

## Development Application 4.15 Assessment Report

<b>PART ONE: GENERAL ADMINISTRATION</b>	
<b>DA No</b>	DA-052-2020-2021
<b>PROPERTY INFORMATION</b>	<p>Lot 22 DP 754540</p> <p>1083 Buckingbong Road</p> <p>Lot 1 DP 754540</p> <p>1085 Buckingbong Road</p> <p>Gillenbah NSW 2700</p>
<b>APPLICANT DETAILS</b>	<p>Jenna Amos</p> <p>PO Box 5583</p> <p>Wagga Wagga NSW 2650</p>
<b>LAND OWNERS DETAILS</b> (if different)	<p>Lawndock Property Investments Pty Ltd</p> <p>PO Box 551</p> <p>The Junction NSW 2291</p>
<b>PROPOSED DEVELOPMENT</b>	Proposed micro solar farm (electricity generating works) including solar panels on tracking systems and associated infrastructure (security fencing, vegetation screen, site roadworks and carpark, a power station containing inverter, transformer, and switchgears and five DC coupled energy storage containers on Lot 22) and electricity transmission line (on Lot 1).
<b>TYPE OF DEVELOPMENT</b>	Regionally Significant. Solar farms of between \$5-30 million are assessed by the host Council and approved by the applicable Joint Regional Planning Panel.
<b>OTHER APPROVALS</b> <b>Section 68 - Local Government Act 1993</b>	Nil
<b>LODGEMENT DATE</b>	Received 04 May 2021 Lodged 06 May 2021
<b>VALUE OF DEVELOPMENT</b>	\$6,844,726.00
<b>Report Author/s</b>	Garry Stoll
<b>Report Date</b>	15 June 2021

<b>PART TWO: DEVELOPMENT &amp; SITE INFORMATION</b>	
<b>DEVELOPMENT PROPOSAL</b>	<p>Development Application 052-2020-2021 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 13.228 ha on Lot 22 in DP 754540, 1083 Buckingbong Road Gillenbah, which is an area of approximately 81.7ha on the eastern side of Buckingbong Road. The site is located on the corner of Buckingbong and Dellapool Roads.</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 existing Essential Energy 11 KV transmission line on Lot 1 in DP 754540 Buckingbong Road, which is immediately north of the proposed development site.</p> <p>Access to the development site will be from new entrance off Dellapool Road via a new internal access road to be constructed to appropriate standards. The development site will incorporate a carpark, off loading area and turning circle to permit all vehicles to enter and leave to site in a forward direction.</p> <p>The western boundary of the proposed site is set back 63m from Buckingbong Road at its north west corner and 6m at its south west corner. It will be set back 46m from Dellapool Road.</p> <p>A double row of landscaping comprising of two rows of understorey and shrub plantings having a completed width of approximately 5 metres and height of 3 metres on maturity will be established around the entire internal boundary of the site.</p> <p>The development has an expected construction timeframe of 6 months after which it will be maintained by 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 &amp; Emergency Management and Operations Plan, Construction Management Plan, Flood, Drainage and Groundwater Assessment Report and Development Application Cost Plan, as well as a site and construction plans.</p>
<b>CURRENT LAND USE</b>	<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 and is vacant of any buildings or infrastructure.</p>
<b>SITE DESCRIPTION</b>	<p>Lot 22 in DP 754540 forms part of an existing holding (land, even if separated by a road or railway, held by the same person or persons) and includes;</p>

1/-/DP1251925	1/-/DP134399	1/-/DP134947
1/-/DP134974	1/-/DP721977	1/-/DP754540
10/-/DP134399	10/-/DP134947	11/-/DP134399
11/-/DP134947	113/-/DP754552	114/-/DP754552
115/-/DP754552	116/-/DP754552	117/-/DP754552
118/-/DP754552	119/-/DP754552	12/-/DP134399
12/-/DP134947	120/-/DP754552	129/-/DP754552
13/-/DP134399	13/-/DP754540	130/-/DP754552
14/-/DP134399	15/-/DP134399	16/-/DP134399
17/-/DP754552	18/-/DP754552	19/-/DP754552
2/-/DP1251925	2/-/DP134399	2/-/DP134947
2/-/DP134974	2/-/DP209777	20/-/DP754552
21/-/DP754552	22/-/DP754540	22/-/DP754552
23/-/DP754552	24/-/DP754552	3/-/DP1251925
3/-/DP134399	3/-/DP134947	3/-/DP134974
35/-/DP754540	37/-/DP754552	4/-/DP134399
4/-/DP134947	4/-/DP754552	40/-/DP754552
44/-/DP754540	5/-/DP12202	5/-/DP134399
5/-/DP134947	5/-/DP754552	58/-/DP754540
6/-/DP134399	6/-/DP134947	6/-/DP754552
61/-/DP754552	62/-/DP754552	63/-/DP754552
64/-/DP754552	65/-/DP754552	68/-/DP754552
69/-/DP754552	7/-/DP134399	7/-/DP134947
71/-/DP754552	70/-/DP754552	7005/-/DP102418
71/-/DP754552	72/-/DP754552	7
75/-/DP754552	76/-/DP754552	74/-/DP754552
8/-/DP134399	8/-/DP134947	79/-/DP754540
85/-/DP754552	9/-/DP134399	81/-/DP754552
91/-/DP754552	92/-/DP754552	9/-/DP134947
94/-/DP754552	95/-/DP754552	93/-/DP754552
		8/-/DP101391

*Figure 5 Lot & DP property details (Source: NSW Planning Portal)*

Lot 22 is approximately square in shape with an approximate area of 97.16ha. The western boundary runs approximately in a north south direction along Buckingbong Road and the northern boundary runs approximately in an east west direction along Dellapool Road.

The nearest dwelling (Buckingbong Station Homestead) is located to the north of the proposed development site on Lot 1 in DP 754540, Buckingbong Road. This dwelling, the associated outbuildings and the woolshed are listed as being items of local heritage significance under the Narrandera Local Environmental Plan 2013.

The application is supported by a Statement of Heritage Impact within the Statement of Environmental Effects which concludes that the proposed development (solar farm and power lines) will not visually dominate these buildings due to the maintenance of a suitable separation distance between them.

Lot 22 is predominately cleared with a small number of existing paddock trees which lie outside of the proposed development footprint. The Narrandera Local Environmental Plan 2013 terrestrial Biodiversity Map CL1\_006 has mapped a small area of land on the extreme north east and north west corners of Lot 22 as having important terrestrial biodiversity significance.

**SITE PHOTOS**



Photo 1. The south western entry of the proposed solar farm site from Buckingbong Road looking north east.



Photo 2. View of the proposed solar farm site looking south from the entry from Dellapool Road.





Photo 3. Intersection of Buckingbong and Dellapool Roads looking north.



Photo 4. Looking east along Dellapool Road with proposed solar farm site on the right.

### **PART THREE: DEVELOPMENT ASSESSMENT**

<p><b>PLANNING</b></p>	<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 <b>electricity generating works</b> 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"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones</li> </ul> <p>In relation to these objectives it is considered that;</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>Flooding</b></p> <p>The site has been identified as being subject to flooding.</p>
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The applicant has supported the application with a Gillenbah Solar farm Flood, Drainage and Groundwater Assessment Report from Water Technology environmental consultants, who have assessed the development and the potential impacts from flooding and concluded that the site will be affected by a 1% flood event.

In response to this potential impact the report recommends that;

- *Any sensitive infrastructure such as inverters and battery storage etc. be located above the maximum of the 1% AEP flood level with a 300m freeboard.*
- *Solar panel arrays should be designed so that they can be positioned to have the lowest edge of the solar panel above the 1% AEP flood level. This need not be a permanent setting, but it is suggested that the panels could be operated to tilt so the lowest edge can lift in times of flood.*
- *The panel post and footings should be designed to withstand the flood velocities described in this report.*
- *The site can be safely accessed from Buckingbong and Dellapool Roads in a 1% AEP flood event. Design considerations should be made for the access track to ensure that overland flow paths identified in this report are catered for.*

In accordance with Clause 6.2 (3) of NLEP development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—

*(a) is compatible with the flood hazard of the land, and*

It is considered that the proposed development is compatible with the identified flood hazard. The proposed development will not incorporate any dwellings and therefore the site will not be occupied when in operation other than for short periods for site maintenance. The risk of typical overland flooding in this area is therefore considered to be of low hazard risk.

*(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*

The Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report states that as the footprint of the proposed development is 14.7ha and the size of the property is 4,980ha in area, the impact of the proposed development on other development and properties will be limited.

*(c) incorporates appropriate measures to manage risk to life from flood, and*

The site, once completed and operational, will not be occupied other than brief periods as explained by the Statement of Environmental Effects *a maximum of two contractors would attend the site a maximum of three times per month for general inspections and maintenance of equipment or landscaping or for security inspection purposes.*

*(c) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*

The Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report states that as the nature of the flooding will result in flood water pooling rather than the flows

having a very low velocity (estimated to be below 0.5 m/s) that will not cause result in extensive erosion.

*(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The proposed development will not have any in unsustainable social and economic costs to the community as a consequence of flooding due to its size, location and use.

### **Terrestrial Biodiversity**

Two separate areas on Lot 22 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 north western corners of Lot 22. 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 –*

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.

- (b) *The development is designed, sited and will be managed to avoid any significant adverse environmental impact.*

The development is sited to avoid the two identified areas having terrestrial biodiversity.

- (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.*

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.

- (d) *If that impact cannot be minimised—the development will be managed to mitigate that impact.*

It is considered that the impacts can be minimised.

#### **Groundwater Vulnerability**

Lot 22 has been identified on the Groundwater Vulnerability Map under the NLEP as being within an area of groundwater vulnerability.

The applicant has supported the application with a Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report from Water Technology environmental consultants, who have considered the development and its impacts on groundwater at this location and have concluded that *a high-level assessment of the impacts of the planned actions to groundwater users has been conducted. The conceptual design includes solar panels and no groundwater bores. As bores are two kilometres away and no sensitive groundwater dependent ecosystems have been identified, impacts from this development can be appropriately managed. Therefore from a groundwater perspective, considering the scope of work provided, there is no need for further action beyond preparation of an appropriate environmental management plan during detailed design.*

Clauses 6.5 (3) & (4) of the NLEP requires that before a Council can determine an application for development to which this clause applies Council must consider the following;

- (a) *the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*

It is considered unlikely that the groundwater under the development will be contaminated by the construction of the solar far. Footings for the solar arrays and

	<p>battery storage containers will be approximately 1m deep which will not have an impact on groundwater.</p> <p>The onsite storage of batteries is unlikely to constitute a hazard as they will be stored in sealed containers.</p> <p>(b) <i>any adverse impacts the development may have on groundwater dependent ecosystems,</i></p> <p>It is considered unlikely that the development not impact on groundwater dependent ecosystems as the development will not be using any ground water, will not be penetrating the groundwater aquifer and will not be releasing any hazardous material into the groundwater aquifer.</p> <p>(c) <i>the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),</i></p> <p>The cumulative effect of the proposed solar farm is considered to be non-existent. This is the only solar farm in this area and will not be using the groundwater for any purpose.</p> <p>(e) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p>It is proposed to minimise the depth of footings and maintain battery storage in containers that are above the 1% flood height plus 300mm freeboard.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></p> <p>The development is considered to be designed, sited and proposed to be managed to eliminate any potential impacts on existing groundwater in the area by ensuring that groundwater is not depleted by the development by the use of an alternate water supply, the groundwater will not be contaminated by the batteries via their storage in sealed containers and limiting the depth of footings etc to 1 metre.</p> <p>(b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i></p> <p>It is considered that all potential impacts can be avoided.</p> <p>(c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i></p> <p>It is considered that all potential impacts can be avoided.</p>
<b>NSW GOVERNMENT</b>	<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> <ul style="list-style-type: none"> <li>• <b>Strategic Context</b></li> </ul>

<p><b>LARGE-SCALE SOLAR ENERGY GUIDELINES</b></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> <p>The site of the proposed solar farm the subject of this assessment is considered to be a suitable location.</p> <ul style="list-style-type: none"> <li>• <b>Land Use Conflicts</b></li> </ul> <p>The proposed development was notified in accordance with the Narrandera Community Participation Plan and the Environmental Planning &amp; Assessment Regulations to appropriate public authorities, adjoining landowners and the Narrandera community via written advice (adjoining landowners), the local press and Council's website for twenty-eight (28) days.</p> <p>No responses were received during this period.</p> <ul style="list-style-type: none"> <li>• <b>Traffic and Transport</b></li> </ul> <p>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.</p> <p>The SOEE states that <i>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.</i></p>
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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.

Construction staff and materials will therefore access and leave the site via the Sturt Highway and onto Buckingbong Road and Dellapool Road and into the site.

The development will require the construction of a suitable internal access road from Dellapool Road to the actual development site. This road is also mentioned in the *in*

The intersection of the Sturt Highway and Buckingbong Road, as well as the bitumen sealed surfaces of Buckingbong and Dellapool Roads have been inspected by Council's Works Manager, who has assessed the potential impact as being acceptable and within the design and construction parameters of these roads.

Council intends to apply a condition of consent requiring that access to and egress from the site is to be via the Sturt Highway, Buckingbong and Dellapool Roads and that the proponent is to inspect Buckingbong and Dellapool Roads from the intersection of the Sturt 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 Buckingbong Station Homestead, the associated farm outbuildings and the woolshed are listed as being items of local heritage significance under the Narrandera Local Environmental Plan 2013.

These buildings are located on Lot 1 in DP 754540, Buckingbong Road which is approximately 1 km to the north of the proposed development site.

It is also proposed as part of the development to construct a new electricity transmission line from the development site to the existing transmission line on Lot 1 in DP 754540 which is approximately 100m to the south of the homestead.

