

COUNCIL ASSESSMENT REPORT

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-512 – DA10.2026.13.1
PROPOSAL	Electricity Generation Works - Establishment of a 4.99MW Solar PV with Associated Infrastructure (Battery Energy Storage System)
ADDRESS	Lot 169, DP 751018, 1415 Bundella Road Quirindi NSW 2343 Lot B, DP 938668, 1553 Bundella Road Quirindi NSW 2343
APPLICANT	EDPR Australia Pty Ltd
OWNER	Mr J and Mrs L Wilmott
DA LODGEMENT DATE	7 April 2026
APPLICATION TYPE	Development Application (Local Development)
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 5 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as it has a capital investment value (CIV) of more than \$5 million, is private infrastructure and constitutes electricity generating works.
CIV	\$ 9,572,475.78 (including GST)
CLAUSE 4.6 REQUESTS	Not Applicable
KEY SEPP/LEP	• <i>Environmental Planning and Assessment Regulation 2021</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Primary Production) 2021</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>Liverpool Plains Local Environmental Plan 2011</i> • <i>Liverpool Plains Development Control Plan 2012</i>
AGENCY REFERRALS	• NSW Rural Fire Service - <i>Rural Fires Act 1997</i> • Essential Energy - <i>Environmental Planning and Assessment Regulation 2021</i> and s2.48 of <i>SEPP (Transport and Infrastructure) 2021</i> • Air Services Australia - <i>State Environmental Planning Policy (Transport and Infrastructure) 2021: Chapter 2</i>

TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	The exhibition period commenced on Wednesday, 29 April 2026 and concluded on Wednesday, 13 May 2026. However, this period was extended by an additional week to Wednesday, 20 May 2026, in response to requests from several landholders seeking additional time to prepare and lodge submissions. A total of forty (40) submissions were received, comprising nineteen (19) unique submissions, all of which objected to the proposed development. The key issues raised in these submissions are outlined below: • Agricultural value and land use compatibility • Fire Hazard and Safety Risks • Road safety, traffic, parking and access • Post-project decommissioning and rehabilitation • Visual impacts • Aviation impacts • Flooding, stormwater and water resources • Biodiversity and ecological impacts • Electromagnetic fields (EMF), health and radiation impacts • Biosecurity, weeds and pest management • Impact on property values • Community consultation and public notification • Residential amenity and setbacks
DOCUMENTS SUBMITTED FOR CONSIDERATION	The application comprises the following documents: • Plans prepared by edp renewables comprising: ◦ G-0100 Cover Page - Revision 10 ◦ G-0200 Location / Site Plan - Revision 10 ◦ G-0300 General Arrangement - Revision 11 ◦ G-2200 Site Elevations - Revision 4 ◦ C-4300 Inverter Footing Station - Revision 1 ◦ C-5300 Fencing Details - Revision 1 ◦ C-5301 Gate Details - Revision 1 ◦ C-6300 Access Path Details - Revision 2 ◦ C-6301 Landscape Details - Revision 4 ◦ E-3400 Tracker and Array Details - Revision 1 ◦ E-4300 Inverter Station Details - Revision 1 ◦ E-5300 BESS Station Details - Revision 1 ◦ E-5310 DC-DC Converter Skid Details - Revision 1 • Statement of Environmental Effects Report (Revision C), prepared by Zenith Town Planning, 14 August 2026 • Biodiversity Inspection Report (Revision 2), prepared by Red-Gum Environmental Consulting, 20 March 2026 • Development Application Drawing Pack, prepared by edp Renewables, Revision Date 10 August 2026 • Visual Impact Assessment, prepared by Zenith Town Planning, 18 March 2026 • Water Assessment, prepared by edp Renewables, 12 November 2025 • Glint and Glare Study (Revision 3), prepared by itp Renewables, 18 August 2026

	• Glare Analysis, prepared by Forge Solar, 24 September 2025 • Fire and Hazard Assessment (Revision 3), prepared by edp Renewables, 11 March 2026 • Waste and Decommissioning Assessment, prepared by edp Renewables (Revision 3), 12 June 2026 • Noise Assessment, prepared by Muller Acoustic Consulting, 20 March 2026 • Traffic And Parking Impact Statement, prepared by McLaren, 24 March 2026 • Preliminary Biosecurity Management Plan, prepared by edp Renewables, 29 May 2026 • Preliminary Groundcover Management Plan, prepared by edp Renewables, 29 May 2026 • Land Use Conflict Risk Assessment (Revision A), prepared by zenith Town Planning, 14 August 2026
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	Not Applicable
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	15 September 2026
PLAN VERSION	31 August 2026 Version No 1
PREPARED BY	Nathan Bartlett, Town Planner
DATE OF REPORT	31 August 2026

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Acronyms, Figures and Tables

Acronyms

EP&A Act 1979	Environmental Planning and Assessment Act 1979
LGA	Local Government Area
SoEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
ASA	Air Services Australia
BCA	Building Code Australia
BOS	Biodiversity Offset Scheme
BIR	Biodiversity Inspection Report
WAR	Water Assessment Report
EPA	NSW Environmental Protection Authority
ESD	Ecologically Sustainable Development
LPDCP 2012	Liverpool Plains Development Control Plan 2012
VIA	Visual Impact Assessment
LPLEP 2011	Liverpool Plains Local Environmental Plan 2011
NRPP	Northern Regional Planning Panel
NSW RFS	New South Wales Rural Fire Service
The Regulation	Environmental Planning and Assessment Regulation 2021
TIA	Traffic Impact Assessment
BDAR	Biodiversity Development Assessment Report
LPSC	Liverpool Plains Shire Council
DPI	Department of Primary Industries - Agriculture
DPE - Water	Department of Planning and Environment - Water
EPBC Act 1999	Environment Protection and Biodiversity Conservation Act 1999

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1. EXECUTIVE SUMMARY

This report considers Development Application DA13/2026, which seeks development consent for the establishment of a 4.99 MW solar electricity generation facility (*electricity generating works*) and associated infrastructure on Lot 169, DP 751018 and Lot B, DP 938668, known as 1415 and 1553 Bundella Road, Quirindi (the site). The proposed development has been assessed against the relevant requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is located approximately 19.8 kilometres north-east of Quirindi within a predominantly rural and agricultural landscape. The nearest dwelling is located approximately 270 metres east of the proposed development area. The site is not identified as being flood-prone and does not contain any known heritage items. However, the land is identified as bush fire prone on the NSW Rural Fire Service Bush Fire Prone Land Map. The proposed solar farm would occupy approximately 11.63 hectares within the security fenced area. An isolated patch of native trees is located in the north-eastern corner of the site, with the remainder comprising improved grazing land that has been subject to historical agricultural activities.

The application is required to be determined by the Northern Regional Planning Panel (NRPP) as regionally significant development pursuant to Section 2.19(1) of the EP&A Act and Clause 5 of Schedule 6 of the *State Environmental Planning Policy (Planning Systems) 2021*. The development has a Capital Investment Value (CIV) of \$9,572,475.78 and comprises private infrastructure for the purpose of electricity generating works.

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (SEPP (T&I) 2021) defines *electricity generating works* as a building or place used for making or generating electricity and electricity storage. The proposal is not considered to be a *solar energy system*, as that term generally relates to photovoltaic systems supplying electricity to a land use on the same or adjoining parcel of land. In this instance, the proposal is intended to export electricity to the wider electricity network and therefore falls within the definition of *electricity generating works*.

While the site is zoned *RU1 Primary Production* (RU1) under the *Liverpool Plains Local Environmental Plan 2011* (LPLEP 2011) and electricity generating works are otherwise prohibited within the zone, the development is permissible with consent pursuant to Section 2.36(1)(b) of SEPP (T&I) 2021, which permits electricity generating works on land within prescribed zones, including RU1 Primary Production.

The application is not integrated development under Section 4.46 of the EP&A Act 1979. Referrals were undertaken to Essential Energy, the NSW Rural Fire Service (NSW RFS), the Department of Primary Industries and Regional Development (DPIRD), and Civil Aviation Safety Authority (CASA). In response there were no objections raised, and recommended conditions have been incorporated where appropriate.

Jurisdictional prerequisites relevant to the granting of consent have been satisfied, including:

- Section 4.14 of the EP&A Act in relation to development on bush fire prone land;
- Section 2.48(2) of SEPP (T&I) 2021 relating to development adjacent to electricity infrastructure;
- Section 4.6 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* relating to contaminated land; and
- Clause 7.4 (Essential Services) of the LPLEP 2011.

The application was publicly exhibited between 29 April 2026 and 20 May 2026 through neighbour notification and publication on Council's website. Council received forty (40) submissions, comprising nineteen (19) unique submissions. The issues raised generally related to visual impacts, landscape character, vegetation screening, fire risk, traffic and road safety, environmental impacts, property values, glare and reflection, biodiversity, water quality, radiation and toxicity, and decommissioning of the facility.

The principal matters considered during the assessment included visual impacts, land use compatibility, loss of agricultural land, traffic and road safety, biodiversity impacts, fire risk, glare and reflectivity, water management, property values, community benefit, and site decommissioning.

These matters have been comprehensively assessed and, where necessary, appropriate mitigation measures and conditions of consent have been recommended.

The applicant provided additional information during the assessment process to address issues raised by submitters and referral authorities. A draft Notice of Determination was also provided to the applicant prior to the completion of this report.

This report evaluates the proposal against the relevant matters for consideration under Section 4.15 of the EP&A Act, the Environmental Planning and Assessment Regulation 2021, applicable State Environmental Planning Policies, the LPLEP 2011 and the *Liverpool Plains Development Control Plan 2012* (LPDCP 2012).

