



Benjamin Faulks & Johnny Roso v Independent Planning Commission (Land and Environment Court proceedings 2024/373311)

Wednesday 14 May 2025

A Class 1 merits appeal has been filed in the Land and Environment Court against the Independent Planning Commission's 11 September 2024 grant of development consent to the Wallaroo Solar Farm Project (SSD 9261283). See the Commission's website at <https://www.ipcn.nsw.gov.au/cases/2024/06/wallaroo-solar-farm> for documents relating to the development consent.

The Wallaroo Solar Farm Project involves the development of a 100-megawatt solar farm and 45 MW / 90 MW-hour battery energy storage system, located approximately one kilometre south of Wallaroo and adjacent to the border between New South Wales and the Australian Capital Territory.

This appeal has been commenced by two objectors to the Project, Mr Benjamin Faulks and Mr Johnny Roso.

Now that the Court-ordered section 34 conciliation conference, which commenced on 13 December 2024, has concluded without resolving the appeal, the Court has listed the appeal for hearing from 1 to 4 September 2025.

The hearing will commence at Wallaroo NSW at 10:30AM (the **"on-site component"**), the precise location of which will be advised at a later date. Following the on-site component, the rest of the hearing will resume at the Land and Environment Court at 225 Macquarie Street, Sydney NSW.

The Court typically provides an opportunity for some members of the public to be heard during the hearing. Please note that the Court's policies limit the number of people that can be heard, and that the Court may not be able to accommodate all people who express an interest in being heard.

Expressions of Interest

If you wish to apply to be heard during the hearing, please send an expression of interest email to legalservices@planning.nsw.gov.au with the title "Wallaroo Solar Farm – Hearing – EOI" in the subject heading by 5pm on **1 August 2025**.

Please note that even if you previously applied to speak at the section 34 conciliation conference for this matter on 13 December 2024, you will need to register a separate expression of interest in order to be considered to be heard at the hearing.

Your expression of interest email must include the following information:

- your full name and contact details (email, phone number, address);
- whether you wish to be heard on-site or in Court;

- whether you represent any other person or group; and
- the topic(s) that you wish to address.

The Commission's legal team will contact people who have expressed an interest to confirm next steps and other arrangements in due course.

Written submissions previously provided to the Commission as part of the determination of the application will be made available to the Court.

In the appeal, the Court will stand in the place of the Commission as the consent authority.

Updates

Updates and further information about the appeal will be placed on the Commission's website at the following address:

<https://www.ipcn.nsw.gov.au/cases/2024/06/wallaroo-solar-farm>

If you do not wish to receive any further correspondence in this matter, please advise us in writing at ipcn@ipcn.nsw.gov.au