The following sections of Part 5.10 the Narrandera LEP are required to be considered by Council when assessing a development before the Council may grant consent;

**(4) *Effect of proposed development on heritage significance***

*The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.*

**(5) *Heritage assessment***

*The consent authority may, before granting consent to any development—*

*(a) on land on which a heritage item is located, or*

*(b) on land that is within a heritage conservation area, or*

*(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

A review of the proposed development and its potential impact was undertaken by Councils Heritage Advisor, architect Noel Thomson, whose comments are as follows;

*Have reviewed the proposal for the micro solar farm adjacent to the power line on the allotment of the Buckingbong homestead and woolshed 'heritage items' (I031 & I032) and note that there will be minimal heritage impact from the erection of power line and recommendation is for the 'heritage impact' to be addressed within the SEE.*

Table 4 within the Statement of Environmental Effects addressing the following matters;

- i) Is the impact of the proposed development on the heritage item significant?
- ii) Why does the proposed development need to be near the heritage item?
- iii) Does the curtilage around the heritage item protect the heritage significance?
- iv) Does the proposed development affect the views from the heritage item?
- v) Is the proposed development sited on any known or potentially significant archaeological deposits?
- vi) Is the proposed development sympathetic to the heritage item?
- vii) Will the additions visually dominate the heritage item?
- viii) Will the public still be able to view and use the heritage item?

This assessment concludes that the proposed development (solar farm and power lines) will not visually dominate these buildings due to the maintenance of a suitable separation distance between them.

- **Visual Impacts**

The solar arrays will have a maximum height of 2.5m and the development will be visible from both Buckingbong and Dellapool Roads.

The development includes the establishment of a vegetation plantation to screen the development which will be planted around the entire internal perimeter of the development. This landscape screening will have two rows of shrubs with a width of 5m and a height of 3m when the plants are mature.

- **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;

- i) 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.

- ii) Noxious Weeds. The site will need to be managed to prevent the growth and spread of noxious weeds. The Statement of Environmental Effects under Part 5.9 states that a *detailed Weeds Management Plan will be prepared and provided to Council as part of a future Construction Certificate application.*

The object of this plan is to establish *ongoing appropriate weed control and management during the construction and operation of the development.*

Council will therefore apply a condition of consent that a Weeds Management Plan be submitted for consideration and approval by Council prior to the issue of a Construction Certificate.

- iii) Disposal of construction effluent from the sanitary facilities. It is proposed that this effluent is to be stored in a onsite temporary holding tank which will be pumped out when required and transported to a separate facility that is licensed to receive and dispose of it.



	<p>Details of both the licensed contractor and the location of the licensed facility will need to be provided to Council prior to the issue of a Construction Certificate.</p> <ul style="list-style-type: none"> <li>• 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; <ul style="list-style-type: none"> <li>i) A minimum 10m APZ for the structures and associated buildings/infrastructure is to be maintained to the standard of an inner protection area for the life of the development.</li> <li>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.</li> <li>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 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.</li> </ul> </li> </ul> <p>The proponent has submitted a Bushfire Assessment &amp; 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><b>Waste</b></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.</p> <p>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</p>
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	<p>subject to recycling as much as possible which will be the responsibility of the proponent.</p> <p><b>Cumulative Impacts</b></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 22 in DP 754540.</p> <p><b>Social and Economic Impacts</b></p> <p>The development of the proposed micro solar farm on Lot 22 in DP 754540 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><b>Noise</b></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><b>Public Interest</b></p> <p>The development would be acceptable to the Narrandera Community. During the notification period undertaken in accordance with the Narrandera Community Participation Plan and Environmental Planning &amp; Assessment Regulations no submissions or comments were received by Council.</p>
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<b>PART THREE: MATTERS FOR CONSIDERATION</b>	
<b>SECTION 4.15 (1)(a)(i) Assessment of relevant environmental planning instruments</b>	
<b>State Environmental Planning Policies</b>	<p>The following SEPPs considered applicable to this development</p> <ul style="list-style-type: none"> <li>State Environment Planning Policy (Infrastructure) 2007 - The proposed development is permissible with consent under the terms of the Infrastructure SEPP.</li> <li>State Environmental Planning Policy (Koala Habitat Protection) 2020 - Narrandera Shire Council is listed to be within the Koala Protection area and as such all development must be assessed in consideration of its 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 to be a core koala habitat or potential core koala habitat.</li> <li>State Environment Planning Policy (Koala Habitat Protection) 2021 - In this instance a Koala Plan of Management is not considered to be required as the land is not considered to be a core koala habitat.</li> </ul>

	<ul style="list-style-type: none"> <li>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</li> <li>State Environment Planning Policy (Primary Production and Rural Development) 2019 - Relevant aims of the Primary Production and Rural Development SEPP are to; <ul style="list-style-type: none"> <li>a) to facilitate the orderly economic use and development of lands for primary production,</li> <li>b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources.</li> </ul> </li> </ul> <p>It is considered that the development of part of Lot 7 for a micro solar farm will not be in contravention of these aims.</p>
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<b>Narrandera Local Environmental Plan 2013</b>	<ul style="list-style-type: none"> <li>The subject site is zoned RU1 Primary production zone under the provisions of the Local Environmental Plan.</li> <li>The proposed development is prohibited under the RU1 Primary Production land but is permitted under the State Environmental Planning Policy (Infrastructure) 2007.</li> <li>The proposed development meets zone objectives</li> </ul>
	<p><b>Part 1 Preliminary</b></p> <p>Clause 1.2 - Aims of Plan</p> <p>The plan objectives:</p> <ol style="list-style-type: none"> <li>to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and man-made resources,</li> <li>to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Narrandera,</li> <li>to promote the efficient and equitable provision of public services, infrastructure and amenities,</li> <li>to conserve environmental heritage</li> </ol> <p>Generally the development complies with the above Plan objectives.</p>
	<p><b>Part 2 Permitted or prohibited development</b></p> <p>The subject land is zoned RU1 Primary Production under the NLEP 2013. The proposed development is defined as Electricity Generating Works under the LEP and is prohibited under the land use table for RU1 land but is permissible the State Environmental Planning Policy (Infrastructure) 2007.</p>
	<p><b>Part 3 Exempt or complying development</b></p> <p>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><b>Part 4 Principal development standards</b></p> <p>No Principal Development Standards are applicable to the proposed development.</p>

