

COUNCIL ASSESSMENT REPORT

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-411 – DA2025/6
PROPOSAL	Construction of a 27MW solar farm, ancillary battery storage and associated plant, and fencing.
ADDRESS	2912 Gwydir Highway MOREE NSW 2400 Lot 2 DP1315847 (previously 2910 Gwydir Hwy Lot 2 DP773266)
APPLICANT	Hiringa Sundown Project Trust
OWNER	Sundown Pastoral Company and Namoi Cotton
DA LODGEMENT DATE	27/08/2025
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 5 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 declares the proposal regionally significant development as: The proposed Solar Farm is private infrastructure (electricity generating works) with a CIV of over \$5 million.
CIV	\$28,876,458.00 (including GST) \$26,251,325.00 (excluding GST)
CLAUSE 4.6 REQUESTS	None
KEY SEPP/LEP	• Environmental Protection and Biodiversity Conservation Act 1999 & Regulations 2000; • State Environmental Planning Policy (Resilience and Hazards) 2021; • State Environmental Planning Policy (Biodiversity & Conservation) 2021; • State Environmental Planning Policy (Transport and Infrastructure) 2021; • State Environmental Planning Policy (Planning Systems) 2021; • State Environmental Planning Policy (Primary Production) 2021; • Moree Plains Local Environmental Plan 2011; • Moree Plains Development Control Plan 2013.
TOTAL & SUBMISSIONS ISSUES SUBMISSIONS UNIQUE KEY IN	Zero (0) submissions

DOCUMENTS SUBMITTED FOR CONSIDERATION	• Draft Conditions of consent • Statement of Environmental Effects (by SMK Consultants, dated 07/05/2025, Ref no. 24-277 Rev 3) • Site Plan (whole site extent) (by SMK Consults, Ref No. 24-277, Revision E dated 23/05/2025) • Site Plan – by Kinelli Pty Ltd, Revision G, dated 25/09/2025 • Cross-Section of Solar Array & Solar Farm (by SMK Consultants Pty Ltd, revision A, dated 27/05/2025) • Fire Management Plan (by SMK Consultants Pty Ltd, ref No. 24-277, dated 25/5/2025) • Traffic Impact Assessment (by Amber, dated May 2025 (Revision B)- ref no. 745 rep 02 250509 final) • Preliminary Waste, Resource and Energy Management Plan (by SMK Consultants Pty Ltd, dated May 2025) • Vegetation Management Plan (by SMK Consultants Pty Ltd, dated 21/05/2025)
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)	Not applicable
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	16 October 2025
PLAN VERSION	• Project: GEICHA dated 28 September 2023 - Drawing No. S092023-1, Revision F
PREPARED BY	Paul Sio – Land Use Planner / Leanne Ivanov – Assessment Officer
DATE OF REPORT	5 September 2025

EXECUTIVE SUMMARY

The proposed development involves the construction and operation of Wathagar Solar Farm Stage 2, a 27 MW (DC) off-grid solar farm with integrated battery storage at 2910 Gwydir Highway Wathagar MOREE - Lot 2 DP1315847. The project is designed to supply renewable energy to both the co-located Wathagar Cotton Gin and the planned Good Earth Green Hydrogen and Ammonia (GEGHA) Project, while also retaining the capacity to export power to the grid. As an electricity-generating works, the development is permissible with consent under the State Environmental Planning Policy (Transport and Infrastructure) 2021.

The site spans 168 hectares and has historically supported industrial activities, including cotton processing and storage. It is zoned RU1 – Primary Production under the Moree Plains Local Environmental Plan 2011, which allows for diverse land uses. Stage 1 of the Wathagar Solar Farm was constructed in 2023 and has successfully contributed to the cotton gin's

energy needs. The Stage 2 expansion will be positioned within an existing levee bank to ensure flood protection and will utilise existing access roads and infrastructure, minimising additional environmental disturbance.

The application has progressed efficiently with no significant delays, and engagement with relevant authorities, including Transport for NSW, Local Land Services, and Crown Lands, has been proactive to secure access approvals and ensure compliance. Key issues associated with the proposal relate to compatibility with existing land uses, environmental impacts, bushfire risk, traffic management, and potential noise emissions. The development aligns with the agricultural and industrial operations currently on the site and is located on previously cleared land, which significantly reduces its environmental footprint. The site is classified as Bushfire Prone Land (Category 3), and mitigation measures such as an Asset Protection Zone (APZ) will ensure safety. Traffic considerations have also been addressed, with the existing entry point to be used and minor upgrades planned to accommodate construction and operational needs. Noise emissions from the solar farm will be minimal, complying with the NSW Noise Policy for Industry 2017.

Key concerns raised by agencies and community stakeholders primarily revolve around bushfire risk, flooding, and traffic safety. Bushfire mitigation measures include maintaining a vegetation-free zone, APZ establishment, and ensuring adequate emergency vehicle access. Flooding concerns have been resolved by confirming the site's placement within an approved levee that provides sufficient protection against flood risks. Traffic safety issues have been proactively addressed through engagement with Transport for NSW to modernise the Gwydir Highway intersection for truck access.

All relevant pre-conditions and jurisdictional prerequisites have been satisfied. The development complies with SEPP (Resilience and Hazards) 2021, ensuring it aligns with planning objectives and regulatory frameworks. The Biodiversity Conservation Act 2016 has been addressed, demonstrating that the project does not significantly impact threatened species. A Flood Work Approval is already in place, confirming the levee's function in mitigating flood risks.

The resolution of these concerns has been achieved through careful planning, design refinements, and necessary amendments. Bushfire risks have been mitigated through fire protection measures, the site's flood risk has been addressed by leveraging existing levee approvals, and traffic concerns have been incorporated into an upgraded intersection plan. Environmental concerns have been resolved by ensuring no disturbance to native vegetation, as the site was cleared in the 1980s and primarily supports industrial use.

In considering public interest, the proposal aligns with national and state priorities for renewable energy expansion and economic diversification. It strengthens regional infrastructure, supports sustainable industrial development, and contributes to state and federal emissions reduction targets. Given its compliance with environmental and planning requirements and its clear benefits, the proposal warrants a favourable determination.

It is recommended that DA 2024/50 for an electricity-generating works (solar farm) at 2912 (previously 2910) Gwydir Highway, Moree, be approved pursuant to section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, subject to the conditions of consent outlined in Appendix A. The proposal satisfies the requirements of section 4.15(1) of the Act, demonstrating compliance with planning objectives, environmental considerations, and community feedback. It represents a strategic expansion of renewable energy infrastructure, supporting industrial sustainability while ensuring regulatory compliance and minimal environmental impact.

1. THE SITE AND LOCALITY

1.1 The Site

The site is described as Lot 2 DP1315847 – 2912 Gwydir Highway MOREE NSW 2400. The subject land is zoned RU1 – Primary Production within the Moree Plains Local Environmental Plan 2011.

The property spans a total of approximately 168 hectares, with 31.5 hectares allocated for Wathagar Solar Farm Stage 2. This area is located west of the existing Stage 1 solar farm, on previously cleared land historically used for cotton storage.

While the site does not have direct access to the Gwydir Highway, it utilises the established access point for the adjacent Wathagar Cotton Gin. The land is largely flat, zoned RU1 - Primary Production, and safeguarded by a flood protection levee. Additionally, the site is connected to Essential Energy's 22kV network, reinforcing its suitability for renewable energy development.

The proposed site for expansion; being the south-western aspect of the existing cotton gin is land primarily utilised for cotton ginning activities, while to the north and east are additional cultivated areas. The site designated for the solar farm is situated within previously cleared cropping land that was historically used for cotton product storage. Currently, the land is vacant and free of significant vegetation.

