) any development control plan	The following parts of the DCP have been considered in the assessment of the proposed development:
	<p>Part A - Introduction</p> <ul style="list-style-type: none"> • Noted.
	<p>Part B - Strategic Land Use Plans for Shire</p> <ul style="list-style-type: none"> • Noted.
	<p>Part C - Controls Applying to All Development</p> <p>5.1 On-site effluent Disposal for land without reticulated sewer NA.</p> <p>5.2 Parking - Noted.</p>

	Part D - Land Use Based Controls Chapter 6 - Rural Residential / Large Lot Residential Development Chapter 7 - Residential Development Chapter 8 - Narrandera Business Centre Chapter 9 - Industrial Development <ul style="list-style-type: none"> • NA
	Part E - Planning for Natural Hazards Chapter 10 - Flood Liable Land - NA Chapter 11 - Bushfire Prone Land - Noted.
	Part F - Natural Resources Chapter 12 - Sensitive Land - NA Chapter 13 - Sensitive Water- -NA
	Part G - Heritage Controls Chapter 14 - Heritage Items <ul style="list-style-type: none"> • Noted.
	Part H - Notification of Development Chapter 15 - Notification <ul style="list-style-type: none"> • The development was notified in accordance with the Narrandera Public Participation Plan for 28 days during which no submissions were received.
SECTION 4.15 (1)(a)(iia) any planning agreement	No planning agreement relates to the site or to the proposed development.
SECTION 4.15(1)(a) (iv) the regulations	There are no matters prescribed by the Regulations applicable to this development. Section 79C(1)(a)(iv) requires Council to take into consideration the provisions of clauses 92-94 of the Environmental Planning and Assessment Regulations, 2000.
SECTION 4.15(1)(b) the likely impacts of the development	See attached Table 1.
SECTION 4.15(1)(c) the suitability of the site	The subject land is considered suitable for the proposed development having regard to the site attributes and generally being in accordance with Council's policies.
SECTION 4.15 (d) any submissions made in accordance with the Act or the Regulations	The application was placed on notification for a period of 28 days. No submissions have been received to date.

SECTION 4.15(1) (e) the public interest	<p>The public interest is a broad consideration relating to many issues and is not limited to effect upon the streetscape. Taking into account the full range of matters for consideration under Section 4.15 of the Environmental Planning and Assessment 1979 (as discussed within this report) it is considered that approval of the application is consistent with the public interest.</p>
Part 7 Biodiversity Conservation Act 2016 – Clause 7.3 Test for determining proposed development likely to significantly affect threatened species.	<ol style="list-style-type: none"> 1. The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats: <ol style="list-style-type: none"> a. in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction, <p>The proposed development will not have any effect upon threatened species. The site is within a developed rural area and the development will not encroach into or affect any nearby threatened species.</p> b. in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity: <ol style="list-style-type: none"> i. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction <p>No endangered ecological community or critically endangered ecological community is identified within the actual site of the development.</p> ii. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction, <p>The site of the proposed development is within an existing rural area that has been highly developed and disturbed by extensive cropping and grazing activities and will not lead to any modification of habitat.</p> c. in relation to the habitat of a threatened species or ecological community: <ol style="list-style-type: none"> i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity <p>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</p> ii. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity. <p>No. The site of the proposed development is within an existing rural area and will not lead to any modification or fragmentation of habitat of any threatened species.</p> iii. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality <p>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</p> d. whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly)

	<p>No declared area of outstanding biodiversity value was identified within the study area.</p> <p>e. whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</p> <p>The development is an approved use of the land and as such is not considered as part of a key threatening process.</p>
<p>Part 7 Biodiversity Conservation Act 2016</p> <p>7.7 Biodiversity assessment for Part 4 development (other than State significant development or complying development)</p>	<p>2. If the proposed development is likely to significantly affect threatened species, the application for development consent is to be accompanied by a biodiversity development assessment report.</p> <p>The development will not affect any threatened species.</p>