	<p><b>Part 5 Miscellaneous provisions</b> No Miscellaneous Provisions are applicable to the proposed development.</p> <p><b>Part 6 Additional local provisions</b> <b>Comment:</b> Relevant to the proposed development:</p> <ul style="list-style-type: none"> <li>• <b>Clause 6.1 – Earthworks:</b> Earthworks are associated with the development including site preparation works.</li> <li>• <b>Clause 6.2 - Flood Planning:</b> The subject land is included within land identified as “Flood planning area” on the Flood Planning Map.</li> <li>• <b>Clause 6.3 – Stormwater:</b> Any additional runoff associated with the proposed building additions will be required to discharge to a legal point.</li> <li>• <b>Clause 6.4 – Terrestrial biodiversity:</b> The subject land is included within land identified as “Terrestrial Biodiversity” on the Terrestrial Biodiversity Map.</li> <li>• <b>Clause 6.5 – Groundwater Vulnerability:</b> The subject land is affected by the Groundwater Vulnerability mapping.</li> <li>• <b>Clause 6.13 – Essential Services:</b> 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.</li> </ul> <p>No Additional Local Provisions are applicable to the proposed development.</p>
<p><b>SECTION 4.15 (1)(a)(ii) any proposed instrument</b></p>	<p>There are no draft amendments NLEP 2013 that have been identified changing the planning the provisions affecting the subject land.</p>
<p><b>SECTION 4.15(1)(a)(iii) any development control plan</b></p>	<p>The following parts of the DCP have been considered in the assessment of the proposed development:</p>
	<p><b>Part A - Introduction</b></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>
	<p><b>Part B - Strategic Land Use Plans for Shire</b></p> <ul style="list-style-type: none"> <li>• Noted.</li> </ul>
	<p><b>Part C - Controls Applying to All Development</b></p> <p>5.1 On-site effluent Disposal for land without reticulated sewer - Noted and addressed in the assessment and proposed conditions of consent.</p> <p>5.2 Parking – Off street parking will be provided.</p>
	<p><b>Part D - Land Use Based Controls</b></p> <p>Chapter 6 - Rural Residential / Large Lot Residential Development</p> <p>Chapter 7 - Residential Development</p> <p>Chapter 8 - Narrandera Business Centre</p> <p>Chapter 9 - Industrial Development</p> <ul style="list-style-type: none"> <li>• NA</li> </ul>

	<p><b>Part E - Planning for Natural Hazards</b></p> <p>Chapter 10 - Flood Liable Land – Noted and addressed in the assessment and proposed conditions of consent.</p> <p>Chapter 11 - Bushfire Prone Land - Noted and addressed in the assessment and proposed conditions of consent.</p>
	<p><b>Part F - Natural Resources</b></p> <p>Chapter 12 - Sensitive Land - Noted and addressed in the assessment and proposed conditions of consent.</p> <p>Chapter 13 - Sensitive Water- -NA</p>
	<p><b>Part G - Heritage Controls</b></p> <p>Chapter 14 - Heritage Items - Noted and addressed in the assessment and proposed conditions of consent.</p>
	<p><b>Part H - Notification of Development</b></p> <p>Chapter 15 – Notification - The development was notified in accordance with the Narrandera Public Participation Plan for 28 days during which no submissions were received.</p>
<b>SECTION 4.15 (1)(a)(iia) any planning agreement</b>	No planning agreement relates to the site or to the proposed development.
<b>SECTION 4.15(1)(a) (iv) the regulations</b>	<p>There are no matters prescribed by the Regulations applicable to this development.</p> <p>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.</p>
<b>SECTION 4.15(1)(b) the likely impacts of the development</b>	See attached Table 1.
<b>SECTION 4.15(1)(c) the suitability of the site</b>	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.
<b>SECTION 4.15 (d) any submissions made in accordance with the Act or the Regulations</b>	<p>The application was notified in accordance with the Narrandera Community Participation Plan and Environmental Planning &amp; Assessment Regulations for a period of 28 days.</p> <p>No submissions have been received during this period.</p>
<b>SECTION 4.15(1) (e) the public interest</b>	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><b>Part 7 Biodiversity Conservation Act 2016 – Clause 7.3</b></p> <p><b>Test for determining proposed development likely to significantly affect threatened species.</b></p>	<ol style="list-style-type: none"> <li>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"> <li>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><b>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.</b></p> </li> <li>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"> <li>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><b>No endangered ecological community or critically endangered ecological community is identified within the actual site of the development.</b></p> </li> <li>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><b>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.</b></p> </li> </ol> </li> <li>c. in relation to the habitat of a threatened species or ecological community: <ol style="list-style-type: none"> <li>i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity <p><b>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</b></p> </li> <li>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><b>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.</b></p> </li> <li>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><b>No endangered ecological community or critically endangered ecological community is identified within the site of the development.</b></p> </li> </ol> </li> <li>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><b>No declared area of outstanding biodiversity value was identified within the study area.</b></p> </li> <li>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.</li> </ol> </li> </ol>
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	<b>The development is an approved use of the land and as such is not considered as part of a key threatening process.</b>
<b>Part 7 Biodiversity Conservation Act 2016</b> <b>7.7 Biodiversity assessment for Part 4 development (other than State significant development or complying development)</b>	<p>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><b>The development will not affect any threatened species.</b></p>

<b>PART FOUR: STATUTORY REFERRALS</b>																														
<b>Referrals</b>	<p>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 Policies.</p> <table> <tr> <th><b>AGENCY APPLIES</b></th><th colspan="2"><b>LEGISLATION</b></th></tr> <tr> <td rowspan="4">DPI</td><td>Fisheries Management Act, 1994</td><td>No</td></tr> <tr> <td>Mines Subsidence Compensation Act, 1961</td><td>No</td></tr> <tr> <td>Mining Act, 1992</td><td>No</td></tr> <tr> <td>Petroleum (Onshore) Act, 1991</td><td>No</td></tr> <tr> <td rowspan="3">OEH</td><td>National Parks, &amp; Wildlife Act, 1974</td><td>No</td></tr> <tr> <td>Protection of the Environment Operations Act, 1997</td><td>No</td></tr> <tr> <td>Water Management Act, 2000</td><td>No</td></tr> <tr> <td>NSW Heritage</td><td>Heritage Act, 1977</td><td>Yes</td></tr> <tr> <td>RTA</td><td>Roads Act, 1993</td><td>No</td></tr> <tr> <td>RFS</td><td>Rural Fires Act, 1997</td><td>No</td></tr> </table>		<b>AGENCY APPLIES</b>	<b>LEGISLATION</b>		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	Yes	RTA	Roads Act, 1993	No	RFS	Rural Fires Act, 1997	No
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<b>PART FIVE: CONTRIBUTIONS</b>	
<b>Section 94 &amp; Section 94A Contributions (Environmental Planning &amp; Assessment Act, 1979)</b>	Section 7.12 Development Contributions are not applied to this development.
<b>Section 64 Contributions (Local Government Act, 1993)</b>	NA

<b>PART SIX: DETERMINATION</b>	
<p>The development application has been analysed and evaluated as per Section 4.15 of the Environmental Planning and Assessment Act, 1979.</p>	<p>The assessment has identified that:</p> <ul style="list-style-type: none"> <li>▪ the proposed development is consistent with the aims, objectives and special provisions of that environmental planning instrument</li> <li>▪ 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</li> <li>▪ the subject site is suitable for the proposed development</li> <li>▪ the proposed development does not raise any matter contrary to the public interest</li> </ul> <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 &amp; Assessment Act 1979, this assessment considers the development should be supported.</p>
<p>Recommendation</p>	<p>That consent be granted to Development Application DA- 052-2020-2021 for the construction and operation of a micro solar farm (electricity generating works) including solar panels on tracking systems and associated infrastructure (including security fencing, vegetation screen, site roadworks and carpark, a power station containing inverter, transformer and switchgears and five DC coupled energy storage containers) on Lot 22 DP 754540, 1083 Buckingbong Road, Gillenbah NSW and an electricity transmission line on Lot 1 in DP 754540 subject to conditions set out in attachment A</p>

