

DATE OF DETERMINATION	30 June 2025
DATE OF PANEL DECISION	30 June 2025
PANEL MEMBERS	Garry Fielding (Chair), Natasha Harras, Scott Barwick
APOLOGIES	Graham Brown
DECLARATIONS OF INTEREST	Donna Rygate

Papers circulated electronically on 17 June 2025.

MATTER DETERMINED

PPSWES-256 – Warrumbungle – DA17/2024 at 9204 Newell Highway, Coonabarabran – New 5MW Solar Farm with Battery Energy Storage System (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.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments (mostly at the request of the Applicant):

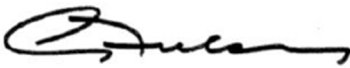


- Condition 6 is to enable an operational life of 35 years from the date of the occupation certificate
- Condition 15(c) is to use the words “a commitment to encourage car-pooling”
- Condition 16 is to clarify that it also refers to additional planting required under condition 17 and is to require replacement trees for any failed plantings
- Condition 17 is to clarify that the additional mature trees are required to fill gaps between existing trees
- Condition 24 is amended by adding the words at the end of the first paragraph “or an alternative design subject to Council agreement”, in order to introduce design flexibility
- Condition 27 is to allow for a maximum of 24 inbound and 24 outbound vehicle trips as per the Traffic Management Plan
- Condition 37 is to be deleted as there will not be a control room
- Condition 38 is to require submission of a Decommissioning Plan for Council’s approval (rather than requiring a development application) prior to the proposed commencement of decommissioning

CONSIDERATION OF COMMUNITY VIEWS

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

- The development will be on high and exposed land
- The development is industrial in nature and will be surrounded by many rural, small acre properties and fringe town blocks
- The development may impact on any future expansion of the township
- The site has some of the best quality farming country close to Coonabarabran and has many stands of mature box trees that would have to be removed for this development to proceed.
- No consideration in the Visual Impact Assessment of the property immediately south of and adjacent to the proposed development
- There is a building entitlement on Lot 62 DP 871914 and the most favourable location for a dwelling would be within line of sight to the solar array
- No mention of dust control measures either during the construction phase or once fully operational in regard to the access road or the array area
- No discussion of the proximity of the proposed alignment bypass route which would be less than 1 km from the array
- Risk of fire in relation to battery storage and inverters in the proposed development
- Noxious weed proliferation within the fenced area surrounding the array
- Reference to a nearby quarry is not relevant as the quarry is not operating

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Scott Barwick
 Natasha Harras	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-256 – Warrumbungle – DA 17/2024
2	PROPOSED DEVELOPMENT	New 5MW Solar Farm with Battery Energy Storage System
3	STREET ADDRESS	Lot 222 DP753378, 9204 Newell Highway, Coonabarabran
4	APPLICANT/OWNER	ITP Development Pty Ltd / Stewart Clifford Rogers
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 (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Primary Production) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Warrumbungle Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Warrumbungle Development Control Plan 2015 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 13 June 2025 Written submissions during public exhibition: 2 Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Council and Applicant Briefing: 25 February 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Natasha Harras <u>Council assessment staff</u>: Melinda Ryan, Kelly Dewar, Leanne Ryan, Shonelle Gleeson-Willey and Mark Hitchenson <u>Applicant representatives</u>: Mishka Talent, Albert Ngo, Jou Jong <u>Department staff</u>: Lillian Charlesworth, Jade Buckman Council and Applicant Briefing: 29 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Natasha Harras <u>Council assessment staff</u>: Melinda Ryan, Kelly Dewar, Shonelle Gleeson-Willey & Mark Hitchenson <u>Applicant representatives</u>: Allen Grimwood, Jou Jong, Albert Ngo, Alberto Albert <u>Department staff</u>: Lillian Charlesworth, Jade Buckman Final briefing to discuss Council's recommendation: 24 June 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Scott Barwick, Natasha Harras

		<ul style="list-style-type: none">○ <u>Council assessment staff</u>: Melinda Ryan, Leanne Ryan, Kelly Dewar, Shonelle Gleeson-Willey, Mark Hitchenson, Kevin Tighe○ <u>Applicant representatives</u>: Allen Grimwood, Jou Jong, Albert Ngo○ <u>Department staff</u>: Lillian Charlesworth
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report. A copy of the final conditions as amended above by the Panel were uploaded to the Portal on 30 June 2025.