PART FOUR: STATUTORY REFERRALS

Referrals	The application has been considered with regard to Section 91 of the Environmental Planning and Assessment Act, 1979 and whether or not the proposal was integrated development. The following table identifies whether or not there were any other statutory referrals required in terms of relevant State Environmental Planning Polices.		
	AGENCY APPLIES	LEGISLATION	
	DPI	Fisheries Management Act, 1994	No
		Mines Subsidence Compensation Act, 1961	No
		Mining Act, 1992	No
		Petroleum (Onshore) Act, 1991	No
	OEH	National Parks, & Wildlife Act, 1974	No
		Protection of the Environment Operations Act, 1997	No
		Water Management Act, 2000	No
	NSW Heritage	Heritage Act, 1977	No
	RTA	Roads Act, 1993	No
	RFS	Rural Fires Act, 1997	No

PART FIVE: CONTRIBUTIONS

<p>Section 94 & Section 94A Contributions (Environmental Planning & Assessment Act, 1979)</p>	<p>Section 7.12 Development Contributions are not applied to this development.</p>
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Section 64 Contributions (Local Government Act, 1993)	NA
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PART SIX: DETERMINATION	
The development application has been analysed and evaluated as per Section 4.15 of the Environmental Planning and Assessment Act, 1979.	<p>The assessment has identified that:</p> <ul style="list-style-type: none"> ▪ the proposed development is consistent with the aims, objectives and special provisions of that environmental planning instrument ▪ 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 <p>Having regard to NLEP 2013, NDCP 2013 and the matters discussed within this report and the relevant matters for consideration listed under Section 4.15 of the Environmental Planning & Assessment Act 1979, this assessment considers the development should be supported.</p>
Recommendation	That consent be granted to Development Application DA- 47/2020-2021 for the construction and operation of a micro solar farm (electricity generating works) including solar panels on tracking systems and associated infrastructure on Lot 7 DP 754551, 273 Walkers Road, Corobimilla NSW subject to conditions set out in attachment A

ATTACHMENT A: RECOMMENDED CONDITIONS OF CONSENT**GENERAL CONDITIONS****1. Consent**

This Consent is for construction and use of micro solar farm (electricity generating works that generates a maximum of 5 MW per annum) including solar panels on tracking systems and associated infrastructure including security fencing, vegetation screen, site roadworks, a power station containing inverter, transformer and switchgears and five DC coupled energy storage containers, on Lot 7 in DP 754551, 273 Walkers Road, Corobimilla, NSW in accordance with the following conditions of consent.

2. Approved Plans and Documentation

The Applicant must ensure that the development is undertaken in accordance with the following documents submitted with development application:

Ref No	Drawing/Document Title	Prepared by	Version	Date
Proposed micro solar farm, 273 Walkers Road, Corobimilla, NSW	Statement of Environmental Effects – Prepared for Narrandera Solar Project No2 Pty Ltd – Report Reference [210064]	MJM Consulting Engineers	Final	22.03.21
Proposed micro solar farm, 273 Walkers Road, Corobimilla, NSW	Bushfire Assessment & Emergency Management and Operations Plan - Prepared for Narrandera Solar Project No2 Pty Ltd – Report Reference [210064]	MJM Consulting Engineers	Final	23.03.21
Corobimilla Micro Solar Farm Project	Construction Management Plan	ACLE	0	17/03/21
Development Application Cost Plan	Development Application Cost Plan – 273 Walkers Road, Corobimilla NSW 2700	MCG Quantity Surveyors		March 16, 2021
Corobimilla Solar Farm	Site Plan – Drawing No. G-1.0_000101	ACENERGY	A	08/02/2021
Corobimilla Solar Farm	Location Diagram – Drawing No. G-2.0_000101	ACENERGY	B	17/03/2021
Corobimilla Solar Farm	DC Coupled Energy Storage Container Elevations – Drawing No. G-3.0_000101	ACENERGY	B	17/03/2021
Corobimilla Solar Farm	Central Inverter, HV Switchboard, O/H Pole Elevations - Drawing No. G-4.0_000101	ACENERGY	C	22/03/2021
Corobimilla Solar Farm	Security Fence Details - Drawing No. G-5.0_000101	ACENERGY	B	17/03/2021
Corobimilla Solar Farm, 273 Walkers Road, Corobimilla Part Lot 7 DP 754551	Contour Plan - Part Lot 7 DP 754551, 273 Walkers Road, Corobimilla – PN 13566 – Sheet 1 of 1	PHL Surveyors		18/02/2021

REASON: To enable the development to be in accordance with the development approval. (Section 4.15 of the Environmental Planning and Assessment Act, 1979, as amended).