**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, transmission line and switchgears and five DC coupled energy storage containers, on Lot 22 DP 754540, 1083 Buckingbong Road, Gillenbah NSW 2700, 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, 1083 Buckingbong Road, Gillenbah, NSW	Statement of Environmental Effects – Prepared for Narrandera Solar Project Pty Ltd – Report Reference [200576]	MJM Consulting Engineers	Final	4/05/21.21
Proposed micro solar farm, 1083 Buckingbong Road, Gillenbah, NSW	Bushfire Assessment & Emergency Management and Operations Plan – Proposed micro solar farm, 1083 Buckingbong Road, Gillenbah, NSW for Narrandera Solar Project Pty Ltd – Report Reference [200576]	MJM Consulting Engineers	Final	4/05/21.21
Gillenbah Micro Solar Farm Project	Construction Management Plan	ACLE	0	17/03/21
Summary Report	Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report – Document No. 21010374_R01V02_Gillenbah_SolarFarm.docx	Water Technology – water, Coastal, & Environmental Consultants	V02	3 May 2021
Development Application Cost Plan	Development Application Cost Plan – 1083 Buckingbong Road Gillenbah NSW 2700	MCG Quantity Surveyors		April 8, 2021
Gillenbah Solar Farm	Site Plan – Drawing No. G-1.0_0001101	ACENERGY	B	30/03/2021
Gillenbah Solar Farm	Location Diagram – Drawing No. G-2.0_0001101	ACENERGY	B	30/03/2021
Gillenbah Solar Farm	DC Coupled Energy Storage Container Elevations – Drawing No. G-3.0_0001101	ACENERGY	B	30/03/2021
Gillenbah Solar Farm	Central Inverter, HV Switchboard, O/H Pole Elevations - Drawing No. G-4.0_0001101	ACENERGY	B	30/03/2021
Gillenbah Solar Farm	Security Fence Details - Drawing No. G-5.0_0001101	ACENERGY	B	17/03/2021

	<b>REASON:</b> <i>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).</i>
3.	<p><b>Lapsing of Consent</b></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><b>REASON:</b> <i>To comply with Section 4.53(1) of the Environmental Planning and Assessment Act, 1979, as amended.</i></p>
4.	<p><b>Aboriginal Heritage</b></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><b>REASON:</b> <i>OEH requirement under the National Parks and Wildlife Act 1974 and Threatened Species Conservation Act 1995.</i></p>
5.	<p><b>Amenity - General</b></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><b>REASON:</b> <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><b>Access Route to and from the Site</b></p> <p>The access to and egress from the site of the development is to be via the Sturt Highway, Buckingbong Road and Dellapool Road only.</p> <p>Prior to any works commencing and at the completion of works, the Applicant shall inspect Buckingbong and Dellapool Roads from the intersection of the Sturt Highway to the entrance of the development site with the Narrandera Council Works Manager, to determine the condition of these roads before and after works in order to ascertain any works that may be required to return these sections of Buckingbong and Dellapool Roads to their 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><b>REASON:</b> <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><b>Operating conditions</b></p> <p>The Applicant must ensure that;</p> <ul style="list-style-type: none"> <li>(a) the internal access road from Dellapool Road to and within the development site is to be constructed as an all weather road;</li> <li>(b) there is sufficient parking on-site for all vehicles accessing the site, and no parking of vehicles occurs on Buckingbong and Dellapool Roads;</li> <li>(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 <i>Buckingbong and Dellapool Roads</i>.</li> </ul> <p><b>REASON:</b> <i>To ensure vehicles accessing and leaving the site do so in a safe manner that does not negatively impact on Buckingbong and Dellapool Roads.</i></p>
8.	<b>Flood Protection</b>

	<p>The following recommendations contained within the Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report – Document No. 21010374_R01V02_Gillenbah_SolarFarm.docx, are to be complied with;</p> <ul style="list-style-type: none"> <li>i) All sensitive infrastructure such as the inverters and battery storages are to be located above the maximum of the 1% AEP flood level with a minimum of 300mm freeboard. The 1% AEP flood level height is to be established by a surveyor and marked onsite.</li> <li>ii) Solar panel arrays are to be designed to be positioned so as to have the lowest edge of the panel above the 1% AEP flood level height established under Condition of Consent 8 (i) above.</li> <li>iii) The solar panel arrays and the footings for the containers housing the inverters and batteries are to be designed to withstand the expected flood velocities identified in the report. These designs are to be submitted to Council with the application for the Construction Certificate.</li> <li>iv) The all weather access track to the proposed development site from Dellapool Road should be designed to cater for the overland flow paths identified in the report.</li> </ul>
9.	<p><b>Battery Storage</b></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><b>REASON:</b> <i>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.</i></p>
10.	<p><b>Noxious Weeds Control</b></p> <p>The Applicant is to submit a Weed Management Plan in accordance with Part 5.9 of the Statement of Environmental Effects for the proposed micro solar farm at 1083 Buckingbong Road Gillenbah for the assessment and approval of Council prior to the issue of a Construction Certificate.</p> <p><b>REASON:</b> <i>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.</i></p>
11.	<p><b>Bushfire Protection</b></p> <p>The actions identified under Section 6 of the Bushfire Assessment &amp; Emergency Management and Operations Plan - Prepared for Narrandera Solar Project Pty Ltd by MJM Consulting Engineers – Report Reference [200576] 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"> <li>• A minimum 10m wide Asset Protection Zone</li> <li>• The installation of a 20,000 litre non-combustible dedicated water tank fitted with approved Storz connections.</li> <li>• Maintenance of site and facility access.</li> <li>• A copy of the Bushfire Emergency Management Plan is to be kept onsite at all times.</li> <li>• The Bushfire Emergency Management Plan is to be incorporated into the Construction Management Plan for the Gillenbah Micro Solar Farm Project produced by ACLE.</li> </ul> <p><b>REASON:</b> <i>To prepare for, minimise and protect the site from the effects of bush fires.</i></p>
12.	<p><b>Waste Management</b></p> <p>The Applicant is to modify Sections 5.10.1 and 5.10.2 the Statement of Environmental Effects – Prepared for Narrandera Solar Project Pty Ltd – Report Reference [200576] to detail the following further actions to the satisfaction of Narrandera Shire Council prior to works commencing;</p>

	<p>1. <u>Disposal of packaging waste.</u> 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> <p>2. <u>Disposal of Effluent.</u> 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><b>REASON:</b> <i>To ensure that all possible waste from the development is appropriately recycled and that all other waste is appropriately disposed of.</i></p>
13.	<p><b>Vegetation Screening</b></p> <p>The Applicant is to ensure that the vegetation screening described in section 4.2.2 of the Statement of Environmental Effects – Prepared for Narrandera Solar Project Pty Ltd – Report Reference [200576] 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><b>REASON:</b> <i>To ensure that the site is provided with visual screening upon completion of works.</i></p>
14.	<p><b>Erection of Signs for Development</b></p> <p>Appropriate signs are to be erected in accordance with Section 98A Environmental Planning &amp; 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"> <li>Showing the name, address and telephone number of the Principal Certifying Authority for the work, and</li> <li>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</li> <li>Stating that unauthorised entry to the work site is prohibited.</li> </ol> <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><b>REASON:</b> <i>This is a prescribed condition of consent under the Environmental Planning and Assessment Regulation 2000, as amended.</i></p>
15.	<p><b>DA Record to be Kept On-Site</b></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><b>REASON:</b> <i>To ensure all contractors have access to an approved plan.</i></p>
16.	<p><b>Public Access to Site</b></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><b>REASON:</b> <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>



17.	<p><b>Hours of Operation - Construction</b></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"> <li>• between 7:00am and 6:00pm Monday to Friday</li> <li>• between 8:00am and 1:00pm Saturday</li> <li>• no work to be undertaken on Sundays and public holidays</li> </ul> <p><b>REASON:</b> <i>To protect the amenity of the area.</i></p>
18.	<p><b>Erosion and Sediment Control</b></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 and should incorporate the recommendations contained within the Gillenbah Solar Farm Flood, Drainage and Groundwater Assessment Report – Document No. 21010374_R01V02_Gillenbah_SolarFarm.docx.</p> <p>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> <p><b>REASON:</b> <i>To ensure that construction and excavation works do not negatively impact on the local road infrastructure.</i></p>
19.	<p><b>Structural Adequacy</b></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><b>REASON:</b> <i>Compliance with section 6.6 of the Environmental Planning &amp; Assessment Act 1979, as amended.</i></p>
20.	<p><b>Approval under Section 138 Roads Act 1993</b></p> <p>The Applicant is to apply to Narrandera Shire Council for, and receive, approval under Section 138 of the NSW Roads Act 1993 before carrying out any works over or in Dellapool Road to construct the proposed electricity transmission line connecting the solar farm on Lot 22 DP 754540 to the existing 11KV transmission line on Lot 1 DP 754540.</p> <p><b>REASON:</b> <i>A person must not erect a structure or carry out work in, on or over or disturb the surface of a public road without the prior consent of the local roads authority.</i></p>
21.	<p><b>Creation of a Section 88B Instrument</b></p> <p>The applicant is to create a Section 88B Instrument under the NSW Conveyancing Act 1919 over the site of the proposed electricity transmission line on Lot 1 DP 754540 for the purpose of establishing an electricity transmission line on Lot 1 DP 754540 that benefits the solar farm on Lot 22 DP 754540.</p> <p><b>REASON:</b> <i>The proposed electricity transmission line is located on a separate lot to that of the principal development of the solar farm which relies upon access across Lot 1 DP 754540 to deliver</i></p>

	<i>the electricity generated on Lot 22 DP 754540.</i>
22.	<p><b>Decommissioning Plan</b></p> <p>A Decommissioning Plan is to be submitted to Council (or relevant approval authority) prior to the works commencing for assessment and approval.</p> <p><b>REASON:</b> <i>To ensure that the process of decommissioning of the site does not create any issues relating to disposal of materials, contamination or traffic.</i></p>
23.	<p><b>Occupation Certificate Application</b></p> <p>Once all conditions have been met, application for an Occupation Certificate shall be submitted to and approved by the Principal Certifying Authority <b>prior to operation of the development.</b></p> <p><b>REASON:</b> <i>Compliance with section 6.9 of the Environmental Planning &amp; Assessment Act 1979, as amended.</i></p>