Accordingly, the proposed development is considered suitable for the site, compatible with the surrounding rural locality, and in the public interest. Subject to the recommended conditions of consent contained in **Attachment A**, the development is unlikely to result in significant adverse environmental, social or economic impacts. Having regard to the matters for consideration under Section 4.15(1) of the EP&A Act 1979, approval of Development Application DA13/2026 is therefore recommended.

2. THE SITE AND LOCALITY

2.1 The Site

The subject land comprises Lot 169 DP 751018 (1415 Bundella Road, Quirindi) and Lot B DP 938668 (1553 Bundella Road, Quirindi), located on the southern side of Bundella Road. The combined site area is approximately 71.1 hectares (refer to Figure 1). The land is zoned *RU1 Primary Production* (RU1) under the provisions of the *Liverpool Plains Local Environmental Plan 2011* (LPLEP 2011).

The site is not connected to reticulated sewer, water, electricity or telecommunications services. However, the proposed solar farm is capable of being adequately serviced through on-site infrastructure and utility arrangements, with grid connection and ancillary service requirements to be addressed as part of the detailed design and approval process.

The subject land is currently vacant and comprises two irregularly shaped allotments with generally flat topography. Access to the site is provided via an existing gravel driveway from Bundella Road, a sealed public road. The site is characterised by a modified rural landscape containing grassland, scattered trees and areas historically utilised for agricultural activities, including cultivation and grazing. The predominantly cleared and disturbed nature of the land makes it suitable for the proposed renewable energy development.

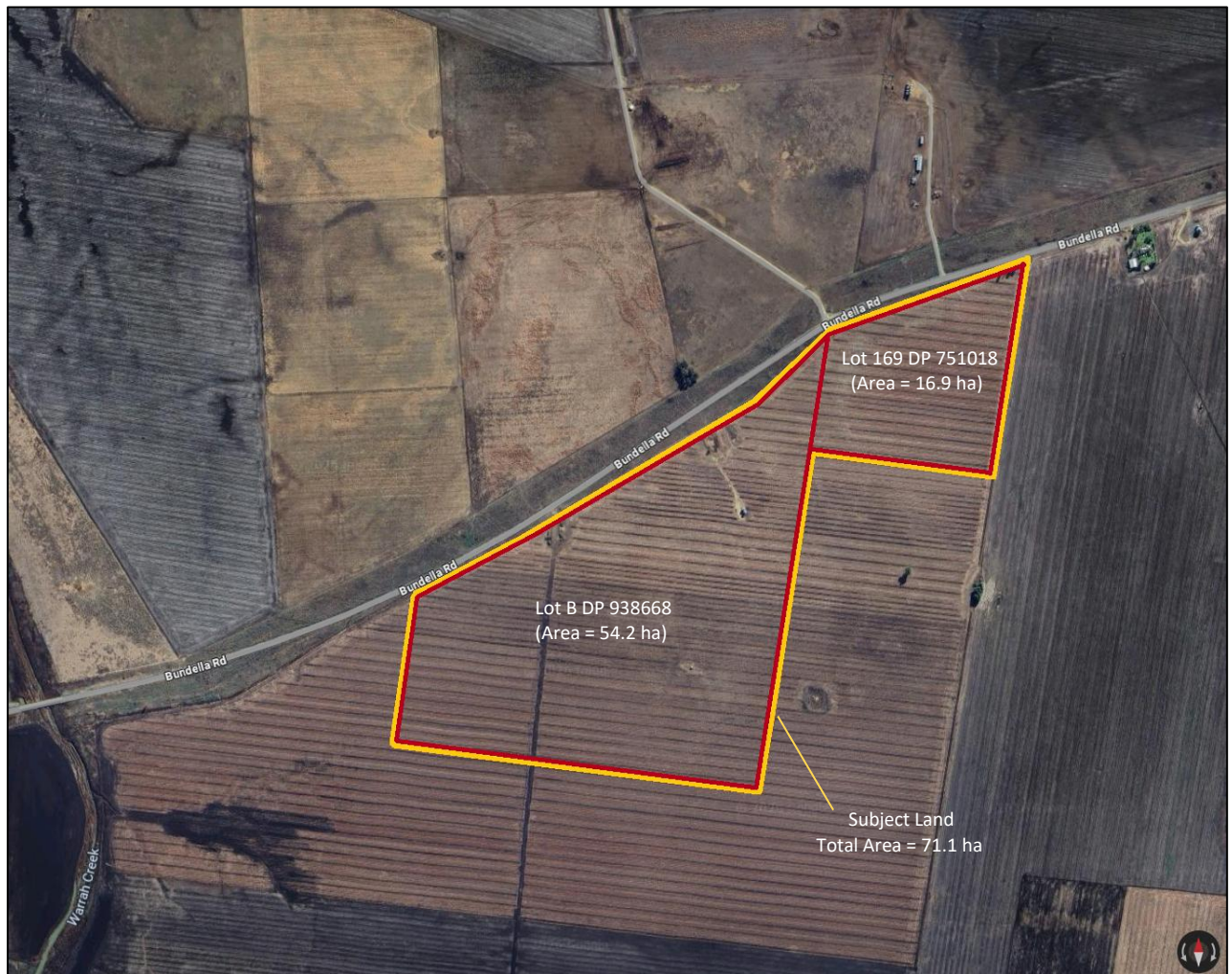


Figure 1: Aerial Image of the Subject Lands, Lot 169, DP 751018 and Lot B, DP 938668

2.2 The Locality

The subject land is located approximately 21 kilometres northwest of the Quirindi town centre. The Quirindi Airport is situated approximately 4 kilometres to the southeast of the site. Land surrounding the site to the north, east, south and west is zoned *RU1 - Primary Production* and is predominantly used for rural and primary production activities. A residential dwelling is located approximately 230 metres east of the western boundary of Lot 169, DP 751018. A zoning map of the site is provided in Figure 2, which confirms the zoning applicable to the subject land.

The site contains minimal vegetation and is not identified as being subject to flooding (refer Figure 3), nor does it contain any items of heritage significance. However, the subject land is identified as bushfire prone according to the New South Wales Rural Fire Service (NSW RFS) Bushfire Prone Land Map (refer Figure 4).

A Crown road adjoins the northern boundary of the site, as shown in Figure 5. Photographs of the subject site and surrounding locality are provided in **Attachment B**.

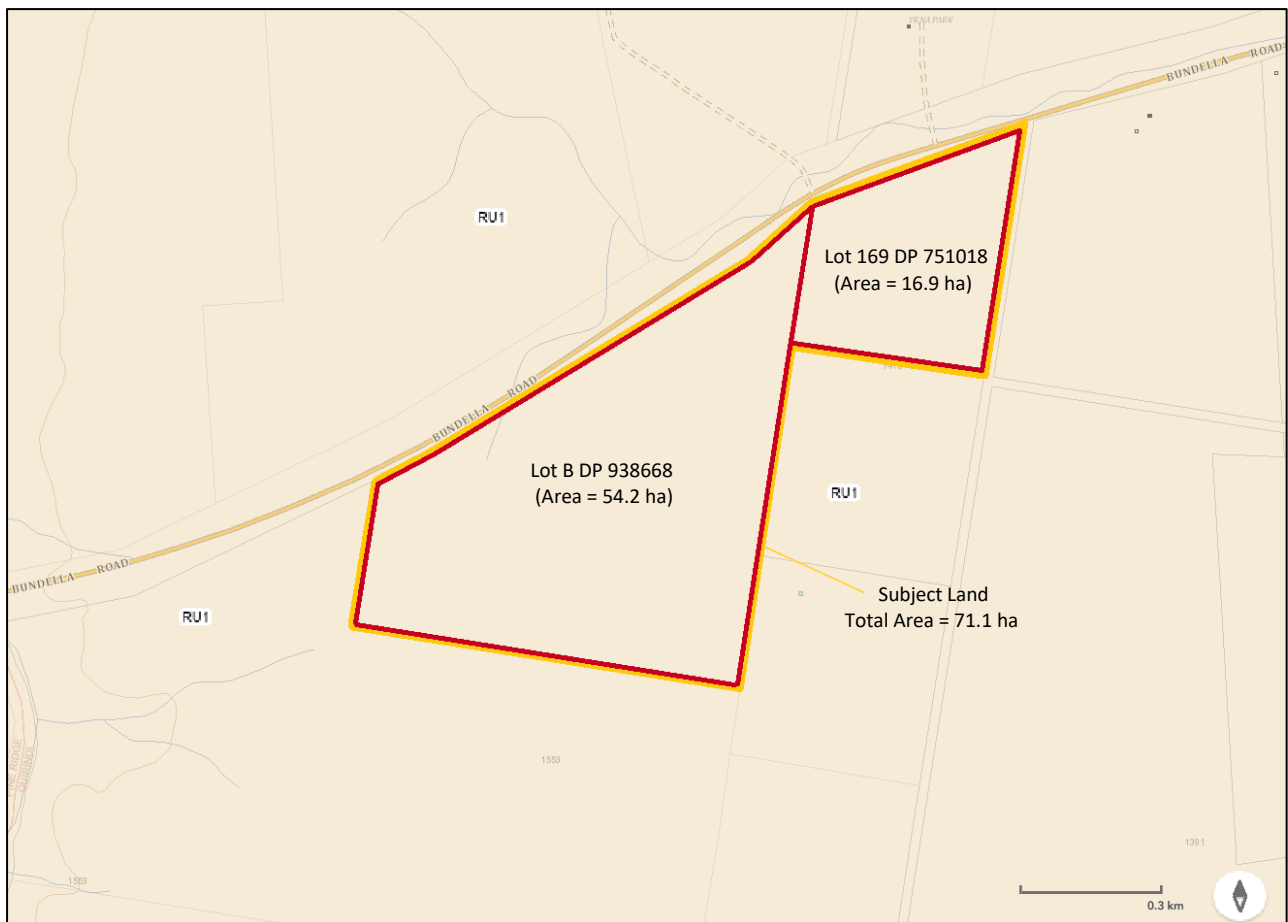


Figure 2: Zoning Map of the Subject Land, Lot 169, DP 751018 and Lot B, DP 938668

The subject site is not identified as a Flood Planning Area on the Flood Planning Map under the LPLEP 2011. A flood study prepared for Liverpool Plains Shire Council (LPSC) has determined that the floodplain located between Quirindi Creek and Jacob and Joseph Creek would be inundated during a 1% Annual Exceedance Probability (AEP) event (formerly referred to as a 1-in-100-year ARI flood event).

The subject site is located approximately 16.8 kilometres from the nearest section of Jacob and Joseph Creek and more than 1.9 kilometres from the nearest minor tributary of Warrah Creek. Consequently, the site is not considered to be at risk from major flood events. However, there is potential for localised minor inundation associated with drainage lines traversing the site, with overland flow paths generally directed towards the north-west.



Figure 3: Flood Mapping - Liverpool Plains Shire Council

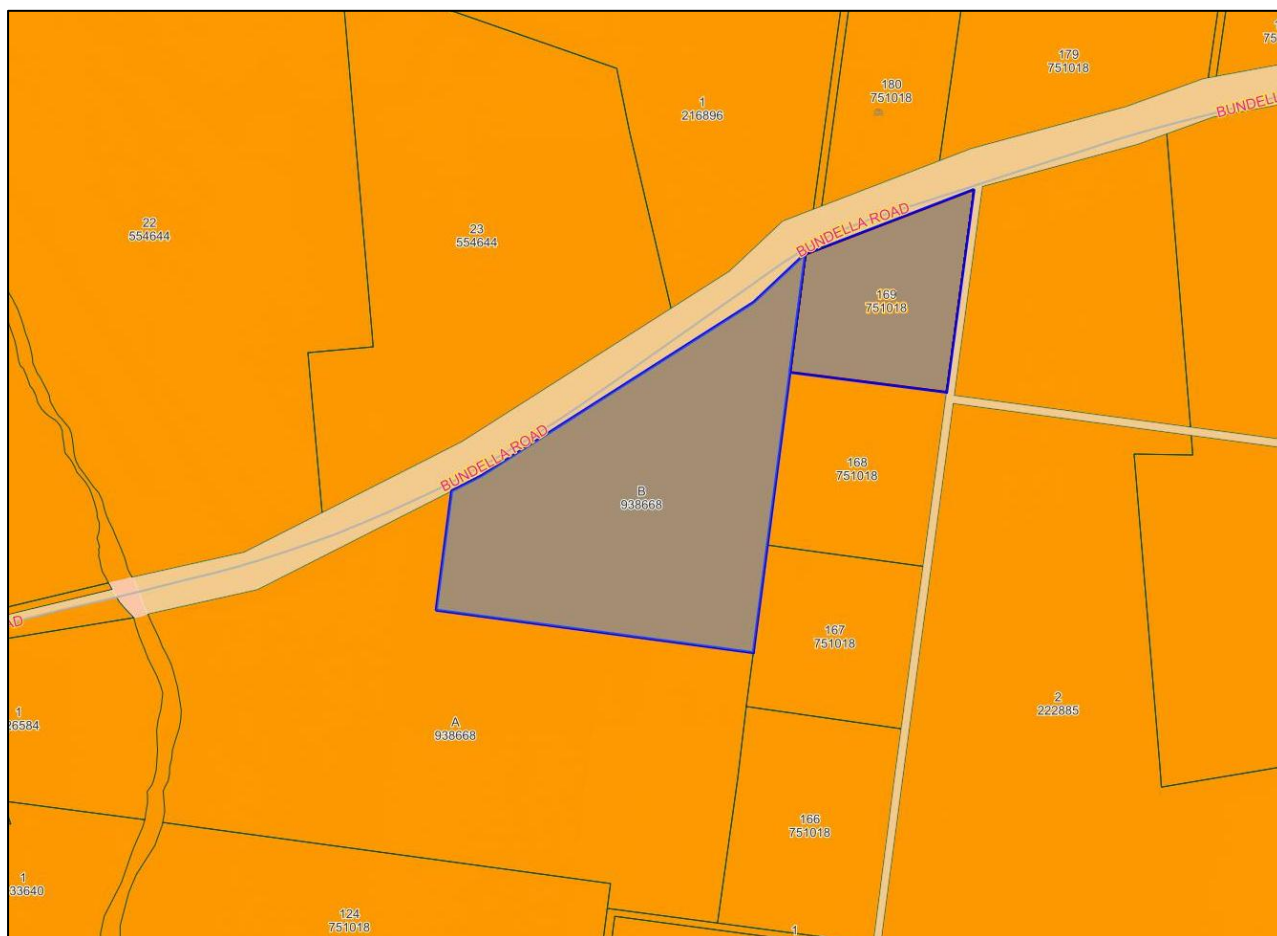


Figure 4: NSW RFS Bushfire Mapping - Vegetation Category 3 (Moderate)

2.3 Proposed Access

Access to and from the subject land is gained from the southern side on Bundella Road, which is a sealed public road (refer Figure 5). The solar farm array will be accessed from the frontage of Lot 169, DP 751018, at its north-western corner. From this point, a 3-metre-wide internal access track will be constructed, extending east along the northern boundary to approximately the midpoint of the array, before turning south toward the central portion of the development.

Bundella Road is identified as a Crown road; however, this classification does not affect the legality or functionality of the existing access point that will service Lot 169, DP 751018 (refer Figure 6).

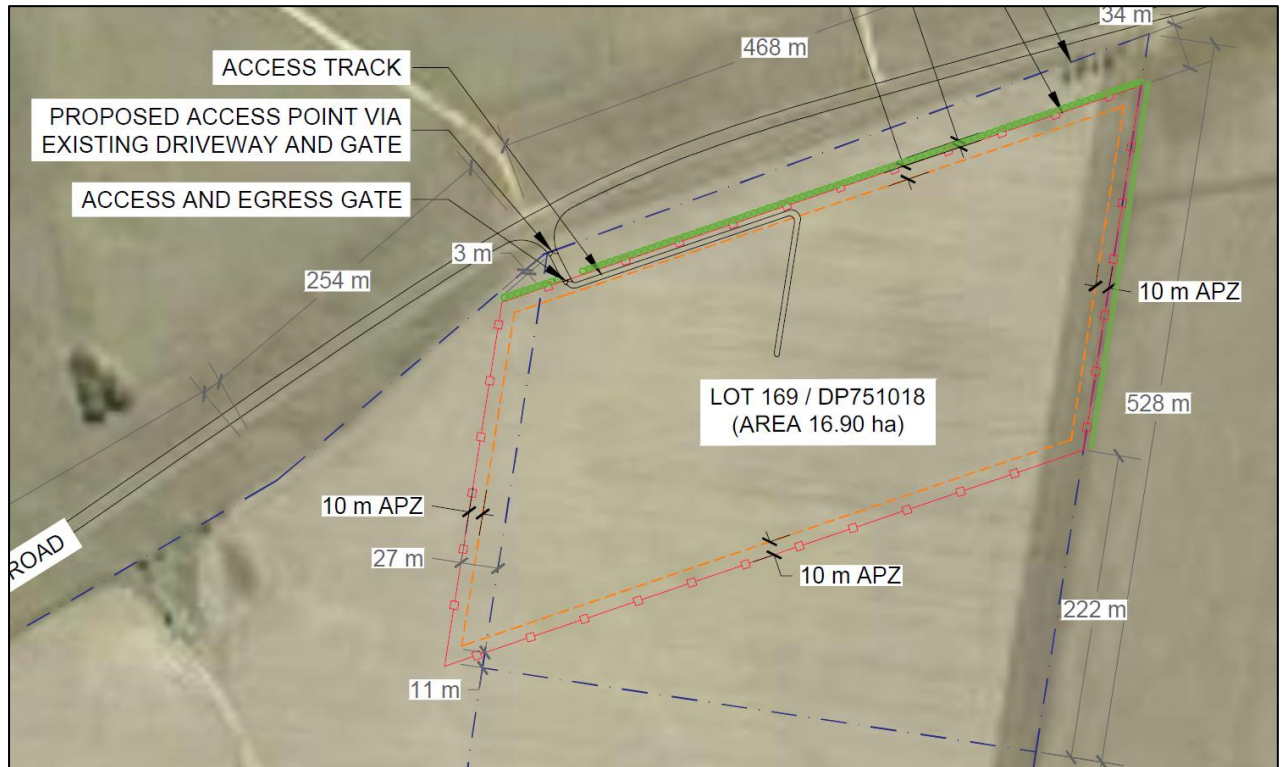


Figure 5: Aerial showing proposed access to the subject site from Bundella Road

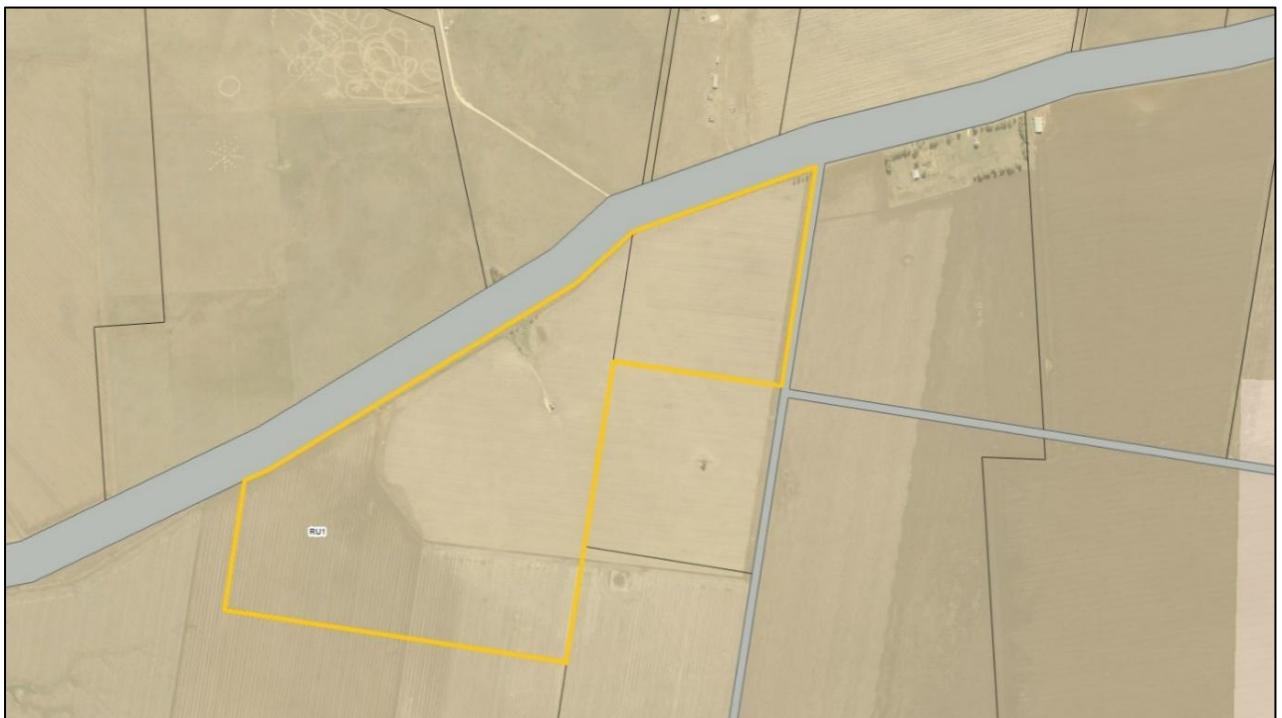


Figure 6: Crown road (Bundella Road) north of the subject land

3.3 Compliance with Planning Controls

The subject lands are zoned *RU1 Primary Production* in accordance with the provisions of the LPLEP 2011. The proposed development is defined as a 'electricity generating works' with a Capital Investment Value (CIV) of more than \$5 million (i.e. \$8.7 million). The development is identified as private infrastructure, considered to be consistent with the objectives of the RU1 zone and is permitted with consent by virtue of Section 2.36 under SEPP (T&I) 2021.

The key development data for the proposal is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Zoning	RU1 Primary Production
Land-use	Electricity Generating Works
Relevant EPIs	SEPP (T&I) 2021 and LPLEP 2012
Site area	71.1 hectares (16.9 ha and 54.2 ha)
Scale	Capacity of 4.99MW; and Area 11.63ha (i.e. solar farm fenced area)
GFA	N/A
Clause 4.6 Requests	No
Maximum Height of solar modules	2.76 metres (solar structures)
Maximum Height of DC convertors	2.42 metres (with skid)
Maximum Height of BESS Station	3.2 metres (with footings)
Maximum Height of inverter station	3.05 metres (with skid)
Maximum Height of security fence and gates	2.30 metres (fence and barbed wire top)
Landscaped area	Landscaping was originally proposed along the northern boundary of the site to provide visual screening of the solar farm from surrounding properties and public viewpoints. During the assessment process, Council requested additional information and enhanced screening measures to further reduce visual impacts and ensure consistency with relevant planning controls. The proponent subsequently agreed to an amended Landscaping Plan and a condition of consent requiring supplementary planting along the eastern boundary to strengthen the visual buffer and minimise potential impacts on adjoining landowners. Details of the Landscaping Plan are provided in Figures 8 and 9.
Car Parking spaces	Adequate area exists onsite for temporary parking spaces (for construction workers)
Setbacks	The proposal complies with the relevant setback requirements of the LPDCP 2012, providing a setback of approximately 34 metres from the

Bundella Road frontage. This setback ensures an appropriate separation from the road reserve and contributes to the maintenance of the rural character and visual amenity of the locality.

