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| DATE OF DETERMINATION | 20 January 2022 |
| DATE OF PANEL DECISION | 19 January 2022 |
| DATE OF PANEL MEETING | 19 January 2022 |
| PANEL MEMBERS | Paul Mitchell (Chair), Penny Holloway, Stephen Gow |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | None |

Papers circulated electronically on 11 January 2022.

MATTER DETERMINED

PPSNTH-122 – Narrabri – DA2022/0017 - 262 Caloola Rd, Boggabri – Establishment of a 5MW Solar PV Electricity Generation Facility with Associated Infrastructure (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.

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 following reasons:

1. The proposal is permissible in the RU1 zone and is consistent with the relevant zone objective being a non-agricultural use that will not restrict the use of other land. The proposal is also consistent with all relevant SEPPs.
2. The site of the proposed development is suitable for the intended use. It has good road access and is close to electricity transmission lines. The site does not contain any items of environmental, cultural or scientific significance and is free of development constraints. The proposal is compatible with all nearby land uses and the Panel notes that no objections were received during the application's exhibition period.
3. The proposal will provide non-polluting and competitively priced electricity, as well as about 50 local jobs during the construction phase. As such, the proposal will be socially and environmentally beneficial.
4. The proposal is consistent with State and regional plans that encourage development of renewable energy generating facilities in suitable locations.
5. For the reasons given above approval of the proposal is in the public interest.

CONDITIONS


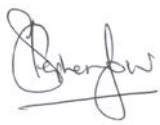

The development application was approved subject to the conditions in the council assessment report with the following amendments, to ensure that the eastern aspect of the proposed solar farm, especially when viewed from Caloola Road and adjacent residentially zoned land, is screened by landscaping:

- Condition A1, amended by alteration to the Development Plan reference of the Landscape Details to Revision 1 and Date 09/07/2021;

- Condition A8, amended by inclusion of 'Revision 1' after 'ITP Renewables' and alteration of date to 09/07/2021; and
- Condition E5, amended by inclusion of 'prepared by ITP Renewables, Revision 1 and dated 09/07/2021' after 'Landscape Plan'.

CONSIDERATION OF COMMUNITY VIEWS

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

| PANEL MEMBERS | |
|---|---|
| Paul Mitchell (Chair)  |  Stephen Gow |
|  Penny Holloway | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSNTH-122 – Narrabri – DA2022/0017 |
| 2 | PROPOSED DEVELOPMENT | Establishment of a 5MW Solar PV Electricity Generation Facility with Associated Infrastructure |
| 3 | STREET ADDRESS | 262 Caloola Rd, Boggabri |
| 4 | APPLICANT/OWNER | ITP Development/Robert Collyer, Catherine Collyer |
| 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 and Assessment Regulation 2000 • 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 • Narrabri Shire Council Development Control Plan |
| 7 | MATERIAL CONSIDERED BY THE PANEL | <ul style="list-style-type: none"> • Council assessment report: 11 January 2022 • Written submissions during public exhibition: 0 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Briefing: 15 December 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Penny Holloway (Chair) ○ <u>Council assessment staff</u>: Gunther Weidenmann • No site inspection was undertaken by the Panel as it was not considered necessary for the determination of the development application. • Final briefing to discuss council's recommendation: 19 January 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Chair), Penny Holloway, Stephen Gow ○ <u>Council assessment staff</u>: Gunther Weidenmann ○ <u>Applicant representatives</u>: Allen Grimwood, Jou Jong, Albert Ngo |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |