



<b>DATE OF DETERMINATION</b>	11 September 2024
<b>DATE OF PANEL DECISION</b>	10 September 2024
<b>DATE OF PANEL BRIEFING</b>	4 September 2024
<b>PANEL MEMBERS</b>	Dianne Leeson (Chair), Stephen Gow and Michael Wright
<b>APOLOGIES</b>	Rob Hooke and Donna Ausling
<b>DECLARATIONS OF INTEREST</b>	Jamie Chaffey declared a conflict of interest as he is the owner of a neighbouring property ("Glenhaven" 51 Bennies Road, Carroll) to another Battery Storage project that he believes will come before the NRPP in the near future. For the record, he will be against the project on the neighbouring property as it is located on a significant flood plain and may affect his business operations nearby. His concern is that his bias on the future project could cause unintended consequences in the future should he not declare a conflict on these two projects now. He did not participate in any Panel meetings.

Papers circulated electronically on 27 August 2024.

**MATTER DETERMINED**

PPSNTH-251 – Gunnedah – 10.2023.00000066.001 – 262 Hunts Road Gunnedah – Installation of Battery Energy Storage System (BESS) ancillary to the approved Solar Farm (as described in Schedule 1).

**PANEL CONSIDERATION AND DECISION**

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

**Development application**

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

The decision was unanimous.

**REASONS FOR THE DECISION**

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

In considering the Application, the Panel obtained confirmation from the Proponent that the BESS installation will include an integrated aerosol fire suppression system, with telemetry monitored 24/7 to allow appropriate emergency response to any alarms.

The Panel is satisfied that potential impacts arising from the development can be adequately mitigated through the imposition of conditions.

**CONDITIONS**

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

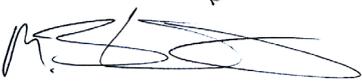
- Amend typographical error in condition B5 c) to change ‘implantation’ to ‘implementation’, a typographical error
- Amend condition B5 by removing part e) and renumbering the remaining accordingly
- Insert new condition B6 which reads as follows
  - Detailed plans of a perimeter security fence is to be submitted to and be approved by Council, prior to the issue of a Construction Certificate. The detailed perimeter security fence is to be positioned to ensure that landscaping required by Condition B4 is conducted external to the security fence. The security fence is not to be of a height greater than 2.3 metres, measured from natural ground level.
  - **Reason: To ensure that appropriate security measures are implemented.**
- Amend condition F3 by replacing the words ‘solar farm’ with ‘Battery Energy Storage System (BESS)’
- Insert new condition G6 which reads as follows
  - The four (4) BESS units are to include methods and measures for providing suitable weather protection to the BESS system, noting that the system general data indicates a ‘Degree of Protection’ of IP54.
  - **Reason: To ensure implementation of the Emergency Operational Management Plan.**

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submission made during public exhibition. The Panel notes that issues of concern included:

- Change of use from previous approval not appropriate for RU4 zone, including 24 hour operation;
- Hazardous impacts on surrounding locality from use of lithium batteries and potential for explosions;
- Ensuring that the operational noise from the BESS complies with relevant standards;
- The development will be part of the LAVO HEOS (Hydrogen Energy Storage System) which is indicated on the proponents webpage;
- No community consultation by developer prior to lodgement of development application; and
- No Visual Assessment was included within the development application.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The Panel notes that in addressing these issues appropriate conditions have been imposed.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-251 – Gunnedah – 10.2023.00000066.001
2	PROPOSED DEVELOPMENT	Installation of Electricity Generating Works (11 MWh Battery Energy Storage System [BESS])
3	STREET ADDRESS	Lot 2 DP 814689, 262 Hunts Road Gunnedah 2380
4	APPLICANT/OWNER	Applicant: Providence Group Pty Ltd Owner: V.E Dewsbury
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>○ State Environmental Planning Policy Transport and Infrastructure) 2021</li> <li>○ State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>○ State Environmental Planning Policy (Planning Systems) 2021</li> <li>○ Gunnedah Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Gunnedah Development Control Plan 2012</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council Assessment Report: 26 August 2024</li> <li>• Written submissions during public exhibition: 1</li> <li>• Total number of unique submissions received by way of objection: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 15/11/2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Rob Hooke and Donna Ausling</li> <li>○ <u>Council assessment staff</u>: Wade Hudson and Prasanth Van Houten</li> <li>○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis</li> </ul> </li> <li>• Applicant Briefing: 4/9/2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow and Michael Wright</li> <li>○ <u>Applicant representatives</u>: Stuart Johnson, Clare Brown and Ben Davies</li> <li>○ <u>Council assessment staff</u>: Wade Hudson</li> <li>○ <u>Department staff</u>: Adam Williams and Lisa Ellis</li> </ul> </li> <li>• Final briefing to discuss council’s recommendation: 4/9/2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow and Michael Wright</li> <li>○ <u>Council assessment staff</u>: Wade Hudson</li> </ul> </li> </ul>

		○ <u>Department staff:</u> Adam Williams and Lisa Ellis
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report