3.	<p>Lapsing of Consent</p> <p>This Consent is valid for a period of five years from the date of consent. It will lapse if the approved use of any land or construction work has not commenced prior to that date. No further extensions will be granted.</p> <p>REASON: <i>To comply with Section 4.53(1) of the Environmental Planning and Assessment Act, 1979, as amended.</i></p>
4.	<p>Aboriginal Heritage</p> <p>Should any Aboriginal relics be encountered during any works for this development, then all excavation or disturbance to the area is to cease immediately and the Office of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.</p> <p>REASON: <i>OEH requirement under the National Parks and Wildlife Act 1974 and Threatened Species Conservation Act 1995.</i></p>
5.	<p>Amenity - General</p> <p>The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, dust, waste water or waste products.</p> <p>REASON: <i>So that the development does not reduce the amenity of the area. Section 4.15 of the Environmental Planning and Assessment Act, 1979, as amended.</i></p>
6.	<p>Access Route to and from the Site</p> <p>The access to and egress from the site of the development is to be via the Newell Highway and Walkers Road only.</p> <p>Prior to any works commencing and at the completion of works, the Applicant shall inspect Walkers Road from the intersection of the Newell Highway to the entrance of the development site with the Narrandera Council Works Manager, to determine the condition of this section of road before and after works in order to ascertain any works that may be required to return this section of Walkers Road to its pre-development state.</p> <p>Should it be determined that works are required, these works are to be rectified at the cost of the Applicant before an Occupation Certificate will be issued.</p> <p>REASON: <i>To ensure that any damage to Council infrastructure as a result of the development is repaired or made good by the developer.</i></p>
7.	<p>Operating conditions</p> <p>The Applicant must ensure that;</p> <ul style="list-style-type: none"> (a) the internal access road from Walkers to and within the development site is to be constructed as an all weather road; (b) there is sufficient parking on-site for all vehicles accessing the site, and no parking of vehicles occurs on Walkers Road; (c) all vehicles are to be loaded and unloaded on site, and enter and leave the site in a forward direction, and construction vehicles leaving the site are in a clean condition to minimise dirt being tracked onto Walkers Road. <p>REASON: <i>To ensure vehicles accessing and leaving the site do so in a safe manner that does not negatively impact of Walkers Road.</i></p>
8.	<p>Battery Storage</p> <p>The storage and operation of the DC Coupled Energy Storage battery containers is to comply with Australian Standard AS 5139:2019.</p>

	<p>REASON: To ensure that battery storage and use in the energy storage systems complies with the current Australian Standards in order to reduce or avoid any hazards or contamination from the battery storage systems.</p>
9.	<p>Noxious Weeds Control</p> <p>The Applicant is to modify the Bushfire Assessment & Emergency Management and Operations Plan - Prepared for Narrandera Solar Project No 2 Pty Ltd by MJM Consulting Engineers – Report Reference [210064], to include strategies and actions to manage and control noxious weeds on the site in accordance with the obligations under the NSW Biosecurity Act 2015.</p> <p>This Plan is to be submitted to Narrandera Council for approval prior to the issue of an Occupation Certificate.</p> <p>REASON: To ensure that noxious weeds are managed and controlled in accordance with NSW Biosecurity Act 2015 and to prevent the site from becoming a biosecurity threat from the growth of noxious weeds.</p>
10.	<p>Bushfire Protection</p> <p>The actions identified under Section 6 of the Bushfire Assessment & Emergency Management and Operations Plan - Prepared for Narrandera Solar Project No2 Pty Ltd by MJM Consulting Engineers – Report Reference [210064] that incorporates Section 8.3 of the NSW Rural Fire Service Planning for Bushfire Protection guidelines for the site are to be implemented prior to the issue of an Occupation Certificate.</p> <p>In particular the following is to be provided;</p> <ul style="list-style-type: none"> • A minimum 10m wide Asset Protection Zone • The installation of a 20,000 litre non-combustible dedicated water tank fitted with approved Storz connections. • Maintenance of site and facility access. <p>REASON: To prepare for, minimise and protect the site from the effects of bush fires.</p>
11.	<p>Waste Management</p> <p>The Applicant is to modify Sections 5.8.1 and 5.8.2 the Statement of Environmental Effects – Prepared for Narrandera Solar Project No2 Pty Ltd – Report Reference [210064] to detail the following further actions to the satisfaction of Narrandera prior to works commencing;</p> <ol style="list-style-type: none"> 1. <u>Disposal of packaging waste.</u> <p>The Applicant is to detail expected quantities and types of waste to be generated during the construction phase and separate these wastes into the type and quantities of recyclables and general waste.</p> <p>The Proponent is to provide details of disposal strategies for both waste streams including locations of intended disposal facilities as well as the scheduling of deliveries at these locations.</p> 2. <u>Disposal of Effluent.</u> <p>The Applicant is to provide details of the Contractor to be appointed to dispose of the effluent from the portable sanitary facilities at the site. These details are also to include the location of the licenced disposal facility and copies of any required NSW Environmental Protection Authority licences.</p> <p>REASON: To ensure that all possible waste from the development is appropriately recycled and that all other waste is appropriately disposed of.</p>
12.	<p>Vegetation Screening</p>

	<p>The Applicant is to ensure that the vegetation screening described in section 3.2.1.3 of the Statement of Environmental Effects – Prepared for Narrandera Solar Project No2 Pty Ltd – Report Reference [210064] is planted and installed prior to the issue of the occupation certificate.</p> <p>The vegetation screening is to be maintained for the life of the development.</p> <p>REASON: <i>To ensure that the site is provided with visual screening upon completion of works.</i></p>
13.	<p>Erection of Signs for Development</p> <p>Appropriate signs are to be erected in accordance with Section 98A Environmental Planning & Assessment Regulation 2000 as follows. A sign must be erected in a prominent position on any site on which building work is being carried out:</p> <ol style="list-style-type: none"> Showing the name, address and telephone number of the Principal Certifying Authority for the work, and Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and Stating that unauthorised entry to the work site is prohibited. <p>Any such sign is to be maintained while the construction work is being carried out, but must be removed when the work has been completed.</p> <p>REASON: <i>This is a prescribed condition of consent under the Environmental Planning and Assessment Regulation 2000, as amended.</i></p>
14.	<p>DA Record to be Kept On-Site</p> <p>The Applicant shall at all times maintain at the site during construction a legible copy of the plan and specifications approved with the Construction Certificate endorsement of the certifying authority.</p> <p>REASON: <i>To ensure all contractors have access to an approved plan.</i></p>
15.	<p>Public Access to Site</p> <p>Public access to the site is to be prevented when construction work is not in progress or the site is unoccupied.</p> <p>REASON: <i>To ensure that the construction and excavation works and all associated work practices are undertaken in a safe manner complying with the requirements of SafeWork NSW.</i></p>
16.	<p>Hours of Operation - Construction</p> <p>Building or construction work shall be carried out only in accordance with the provisions below, unless altered by a statutory authority under Covid construction amendments;</p> <ul style="list-style-type: none"> between 7:00am and 6:00pm Monday to Friday between 8:00am and 1:00pm Saturday no work to be undertaken on Sundays and public holidays <p>REASON: <i>To protect the amenity of the area.</i></p>
17.	<p>Erosion and Sediment Control</p> <p>Erosion and sediment control measures shall be undertaken and maintained in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day any dust, dirt or other sediment shall be swept off the road, contained on the site and not washed down any stormwater pit or gutter.</p>

	REASON: <i>To ensure that construction and excavation works do not negatively impact on the local road infrastructure.</i>
18.	<p>Structural Adequacy</p> <p>The Applicant must ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the Building Code of Australia.</p> <p>The Applicant is required to obtain both a Construction and Occupation Certificate for the development.</p> <p>The Applicant is to appoint a Principal Certifier Authority, who if not Narrandera Shire Council, is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.</p> <p>REASON: <i>Compliance with section 6.6 of the Environmental Planning & Assessment Act 1979, as amended.</i></p>
19.	<p>Occupation Certificate Application</p> <p>Once all conditions have been met, application for an Occupation Certificate shall be submitted to and approved by the Principal Certifying Authority prior to occupation of the building.</p> <p>REASON: <i>Compliance with section 6.9 of the Environmental Planning & Assessment Act 1979, as amended.</i></p>