The property is generally level, with the survey plan confirming minimal elevation variations across the proposed solar panel arrays, Battery Energy Storage System (BESS), and supporting infrastructure areas. The temporary construction and laydown area is planned approximately 50 metres north west of the onsite Essential Energy 22kV network (substation) outside the solar farm array footprint. This location ensures proximity to the existing all-weather road access associated with the Wathagar Cotton Gin development.

Flooding does not present a notable constraint for the property, as the site is safeguarded by an existing levee that complies with flood protection requirements as indicated in the NSW Water Flood Work approval document included in the Statement of Environmental Effects as Appendix 3. The levee system will ensure that the infrastructure, including solar panels, inverters, and batteries, remains relatively dry and safe in a 1% Annual Exceedance Probability (AEP) flood level event.

The proposed development area is mapped as Vegetation Category 3 bushfire-prone land, but the site itself is cleared of native vegetation, minimizing fire risks. Potential fire hazards are mitigated through established Asset Protection Zones (APZ) and vegetation management strategies, which include keeping the area under solar panels vegetation-free and accessible for emergency response vehicles. The Battery Energy Storage System (BESS) is identified as the principal fire risk; however, consultation with the Rural Fire Service (RFS) has resulted in recommendations for safety measures to ensure compliance with bushfire protection guidelines.



Figure 1 - Location and Aerial Photograph of Site (image taken from Google Earth)

1.2 The Locality

The proposed development is in rural land zoned RU1: Primary Production, with surrounding properties used for that purpose.

There is a 4.95MW photovoltaic solar plant located directly to the east of the proposed site upon the same land parcel. The existing solar farm is owned and operated by Sundown Pastoral Company and Namoi Cotton.

The site is located approximately 80 metres from the Gwydir Highway and 33km south west of the regional township of Moree.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposed development seeks to expand the existing 4.95MW Wathagar Solar Farm by constructing a 27 MW (DC) solar farm with integrated battery storage.

Specifically, the proposal involves:

- Photovoltaic (PV) panels mounted in a dual east-west static configuration using a PEG framing system;
- PV modules will be sourced from a global Tier 1 supplier;
- EPC Power CAB1000 Inverter/transformer stations;
- Battery storage containers with up to 30 MWh of combined storage capacity;
- Associated cabling, communications, and switching infrastructure, surrounding chain link fence with double leaf gate;
- Minor earthworks for site preparation and maintenance of existing roads within the cotton gin development;
- Associated cabling, communications, switching apparatus; and
- Perimeter security fencing.

The key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	31.5ha
GFA	Not applicable
FSR (retail/residential)	Not applicable
Clause 4.6 Requests	None
No. of apartments	Not applicable
Max Height	Trackers at full tilt measure 1.047m above natural ground level (NGL). Clearance of PV panel is 750mm above NGL.
Landscaped area	Not applicable – however landscape screening proposed.
Car Parking spaces	No formal parking spaces provided onsite however offsite parking is proposed (Appendix 4).
Setbacks	Front boundary varies between 39.5m and 37.8m. Setback from Gwydir Highway varies between 77.9m and 78.8m

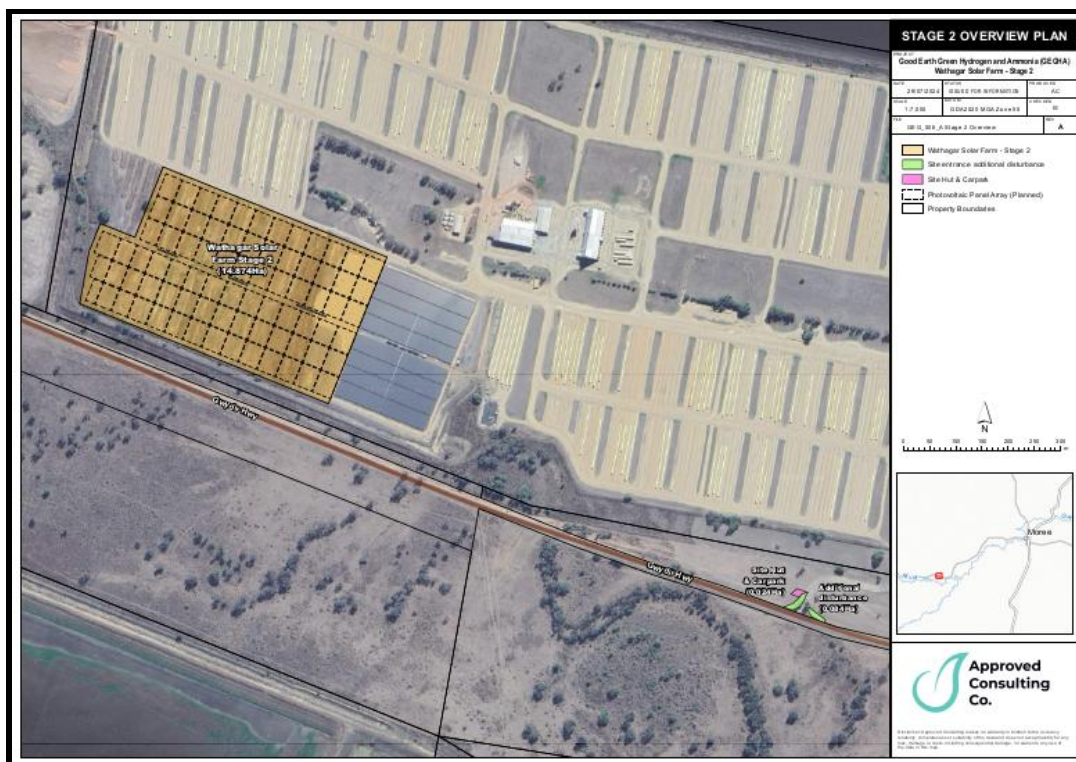




Figure 4 – View from Wathagar Cotton Gin Road Access from Gwydir Highway [westbound]- (image taken from Google Maps on 18 March 2025)



Figure 5 – View from Wathagar Cotton Gin Secondary Road Access from Gwydir Highway [eastbound] - (image taken from Google Maps on 18 March 2025)

2.2 Background

The development application was lodged on **26 February 2025**. A chronology of the development application since lodgement is outlined in **Table 2**.

Table 2: Chronology of the DA

Date	Event
12 March 2025	*14 days notification period commencing 12 March 2025 and closing 28 March 2024. No submissions were received.
12 March 2025	DA referred to external agencies – NSW Rural Fire Service, Essential Energy and Transport for NSW for concurrence and referral.
2 April 2025	Council conducted a site visit and inspection of the proposed location
11 April 2025	Briefing Report completed by Council – DA Assessment Report is ongoing.
23 April 2025	Northern Regional Planning Panel Briefing meeting
06 May 2025	Request for additional information following NRPP briefing
30 May 2025	Additional information received from applicant in response to NRPP briefing.
05 September	Final Agency referral response/approval received.

2.3 Site History

The site has been historically used for rural and agricultural purposes. In the 1980's an intensification of use occurred with the arrival of the cotton industry. This site and adjacent lands utilised for cotton growing and processing with the construction of a cotton gin. These land uses continue to exist.

We have record of three (3) previous DA for the subject lot. The first being DA99-0331 for a cotton storage shed, approved on 23 December 1999; the second being DA2021/53 for a 4.95MW solar farm, approved on 25 July 2022; and the third being DA2023/39 for a two lot subdivision, approved on 30 August 2023.

There are no concurrent applications currently being considered by Council at this point of time, however a State Significant Development, SSD-58694960, for a Green Hydrogen and Ammonia Production and Storage Facility is under assessment.

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and*

Assessment Act 1979 ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is not considered to be (which are considered further in this report):

- Integrated Development (s4.46)
- Designated Development (s4.10) – Development proposal is for a 27MW Solar Farm. This does not constitute designated development as described under Clause 18 of Schedule 3 of the EP & A Regulation 2000.
- Crown DA (s4.33) – No, development application does not pertain to a Crown DA or Crown Land.

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
 - Chapter 4 – Koala Habitat Protection 2020
- *State Environmental Planning Policy (Planning Systems) 2021*
 - Part 2.3 Regionally Significant Development
- *State Environmental Planning Policy (Primary Production) 2021*

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
 - Chapter 4 – Remediation of Land
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
 - Chapter 2 - Infrastructure
- *Moree Plains Local Environmental Plan 2011;*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	<u>Chapter 2: Vegetation in non-rural areas</u> The proposed solar panels and infrastructure are located on a cleared paddock. It is not considered the biodiversity values of trees and other vegetation will be impacted.	Yes
	<u>Chapter 3: Koala Habitat Protection 2020</u> The solar panel farm is not located in Primary or secondary class A or B habitat; however, some Secondary Class B land is located nearby.	Yes
	<u>Chapter 4: Koala Habitat Protection 2021</u> No areas of natural vegetation that provide habitat will be affected.	Yes
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development • Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 5 of Schedule 6. • The proposed solar farm is defined 'electricity generating works' which is 'private infrastructure' over \$5 million as the proposal is considered to be a 'Regionally significant development'.	Yes
State Environmental Planning Policy (Primary Production) 2021	• Chapter 2: Primary Production and Rural Development Electricity generating works ('solar energy systems') are not specifically mentioned in the policy. However, the proposal is generally consistent with the broad aims of the policy as the area involved, 31.5ha, is not significant in this area and will not permanently 'sterilise' rural land as	Yes

	it could revert to cropping land in the future, should the need arise. Further, the generation of clean energy will contribute to sustainable agriculture in the area providing a reliable power source for neighbouring residents and agricultural businesses, an essential part contributing to the growth of the region.	
SEPP (Resilience & Hazards)	The applicant has not submitted a 'SEPP Resilience and Hazards Assessment' report to support this application. However, Council has undertaken a desktop analysis and review of the proposal and current hazardous chemicals information, design layouts, against the current SEPP's for <i>'Hazardous and Offensive Development'</i> requirements and other applicable legislation, regulations and guidelines. Chapter 4: Remediation of Land The land has a history of agricultural land use with no evidence of activities likely to have caused substantial contamination. Based on available information, the site is deemed suitable for the 27MW solar farm project, which will involve minimal excavation and will not require permanent on-site staff once operational. Should the site be considered for a more intensive use in the future, a thorough site investigation may be necessary to ensure suitability.	Yes Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure Part 2(3) Development Controls: - Division 4 Electricity generating works or solar energy systems. The proposed development is defined as a :- 'solar energy system. Clause 2.36 further states that:- Development permitted with consent:- '(9) solar energy systems - Development for the purpose of a solar energy system may be carried out by any person with consent on any land.' The proposal is permitted with consent by the SEPP regardless of the Moree Plains LEP 2011. Division 5 Electricity transmission or distribution. Subdivision 2 - Development likely to affect an electricity transmission or distribution network. The proposed solar farm and infrastructure is not within 10m of Essential Energy's 22kV overhead power lines however, the electricity supply authority has been consulted.	Yes Yes

	Essential Energy have been advised of the proposal and have provided comments. Division 17 Roads and traffic. Subdivision 2 - Development in or adjacent to road corridors and road reservations 2.122 Traffic-generating development The proposed solar farm ('solar energy system') is not specifically defined in Schedule 3 of Traffic-generating development and as such would be classified as 'Any other purpose' which requires referral to TfNSW if it involves a development that generates '50 or more motor vehicles per hour' in the case of it having 'access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)'. Council has undertaken a review of the proposed traffic impacts and has referred this matter to Transport for NSW (TfNSW) for concurrence. TfNSW requested additional information from the applicant regarding access and traffic constraints, and accepted the updated information.	
Proposed Instruments	No compliance issues identified.	-
Moree Plains Local Environmental Plan 2011 (LEP)	<u>Part 2 - Permissibility and zone objectives</u> The development is defined as 'electricity generating works' and is not specifically listed under schedule 3 as 'Permitted with consent' nor is the use listed in schedule 4 – as 'Prohibited'. The use is therefore included as 'Any other development not specified in item 2 or 4' which is found at the end of the list of uses in Schedule 3 – 'Permitted with consent' pursuant to the LEP Land Use Table. It is considered that the proposed construction of a 27MW solar farm is consistent with the objectives of the land use zone for the following reasons:- • The proposal will supply energy to the Wathagar Cotton Ginning operations, as well as the proposed hydrogen and ammonia production facilities; • The area to be used is limited to only 31.5ha and is situated along Gwydir Highway behind a levee bank. In addition, the use could be removed in the future, so permanent alienation of land for other uses would not occur in the longer term; • The solar farm is suitably located close to Essential Energy 22kV infrastructure (substation), so power can be routed to the state grid; • The use of 31.5ha of farmland for the solar farm will not unduly impact the rural character of the area.	Yes

	<u>Part 4 - Principal Development Standards –</u> None-Applicable <u>Part 5 - Miscellaneous provisions</u> Clause 5.10 – Heritage Conservation The site is not identified as being a heritage item or within a heritage conservation area. The closest heritage item to the site is located approximately 3km south east of the proposed development and is identified as I003 – “Comdabello Homestead” pursuant to Schedule 5 – Part 1 Heritage items of the LEP. The development proposal is not considered to impact upon the heritage item. An AHIMS search was conducted of the site with a 200m buffer was conducted, the search did not return any results. Given the disturbed nature of the site, it is considered unlikely that any Aboriginal objects or artefacts would be disturbed. Furthermore, Table 5 of the <i>Rural floodplain management plans: technical manual for plans developed under the Water Management Act 2000</i> details that the basis of management zone C is ‘generally not cultural’. However, should an object be unearthed during construction, all works are to cease, and the relevant authority notified. Clause 5.21 - Flood Planning CI 5.21(2) requires Council to consider developments and their impact on the land, riparian systems, other properties and people. It is noted that the site is not situated within the Gwydir Floodplain Management Zone. The LEP does not contain Flood Prone Land Maps. The Council Policy documents identify the site as being subject to inundation; however, the proposed development would be located within an existing levee. In accordance with the Gwydir Floodplain Management Plan (FMP), gazetted in 2016, the site is mapped within Management Zone C (MZC). Pursuant to Table 5 of the <i>Rural floodplain management plans: technical manual for plans developed under the Water Management Act 2000</i>, areas mapped as MZC are enclosed by approved flood works if they are not overtopped during large floods. Accordingly, given the current mapping and levee, the development is not considered to be impacted by flood nor will the development impact upon flood behaviour.	Yes Yes
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	<u>Part 7 Additional Local Provisions</u> 7.1 Earthworks Before granting development consent for earthworks, the consent authority must consider the impact of works on the site and environs. In this regard no significant excavation is required or proposed, the minimal earthworks are limited to minor levelling, shallow excavation for slabs and footings and gravel for access roads. Clause 7.7 - Places of Aboriginal Cultural Significance The development is not located on land identified as a “place of Aboriginal cultural significance” on the Aboriginal Cultural Significance Map Sheet ACS_004, included with the LEP.	Yes
Moree Plains Development Control Plan 2013 (DCP)	<u>Chapter 2 – Parking</u> Construction Phase - There is ample parking in and around the offsite parking area with the temporary set down areas proposed adjacent to existing solar panel arrays on the proposed hardstand areas and gravel access roads. Traffic Generation to the site, specifically trucks delivering infrastructure will not create any issues due to the direct access from Gwydir Highway. Operational Phase - The solar farm once operational, will only require up to two (2) local contractors to attend the site and perform periodic maintenance functions with the solar farm being largely autonomous.	Yes
	<u>Chapter 4 - Moree and Environs Floodplain Development and Management.</u> As mentioned in this report, the proposed location for the solar farm is within an existing “WaterNSW Flood Works Approved” levee bank which should address any flooding issues associated with the subject land.	Yes
	<u>Chapter 9 - Rural Development</u> <u>Biodiversity</u> - The site of the solar farm does not fall within land mapped as Koala habitat on the ‘Map of Potential Koala Habitat’ included in the DCP. The development has been sited to ensure it would not require removal of established native trees or significant habitat. As the development is located on existing cropping land, no other impacts to biodiversity are expected.	Yes
		Yes

	<u>Bushfire Management</u> - The site of the proposed solar farm is classified as Vegetation Category 3. However, the area to be utilised was previously cleared. The applicant has provided commentary on Bushfire (5.14.1 of SoEE) which has identified all relevant risks and mitigation measures associated with the construction and operation of the solar farm. It is considered the solar farm has been designed to minimise the impact of bush fires on the development and its risk to adjacent managed grasslands. <u>Water Quality</u> - The applicant has provided commentary on surface water (5.10.1 of SoEE) indicating that stormwater runoff from the development will be absorbed by the ground and directed into existing drainage systems established for the cotton gin. The increased impervious area due to solar panels will generate runoff with minimal pollutant loading. Consequently, stormwater quality modelling has not been undertaken, as runoff over grass areas is considered adequate for treatment before being discharged offsite. <u>Effects on Riparian areas</u> – The proposed development site is located approximately 1.4km north of the Mehi River and 3.7km south of the Tarran Creek (5.10.1 of SoEE). The development is located within the area covered by the Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2020 (WSP). However, the site ‘does not contain, nor is it in close proximity, to any classified watercourses and as such riparian corridors are not impacted as part of the development’ is also agreed with and raises no concerns in this issue <u>Transport Issues</u> – The 20-week construction period will attract the most vehicles to the site, but due to the number of vehicle trips expected and the direct access obtained via Gwydir Highway, no adverse traffic issues are expected. Ample parking is available both onsite and offsite for workers during the construction phase and during the operational phase with a maximum of 2 electrical subcontractors expected at any one time for componentry maintenance. <u>Chapter 10 - Notification Policy</u> The DA was publicly notified in accordance with Council policy for a period of *14 days commencing 12 March 2025 and closing 28 March 2025. The notification included letters to property owners/occupiers. Council received no submissions in support and no submissions in objection to the proposed development.	Yes Yes Yes Yes
Section 7.12 Contributions	Contributions are dealt with under the Voluntary Planning Agreement between Hiringa Sundown(GEGHA) Project Co	Yes

	Pty, Moree Plains Shire Council and Minister for Planning and Public Spaces.	
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Consideration of the relevant SEPPs is outlined below:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2: Vegetation in non-rural areas

The proposed solar panels and infrastructure are located on a cleared paddock; It is not considered the biodiversity values of trees and other vegetation will be impacted.

Chapter 3: Koala Habitat Protection 2020

The solar farm is not located in Primary or secondary class A or B habitat; however, some Secondary Class B land is located nearby.

Chapter 4: Koala Habitat Protection 2021

No areas of natural vegetation that provide habitat will be affected by the proposed development.

State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP')

Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 5 of Schedule 6 of the Planning Systems SEPP as the proposal is development for **27MW solar farm, battery storage and ancillary structures**; which is defined as 'electricity generating works' and is 'private infrastructure' over \$5 million. Accordingly, the Northern Regional Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

Description	Construction Cost
Civil & Siteworks	\$ 7,838,261
Services & Solar Works	\$ 15,187,286
Preliminaries & Builder's Margin	\$ 1,283,674
Consultants & Additional Fees	\$ 322,564
Contingency	\$ 1,231,589
Escalation	\$ 387,951
Project EDC {Excluding GST} – for SSD/SSI	\$ 26,251,325
GST	\$ 2,625,133
Project EDC {Including GST} – for NON SSD/SSI	\$ 28,876,458
AREAS	
Site Area (m2)	148,704
Construction Cost/m2	\$ 177

State Environmental Planning Policy (Primary Production) 2021

Chapter 2: Primary Production and rural development

Electricity generating works ('solar energy systems') are not specifically mentioned in the policy. However, the proposal is generally consistent with the broad aims of the policy as the area involved, 31.5ha, is not significant in this area and will not permanently 'sterilise' rural land as it could revert to cropping land in the future, should the need arise.

Further, the generation of clean energy will contribute to sustainable agriculture activity in the area providing a reliable power source for neighbouring residents and agricultural businesses which is an essential part of contributing to the growth of the region.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* ('the Resilience and Hazards SEPP') have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be conducted.

The applicant has submitted a Preliminary Contaminated Site Investigation Report (Appendix 2 of the Statement of Environmental Effects) in support of the development application. Council has reviewed the report against all relevant legislation, regulations, and guidelines and is satisfied that the report has appropriately assessed the site for potential contamination. The findings confirm that any residual contamination will not adversely affect the proposed development and that the site meets all applicable requirements.

Based on the submitted documentation and Council's assessment, the site is not considered contaminated and is suitable for the proposed development in its current state. No remediation works are required prior to occupation or commencement of the solar farm.

Given the nature of the proposed use—which involves minimal excavation and no permanent on-site personnel outside the construction phase—the site is deemed appropriate for the intended solar farm operations. However, should a future proposal involve a more intensive land use, a detailed site contamination investigation report may be required to confirm ongoing suitability.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2: Infrastructure

[Division 4 Electricity generating works or solar energy systems.](#)

Clause 2.36 Development permitted with consent

The proposed development is defined as; *(9) solar energy systems - Development for the purpose of a solar energy system may be carried out by any person with consent on any land.'* The proposal is permitted with consent under the SEPP regardless of the Moree Plains LEP 2011.

[Division 5 Electricity transmission or distribution.](#)

Clause 2.48 Determination of development applications—other development

The proposed solar farm and infrastructure is not located within 10m of Essential Energy's 22kV overhead power lines however a connection to the existing electrical infrastructure is proposed as part of this application and as such, the electricity supply authority is to be consulted. Essential Energy was advised of the proposal and comments have been noted earlier in this report.

[Division 17 Roads and traffic.](#)

Clause 2.122 Traffic-generating development

The proposed solar farm, referred to as a 'solar energy system,' does not fall under any specific category in Schedule 3 of Traffic-generating Development. Therefore, it is classified under 'Any other purpose,' requiring referral to Transport for New South Wales (TfNSW) if the development generates 50 or more motor vehicles per hour and has access to a classified road or a road that connects to a classified road, within 90 meters of the connection, measured along the alignment of the connecting road.

Council has undertaken a review of the proposed traffic impacts and has referred this matter to Transport for NSW (TfNSW) for concurrence. TfNSW, following review of the additional information regarding access and traffic constraints, has advised they have no objection to the proposed development.

Moree Plains Local Environmental Plan 2011

The relevant local environmental plan applying to the site is the *Moree Plains Local Environmental Plan 2011* ('the LEP'). The aims of the LEP include:-

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to encourage the management, development and conservation of environmental, economic and social resources,*
- (b) to facilitate economic growth and development that is consistent with the aim specified in paragraph (a) and that—*
 - (i) embraces the principles of environmentally sustainable development, and*
 - (ii) minimises the cost to the community of fragmented and isolated development, and*
 - (iii) facilitates the efficient and effective delivery of amenities and services, and*
 - (iv) facilitates stimulation of demand for a range of residential, enterprise and employment opportunities and promotes agricultural diversity, and*
 - (v) facilitates farm adjustments, and*
 - (vi) utilises, where feasible, existing infrastructure and roads for new development and future potential development,*
- (c) to facilitate development in accordance with flood management planning,*
- (d) to facilitate development that is compatible with adjoining and nearby uses,*
- (e) to facilitate development that is appropriate in scale and type to the characteristics of the relevant zone,*
- (f) to recognise places of European heritage significance and Aboriginal heritage and cultural significance.*

The proposal is consistent with these aims as the proposal seeks to provide an additional sustainable energy source to the local community.

Zoning and Permissibility (Part 2)

The site is located within the RU1 Primary Production Zone pursuant to Clause 2.2 of the LEP

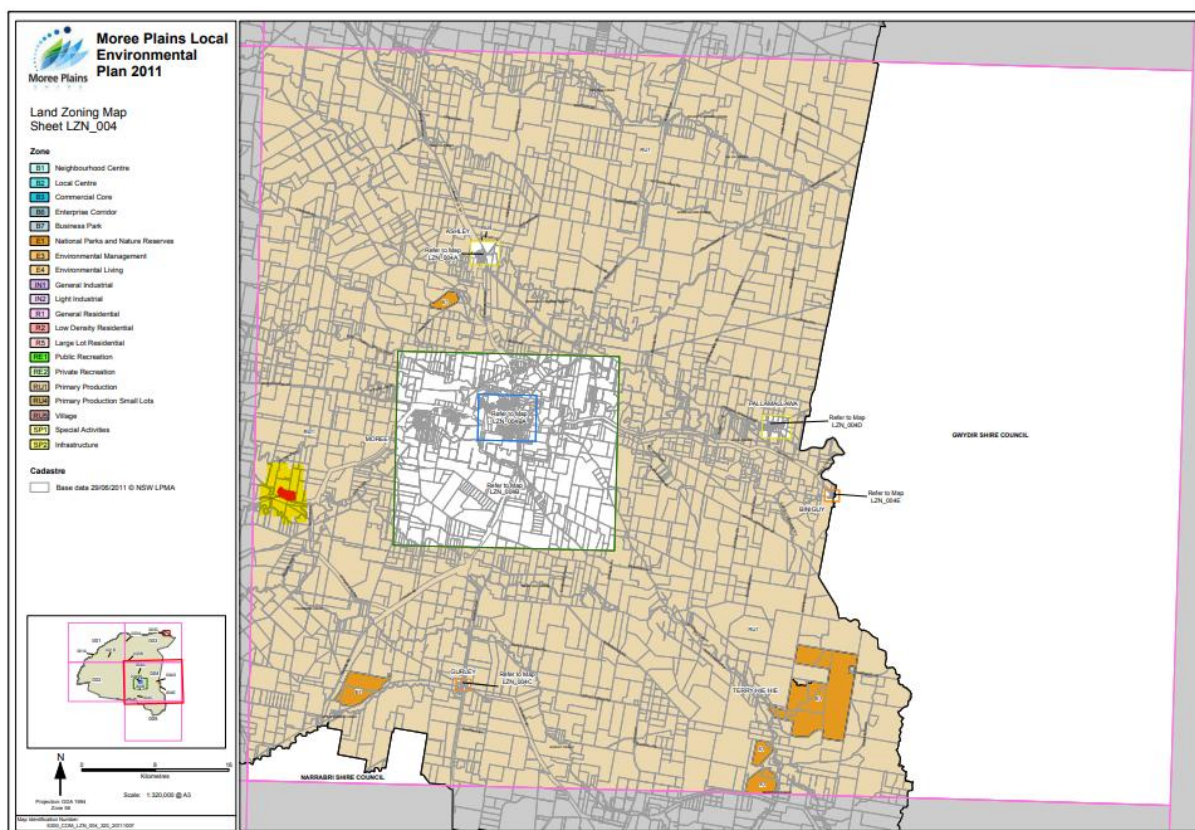


Figure - Land Use Zoning – location of site (red) southwest of the Moree township

The development is defined as ‘electricity generating works’ and is neither specifically listed under schedule 3 as ‘Permitted with consent’, nor listed in schedule 4 – as ‘Prohibited’. The use is therefore included as ‘Any other development not specified in item 2 or 4’ which is found at the end of the list of uses in Schedule 3 – ‘Permitted with consent’ pursuant to the LEP land use table.

Section 2.36 (1) (b) of State Environmental Planning Policy (Transport and Infrastructure) 2021 states that for the purpose of electricity generating works may be carried out by any person with consent on any land in a prescribed rural, industrial or special use zone.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To permit development for certain purposes if it can be demonstrated that suitable land or premises are not available elsewhere.*
- *To protect significant agricultural resources in recognition of their value to the longer term economic sustainability of Moree Plains.*
- *To maintain the rural character of the land.*

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The proposal will support the [NSW Government Net Zero Plan Stage 1: 2020-2030 goal](#) to work towards achieving Net Zero Emissions by 2050;
- The proposal will contribute to the stable supply of renewable energy to the [Electricity Infrastructure Roadmap](#) which is the pathway to powering the local community and abroad with affordable, clean and reliable energy;
- The provision of independent, reliable energy to the grid will help protect the longer-term viability/sustainability of agricultural activities dependent on electricity within the area;
- The 'generation of electricity' encourages and promotes diversity in land use and employment opportunities within the primary industry;
- The solar farm is suitably located close to Essential Energy 22kV infrastructure, so that power can be routed to the state grid;
- The area to be used is limited to only 31.5 ha and is situated on an underutilised parcel of farmland. In addition, the use could be removed in the future, so permanent alienation of land for other uses would not occur in the longer term;
- The use of 31.5 ha of farmland for the solar farm will not unduly impact the rural character of the area

General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

Table 4: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Minimum subdivision Lot size (CI 4.1)	650m ²	No subdivision proposed	N/A
Rural Subdivision (CI 4.2)	100ha	No subdivision currently proposed	N/A

Height of buildings (CI 4.3)	The development control has not been adopted		N/A
FSR (CI 4.4(2))	The development control has not been adopted		N/A
Heritage (CI 5.10)	Consideration of impact of development in vicinity to Heritage Item and any impacts on Aboriginal Heritage.	The site is not listed as a heritage item nor located within a heritage conservation area. The nearest heritage item, "Comdabello Homestead" (I003), is approximately 3 km southeast and will not be impacted by the proposal. An AHIMS search with a 200 m buffer returned no results, and due to the site's disturbed condition, the likelihood of uncovering Aboriginal objects is low. Additionally, the site falls within Management Zone C under the Rural Floodplain Management Plans, which is generally not considered culturally sensitive. Should any object be unearthed during construction, works must cease, and the relevant authority notified.	N/A
Flood planning (CI 5.21)	Consideration of flood impacts on the development site, riparian systems, other properties and persons.	The site is not located within the Gwydir Floodplain Management Zone, and the LEP does not include Flood Prone Land Maps. While Council policy identifies the site as subject to inundation, the proposed development is situated within an existing levee. Under the Gwydir Floodplain Management Plan (2016), the site falls within Management Zone C, which comprises areas protected by approved flood	Yes

		works not overtopped during major flood events. Accordingly, the development is not expected to be affected by flooding or alter flood behaviour, satisfying CI 5.21(2) of the LEP.	
Earthworks (CI 7.1)	Before granting development consent for earthworks, the consent authority must consider the impact of works on the site and environs.	In this regard no significant excavation is required or proposed, the minimal earthworks are limited to minor levelling, shallow excavation for slabs and footings and swales for the gravel for access roads.	Yes
Places of Aboriginal Cultural Significance (CI 7.7)	Consideration of impact of development on Aboriginal Heritage.	The development is not located on land identified as "place of Aboriginal cultural significance" on the Aboriginal Cultural Significance Map Sheet ACS_004, included with the LEP.	Yes – Condition can be imposed should any artifacts be discovered during construction.

The proposal is considered to be consistent with the LEP.

(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are several proposed instruments which have been the subject of public consultation under the EP&A Act, and are relevant to the proposal, including the following:

- Draft Remediation of Land SEPP

These proposed instruments are considered below:

NSW Planning states:-

'Currently SEPP 55 is being reviewed as part of the NSW Government's broader review program that aims to ensure all State Environment Planning Policies, SEPPs, are up-to-date and relevant.

As well the current SEPP 55 and its associated Managing Contaminated Land Planning Guidelines have been in place for almost 20 years. Both need to be updated to respond to changes in federal and state legislation and policy, and to reflect new land remediation practices.'

Most of the existing provisions of SEPP 55 and SEPP Resilience and Hazards are incorporated into the Draft SEPP. The subject site does not require remediation for the proposed use however attention will still be required during the decommissioning of the solar farm to ensure the BESS plant is disposed of without contaminating the site.

The proposal is consistent with the proposed instrument.

- Large-Scale Solar Energy Guideline - 2022 - NSW DPI

This Guideline has been developed for State Significant Development (SSD) which is not the case in the current development, however, the general assessment requirements include:-

- Landscape/visual impacts;
- Agricultural land use;
- Infrastructure contributions;
- Waste management;
- Decommissioning and rehabilitation;
- Glint and glare;
- Biodiversity;
- Traffic/transport;
- Water management;
- Noise & vibration;
- Air quality;
- Social & economic impacts; and;
- Hazards

The above issues have been covered by the applicants SoEE/consultants reports, and this assessment.

(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- *Moree Plains Development Control Plan 2013* ('the DCP')

Chapter 2 – Parking

Construction Phase - There is ample parking in and around the temporary stockpile/laydown area and adjacent to the solar panel arrays on the proposed hardstand areas and gravel access roads.

Traffic Generation to the site, specifically trucks delivering infrastructure will not create any issues due to the direct access from Gwydir Highway.

Operational Phase - The solar farm once operational, will only require up to two (2) local contractors to attend site and perform periodic maintenance functions with the solar farm being autonomous.

Chapter 4 - Moree and Environs Floodplain Development and Management.

As mentioned in this report, the proposed location for the solar farm is within an existing "WaterNSW Flood Works Approved" levee bank which should address any flooding issues associated with the subject land.

Chapter 9 - Rural Development

Biodiversity - The site of the solar farm does not fall within land mapped as Koala habitat on the 'Map of Potential Koala Habitat' included in the DCP. The development has been sited to ensure it would not require removal of established native trees or significant habitat. As the development is located on existing cropping land, no other impacts to biodiversity are expected.

Bushfire Management - The site of the proposed solar farm is classified as Vegetation Category 3. However, the area to be utilised is cleared cropping land. The applicant has

provided commentary (see 5.14.1 Bushfire of the SoEE), which has identified all relevant risks and mitigation measures associated with the construction and operation of the solar farm.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and recommends the imposition of conditions relating to incorporating a Fire Management Plan (FMP), Asset Protection Zones (APZ) and Landscaping provisions.

It is considered the solar farm has been designed to minimise the impact of bush fires on the development and its risk to adjacent managed grasslands.

Water Quality - The applicant has provided commentary on surface water (5.10.1 of SoEE) indicating that stormwater runoff from the development will be absorbed by the ground and directed into existing drainage systems established for the cotton gin. The increased impervious area due to solar panels will generate runoff with minimal pollutant loading. Consequently, stormwater quality modelling has not been undertaken, as runoff over grass areas is considered adequate for treatment before being discharged offsite.

Effects on Riparian areas – The proposed development site is located approximately 1.4km north of the Mehi River and 3.7km south of the Tarran Creek (5.10.1 of SoEE). The development is located within the area covered by the Water Sharing Plan for the Gwydir Unregulated and Alluvial Water Sources 2020 (WSP). However, the site 'does not contain, nor is it in close proximity, to any classified watercourses and as such riparian corridors are not impacted as part of the development' is also agreed with and raises no concerns in this issue

Transport Issues – The 20-week construction period will attract the most vehicles to the site, but due to the number of vehicle trips expected and the direct access obtained via Gwydir Highway, no adverse traffic issues are expected.

Ample parking is available both onsite and offsite for workers during the construction phase and during the operational phase with a maximum of 2 electrical subcontractors expected at any one time for componentry maintenance.

Chapter 10 - Notification Policy

The DA was publicly notified in accordance with Council policy for a period of 14 days commencing 12 March 2025 and closing 28 March 2025. The notification included letters to property owners/occupiers.

Council received no submissions in support and no submissions in objection to the proposed development.

Developer Contributions

Development Contributions have been dealt with under a Voluntary Planning Agreement entered into between Hiringa Sundown(GEGHA) Project Co Pty Ltd, Moree Plains Shire Council and Minister for Planning and Public Spaces.

(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

A Voluntary Planning Agreement (VPA) has been entered into between Hiringa Sundown(GEGHA) Project Co Pty Ltd, Moree Plains Shire Council and Minister for Planning and Public Spaces, for the project being a State Significant Development for a Hydrogen,

Ammonia and BOP and the Solar Farm, being this development. The VPA sets out the calculation and payment of contributions for these developments.

(e) Section 4.15(1)(a)(iv) - Provisions of Regulations

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters being relevant to the proposal:

- The proposal is able to satisfy either the deemed-to-satisfy provisions and/or the performance requirements of the National Construction Code (NCC).

Section 62 (consideration of fire safety) and Section 64 (consent authority may require upgrade of buildings) of the 2021 EP&A Regulation are not relevant to the proposal.

These provisions of the 2021 EP&A Regulation have been considered and are addressed in the recommended draft conditions (where necessary).

3.2 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The proposal is considered to be generally consistent with the context of the site, in that the proposed solar farm and ancillary structures (BESS and MVPS) will enable the generation of ‘eco-friendly’ electricity and potentially provide reliable, sustainable energy to the local area and region. In a regional context, solar farms are an increasing feature in rural NSW as Local Government bodies and private enterprise.

The site is level as a result of the prevailing topography and its former use for agriculture, the solar panel arrays (with a maximum, operational height of 1.4m), BESS modules being 2.5m in height, should not impact the scenic qualities of the area as the site is located within a flood levee, providing screening from passersby.

- Access and traffic – Access to the site is achieved via an existing classified road; being the Gwydir Highway. The construction of the proposed development is programmed for an estimated period of 5-6 months, although the majority of construction activity is likely to occur within the first 3-4 month period.

The development is scheduled during a period of reduced activity along Gwydir Highway so that heavy vehicles associated with construction, deliveries across the construction period to be as follows:

It is anticipated that the construction workforce will see up to thirty three (33) employees on site at the peak of construction, with an average workforce around 20 full-time employees over the 5-6 month period.

Once completed the Solar Farm will be largely autonomous with up to two contractors tasked with ongoing maintenance.

One (1) dedicated car parking space is proposed for the operational phase of the Solar Farm, but ample informal parking space and hard standing area are available to cater for fluctuations in workers during the construction phase.

It is considered that traffic associated with the construction of the solar farm and ongoing operation will not create any excessive adverse impacts on the site and surrounding road network.

- Public Domain – The public domain, being Gwydir Highway will not be unduly impacted by the solar farm as the flat topography, and screening provided by the flood levee will largely obscure the panel arrays and associated structures (BESS system) which will only achieve heights of no more than 1.4m for the solar panels, and 2.5m for the BESS system.
- Heritage – The site does not contain any heritage item nor is located within the Moree Heritage conservation area. The site is not known to contain any State heritage item nor are there any significant impacts on Indigenous and European heritage values.
- Other land resources – The solar farm is unlikely to have any impact on the local water catchment as few hard surface areas are proposed, and the flat nature of the site results in no concentrated flow paths being identified. The surrounding irrigation channels appear to collect most of the concentrated flow in and around the site with the minor runoff from the solar panels and gravel access road being catered for by roadside swales.
- The proponent has designated approximately 31.5 ha of land from direct agricultural use. The solar farm could be considered a diversification in primary industry activities as it could potentially provide renewable energy for this area. The solar panel arrays and plant could be removed and the land remediated in the future and the land reverted to cropping.
- Water/air/soil impacts – The solar farm would not contaminate the surroundings in the normal operation of the facility, with the only possible scenario being a chemical leakage from a fire in the BESS plant, however this would be contained within the fire rated modules. The RFS has been consulted and appropriate conditions recommended to mitigate this unlikely event during a bushfire.
- Flora and fauna impacts – The facility is located on existing, cleared cropping land with little impact on vegetation. The report provided by the applicant prepared by Waratah Ecology indicates little impact on the local flora and fauna and with the site being located outside primary and secondary Koala habitat zones, the proposal will result in insignificant impacts in that regard.
- No other species of flora or fauna are expected to be impacted. The solar farm is to be secured behind a 1.8m chain link fence which would generally prevent most wildlife entering the facility.

- Natural environment – No significant changes are proposed to the natural contours of the site which is characterised by a flat topography.
- Noise and vibration –

Construction Phase - The SoEE confirms that during construction, the highest predicted noise emissions will result from intermittent use of a compactor and front-end loader. Acoustic modelling indicates that noise levels at the nearest sensitive receptor—located approximately 950 m south of the site—are expected to reach a maximum of 42 dB(A) during daytime and 30 dB(A) during night-time periods, both of which remain below the applicable thresholds under the NSW Noise Policy for Industry (NPI). The applicant notes that use of this equipment will be limited in duration and frequency, and that construction activities will be confined to standard working hours, thereby ensuring no lasting impact on the acoustic amenity of the surrounding area.

Operational phase – During operation, the solar farm’s infrastructure—including photovoltaic panels, inverters, and the battery energy storage system (BESS)—is expected to generate low-level ambient noise. The SoEE estimates sound levels at the nearest receptor to be approximately 15 dB(A), which is well below the established background noise levels of 35 dB(A) during daytime and 30 dB(A) during evening and night-time periods. As such, the ongoing operation of the facility is not anticipated to result in any adverse acoustic impacts, and no additional mitigation measures are required..

Table 5:Rating Background Noise Levels (Rural Residential within RU1 Zoning)

Period	RBL dB(A)
Day	40
Evening	35
Night	30

Note: Day is defined as the period from 7am to 6pm (Monday to Saturday) and 8am to 6pm (Sundays and public holidays). Evening is defined as the period from 6pm to 10pm. Night is defined as the period from 10pm to 7am (Monday to Saturday), and 10pm to 8am (Sundays and public holidays).

- Glint and Glare:- Whilst solar panels are specifically designed to absorb sunlight and not reflect it, (reflecting less than 2% as a general rule) glint and glare can on occasion present issues to adjoining land. In this regard the proposed solar panel arrays are:-
 - More than 30km from Moree airport;
 - Located on flat land;
 - Generally obscured from view from the Gwydir Highway by the existing flood levee.
- Natural hazards –

Flooding - In accordance with the Gwydir Floodplain Management Plan (FMP), gazetted in 2016, the site is mapped within Management Zone C (MZC). Pursuant to Table 5 of the Rural Floodplain Management Plans: technical manual for plans developed under the Water Management Act 2000, areas mapped as MZC are enclosed by approved flood works if they are not overtopped during large floods.

Bushfire – The development has been referred to the NSW RFS who has made a number of recommendations including the provision of a Fire Management Plan (FMP), Asset Protection Zones (APZ) and Landscaping provisions. It is considered this potential hazard has been adequately addressed by the proposal with a condition to be included in the draft consent.

- Safety, security and crime prevention – A chain-link security fence is proposed to be provided to the site's perimeter, being 1.8m in height as well as the flood levee which provides screening. The fence will be fixed by engineered embedded concrete foundations to restrict unauthorised access.

In addition to physical barriers, the site will be remotely monitored via CCTV and a central control centre, ensuring continuous oversight of system performance and site security. Should any irregularities or potential breaches be detected, the control centre will initiate a response protocol by deploying a local solar farm contractor or security officer to attend the site and resolve the issue. This layered approach to security—combining passive infrastructure with active remote surveillance and rapid response—ensures the development maintains a secure operating environment throughout its lifecycle.

- Social impact – No social impacts are expected to occur as a result of the solar farm development. The relatively short duration of the construction phase and minimal requirement for staff in the ongoing operation of the facility will create no long term housing issues.

With regard to community safety, a catastrophic failure of the BESS system would appear the only scenario that could affect the wider community. The NSW RFS has recommended conditions which would mitigate this unlikely scenario.

- Economic impact – The construction phase of the development, may generate some temporary local employment however this phase is relatively short lived at between 4 and five months. The SoEE states that 1-2 local subcontractors will likely be employed for 'general care and maintenance of the site' as the facility is generally autonomous.

The main economic benefit to the local communities of Moree is likely to result during the construction phase from patronage of accommodation, food and retail establishments, as well as the contributions payable to Council for community facilities, as set out in the VPA.

- Site design and internal design – The development is located close to Essential Energy infrastructure, furthermore, the proposal is within close proximity to the Newell Highway should emergency services be required.
- Construction – The proposal is located approximately 30 km from the Moree township; with surrounding residential dwellings situated approximately 950 metres away from the site. This separation and proposed time of work should effectively mitigate any minor noise impacts. Sediment control measures have been included on the conditions of consent.
- Cumulative impacts – It is not considered the proposal will result in any adverse cumulative impacts. Construction has been programmed in such a way as to minimise any impact on neighbours. Once the facility is complete, it will largely be an autonomous development with minimal usage.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.3 Section 4.15(1)(c) - Suitability of the site

It is considered the proposal is well suited to the site and locality as it is situated near existing Essential Energy infrastructure. The site is adjacent to the Gwydir Highway and is a sufficient distance from the township of Moree as to not constitute undue noise impacts during construction, and certainly not during operation.

Proximity to an existing electricity generating works facility (Wathagar Solar Farm) and agricultural produce industry (Wathagar Cotton Gin) also provides a level of passive surveillance during much of the year although the facility will be fenced off and secured.

The site is approximately 30km to Moree or less than a 30min drive which is a reasonable distance for workers during the construction phase and also maintenance technicians to attend the site during ongoing operation of the solar farm.

The facility is to be sited on cleared, level ground (formerly cropping land) and so only minor earthworks are proposed to prepare the site for its intended use. Flooding and bushfire hazards are relatively minor and have been addressed in the applicant's consultant reports and in the recommended draft conditions.

There are no adjoining land uses which would impact the proposal and the proposed development would not impact the adjoining agricultural land to any significant degree.

3.4 Section 4.15(1)(d) - Public Submissions

There are no submissions to be considered, as discussed in Section 5 of this report.

3.5 Section 4.15(1)(e) - Public interest

It is considered the proposal for a solar farm is in the public interest as:-

- The proposal will provide another source of renewable energy to cater for the needs of local residents and those living within the region;
- The proposal will provide renewable surplus energy to the State grid, which will reduce the requirement for reliance on existing fossil fuel fired power stations and is therefore in the wider public interest;
- The proposal is consistent with planning controls of the Moree Plains LEP and DCP;
- The proposal will not have any adverse environmental impacts in the normal course of operations;
- The proposal is a sufficient distance from the nearest settlement that if a fire occurred at the BESS plant impacts could be mitigated;
- The proposal will provide some economic benefit to the local community during the construction phase and up to two (2) permanent local jobs during operation and lifespan;

- As mentioned, the development will provide additional capacity to the State grid via transfer of surplus electricity production which is consistent with the principles of ecologically sustainable development and mitigating climate change.

In view of the above, on balance, it is considered that the proposal is consistent with the local and wider public interest.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EPA Act and outlined below in **Table 5**.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
N/A			N/A
Referral/Consultation Agencies			
RFS	S4.14 – EP&A Act Development on bushfire prone land	On 20 March 2025, the NSW Rural Fire Service responded to Council's referral. No objection was raised to the development however four (4) conditions were provided to be included as a condition of any consent. <i>General Conditions</i> 1. <i>Fire Management Plan (FMP) shall be prepared/updated for the proposed development and provided to the local NSW RFS District Office for comment. Any comment from the District Office shall be adopted into the FMP.</i>	Yes

		2. <i>The entire solar array and electricity storage footprint shall be managed as an asset protection zone as outlined within Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW RFS document Standards for asset protection zones.</i> 3. <i>To allow for emergency service personnel to undertake property protection activities, a 10-metre-wide defendable space (incorporating a minimum 4-metre-wide trafficable area) managed as an asset protection zone shall be provided around the outside perimeter of the solar array and associated infrastructure.</i> 4. <i>Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019.</i>	
Electricity supply authority	Section 2.48 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Development near electrical infrastructure	On 6 March 2025, Essential Energy reviewed the proposal and raised no objections to the development. General recommendations were provided that could be incorporated as conditions in any granted consent.	Yes
Transport for NSW	Section 2.122 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Development that is deemed to be traffic generating development in Schedule 3.	The proposed solar farm ('solar energy system') is not specifically defined in Schedule 3 of Traffic-generating development and as such would be classified as 'Any other purpose' which requires referral to TfNSW if it involves a development that generates '50 or more motor vehicles per hour' in the case of it having 'access to classified road or to road that connects to classified road (if access within 90m of connection,	Yes

		measured along alignment of connecting road)'. TfNSW, following additional information submitted has no objection to the proposed development as submitted.	
Integrated Development (S 4.46 of the EP&A Act)			
N/A			N/A

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Engineering Officer reviewed the submitted stormwater concept plan and considered that there were no objections subject to conditions.	Yes
Traffic	No objections raised. Standard conditions to be applied	Yes
Building	No objections raised. Standard conditions to be applied	Yes
Health	No objections raised	Yes
Waste	No objections raised	Yes
Public Domain/ Assets	N/A	N/A
Heritage	No objections raised. Standard conditions to be applied in the event of the discovery of artifacts during construction phase	Yes

The outstanding issues raised by Northern Regional Planning Panel are considered in the Key Issues section of this report.

4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 12 March 2025 until 28 March 2025. The notification included the following:

- An advertisement in the local newspaper [Moree Champion] ;
- Notification letters sent to adjoining and adjacent properties (24 letters sent);
- Notification on the Council's website.

Council received no submissions in support and no submissions in objection to the proposed

development.

5. KEY ISSUES

NORTHERN REGIONAL PLANNING PANEL – Briefing – 23 April 2025

The briefing report to the panel raised the issues of:-

- Traffic
- Permissibility
- Environmental impact.

In accordance with Schedule 3 of the State Environmental Planning Policy (SEPP), the proposal met the threshold for classification as a Traffic Generating Development and was therefore referred to Transport for NSW (TfNSW) for comment. TfNSW has reviewed the application but has not finalised its concurrence on traffic matters or transport grounds.

With regards to permissibility the proposal is permissible on the basis that it is *‘Any other development not specified in item 2 or 4’ which is found at the end of the list of uses in Schedule 3 – ‘Permitted with consent’ pursuant to the LEP Land Use Table. Accordingly, the proposal is permitted with consent in the RU1 Primary Production zone under the LEP.*

In addition to the above, clause 2.36(9) of *State Environmental Planning Policy Transport and Infrastructure) 2021* (SEPP Transport and Infrastructure) states that ‘development for the purpose of a solar energy system may be carried out by any person with consent on any land.’

In relation to environmental impacts, these were considered minor and are capable of being mitigated with appropriate conditions.

Following consideration of the ‘Briefing Report’ and discussion, the following issues were raised as being ‘Key Issues’ in the ‘Record of Briefing’ produced at the Northern Regional Planning Panels meeting. Comments will be applied to each issue to show how each has been resolved.

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

KEY ISSUES

1. Traffic and access –
 - Existing primary access and secondary access (bushfire management)
 - Transport for NSW request for further information noted, with Council querying the required level of detail given the requirements of the existing solar development on the site (and potential overlapping with proposed state significant development proposal for the Ammonia and Green Hydrogen Production facility on the site). TfNSW, following being provided with additional information has no objections to the proposed development.
2. Proposed change of land ownership proposed
 - Requirement for landowner’s consent at time of determination.
3. Flooding
 - Existing Flood Levee, Constructed at 1 In 100 Year Flood Event

4. Visual impact from the highway
 - No supplementary landscaping proposed as the levee provides screening from highway and adjoining lands.
5. 2 lot subdivision approved by Council (awaiting registration), separating the existing and proposed solar farm from the cotton gin.
 - The subdivision has now been registered.
6. Bushfire
 - APZ proposed and requirement for APZs to be located within site.
 - RFS' recommended conditions have been included in the draft conditions of consent.
7. Minimal stormwater runoff noted
8. Decommissioning outlined in submitted documentation and conditioned.
9. NSW Rural Fire Service to comment on proposed Fire Management Plan. A condition of consent has been included, as per RFS recommendations, requiring the Fire Management Plan to be updated and referred back to them.
10. No submissions

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, and the key issues identified in this report, it is considered that the application can be supported.

The key issues for the development are:-

- Managing the hazard of fire associated with the BESS system;
- Ensuring the development is decommissioned in a safe fashion at its 'end of life' to prevent contamination by chemicals from the BESS system;
- Ensuring no traffic impacts arise as a result of the construction phases of the development;

The proposed solar farm, situated next to the existing Essential Energy infrastructure, and an existing Solar Farm, is anticipated to supply renewable energy to local and regional consumers. Given the lack of significant constraints, this proposal is deemed suitable for the site and compatible with the locality.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Appendix A**.

7. RECOMMENDATION

That the Development Application DA2024/6, for Construction of a 27MW solar farm, ancillary battery storage and associated plant, fencing and landscaping. At 2912 Gwydir Highway

Moree be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Appendix A.

The following Appendices are provided:

- Appendix A: **Draft Conditions of consent**
- Appendix B: **Statement of Environmental Effects** (*by SMK Consultants, dated 07/05/2025, Ref no. 24-277 Rev 3*)
- Appendix C – **Site Plan (whole site extent)** (*by SMK Consults, Ref No. 24-277, Revision E dated 23/05/2025*)
- Appendix D – **Site Plan** – *by Kinelli Pty Ltd, Revision G, dated 25/09/2025*
- Appendix E – **Cross-Section of Solar Array & Solar Farm** (*by SMK Consultants Pty Ltd, revision A, dated 27/05/2025*)
- Appendix F – **Fire Management Plan** (*by SMK Consultants Pty Ltd, ref No. 24-277, dated 25/5/2025*)
- Appendix G – **Traffic Impact Assessment** (*by Amber, dated May 2025 (Revision B)- ref no. 745 rep 02 250509 final*)
- Appendix H – **Preliminary Waste, Resource and Energy Management Plan** (*by SMK Consultants Pty Ltd, dated May 2025*)
- Appendix I – **Vegetation Management Plan** (*by SMK Consultants Pty Ltd, dated 21/05/2025*)