

DATE OF DETERMINATION	1 December 2021
DATE OF PANEL DECISION	29 December 2021
PANEL MEMBERS	Paul Mitchell (Chair), Penny Holloway, Stephen Gow and Robert Kneale
APOLOGIES	Cameron Staines
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 November 2021.

MATTER DETERMINED

PPSNTH-100 – Narrabri – DA2021/0082 at 11498 Newell Highway, Narrabri – solar farm (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the given in the Council's assessment report.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments:

- Remove note from Condition E3 so that it reads:

E3 Repair of Infrastructure

Before the issue of an Occupation Certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Reason:

To ensure any damage to public infrastructure is rectified.


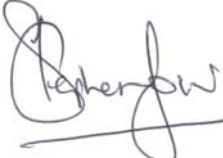


- Insert new condition:

E9 Decommission and Remediation of Land

Prior to the issue of any Occupation Certificate, the Applicant must ensure that there is a notation registered on the subject land (LOT: 102 DP: 579423) ensuring that the solar farm is required to be decommissioned and the subject lands remediated at the cessation of operations in accordance with the development consent (DA2021/0082). Any such notation must be approved by Narrabri Shire Council prior to lodgement with the NSW Land Registry Services

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Stephen Gow
 Penny Holloway	 Robert Kneale

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-100 – Narrabri – DA2021/0082
2	PROPOSED DEVELOPMENT	Establishment of a 5MW solar PV electricity generation facility with associated infrastructure
3	STREET ADDRESS	LOT: 102 DP: 579423 [11498 Newell Highway, Narrabri NSW 2390]
4	APPLICANT OWNER	ITP Development Wayne Bates and Maree Ellen Wheeler
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Koala Habitat Protection) 2020 State Environmental Planning Policy (Primary Production and Rural Development) 2019 State Environmental Planning Policy (Infrastructure) 2007 Narrabri Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Narrabri Shire Development Control Plans Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 15 November 2021 Written submissions during public exhibition: nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 25 August 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Chair) and Robert Kneale <u>Council assessment staff</u>: Gunther Weidenmann <u>Department staff</u>: Carolyn Hunt and Lisa Foley
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report