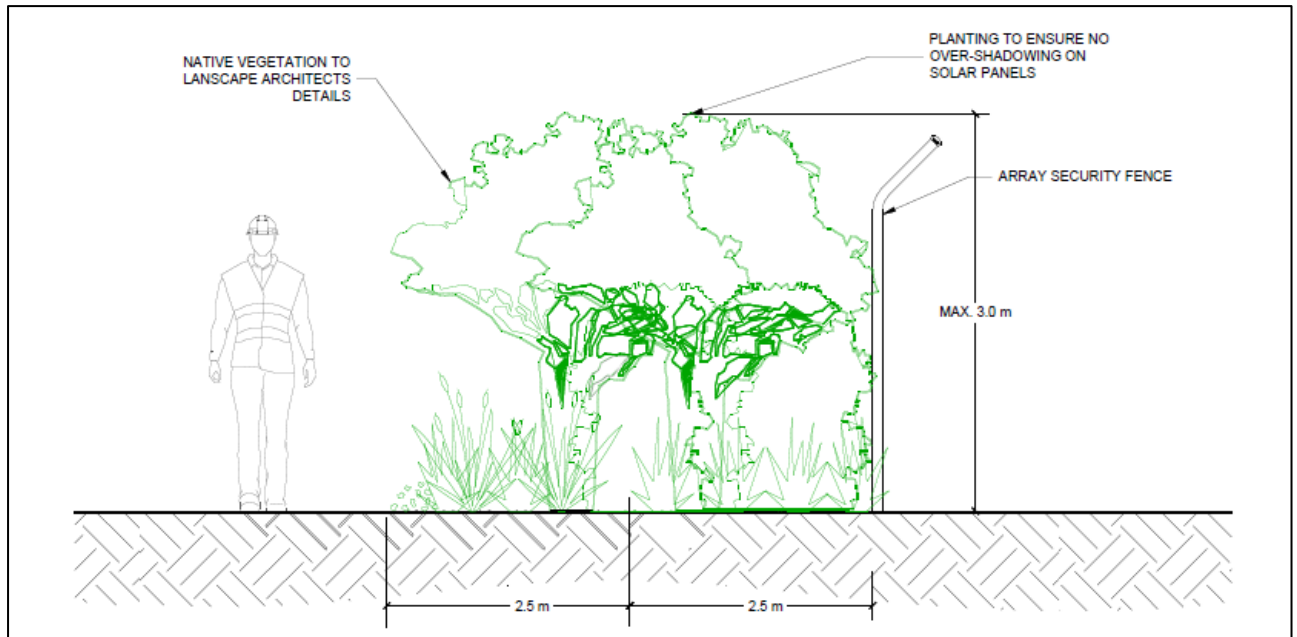


Figure 8: Proposed Landscape section for the development



Figure 9: Proposed Location of tree planting for screening

3.4 Background (Chronology of the DA)

The development application was lodged on **7 April 2026**. A chronology of the development application since lodgement is outlined below in Table 2 and includes the NRPP's involvement (briefings, deferrals etc.) with the application:

Table 2: Chronology of the DA

Date	Event
7 April 2026	Lodgement of the application
22 April 2026	DA referred to external agencies
22 April 2026	Commencement of exhibition period. The exhibition period was from Wednesday, 22 April 2026 until Wednesday, 6 May 2026. However, this period was extended a further week to Wednesday, 13 May 2026 at the request of numerous landholders seeking additional time to prepare submissions.
29 April 2026	Exhibition of the application (21 days)
5 May 2026	Response from ASA received
6 May 2026	Response from NSW RFS received
8 May 2026	Response from Essential Energy received
11 May 2026	First request for Information (RFI) from Council to applicant
12 May 2026	Response from DPIRD received - RFI
12 May 2026	Second RFI from Council to applicant
13 May 2026	Cessation of exhibition period
19 May 2026	Request for comment sent to Local Land Services (LLS)
20 May 2026	Additional information received from applicant
27 May 2026	Third RFI from Council to applicant
17 June 2026	Additional information received from applicant (public submission response)
22 June 2026	Fourth RFI from Council to applicant
7 July 2026	Response from applicant regarding RFI
3 August 2026	Fifth RFI sent to applicant regarding DPIRD requirements
14 August 2026	Additional information received from applicant in response to request from DPIRD

In response to Council's request for additional information, the applicant agreed to a condition requiring supplementary landscaping to improve screening from adjoining properties. This requirement has been incorporated into the recommended conditions of consent.

Following feedback and requests for additional information from DPIRD, the applicant submitted a number of revised assessments and supporting documents. In correspondence dated 12 May 2026, DPIRD advised that it did not support the development in the form submitted at that time and

requested further information and mitigation measures. The applicant subsequently provided revised documentation and the outstanding information on 14 August 2026.

DPIRD has reviewed the additional information and provided advice and recommendations in relation to the proposal. The recommended conditions of consent attached to this assessment report incorporate DPIRD's advice and address the matters raised in its correspondence.

3.5 Site History

Historically, the subject site has been utilised for agricultural purposes, including broadacre cropping and associated land management activities. These activities have resulted in the clearing and modification of native vegetation across much of the site. The land is currently vacant and retains the characteristics of a highly disturbed agricultural landscape. There is no evidence of recent development or non-agricultural land use on the site.

4. STATUTORY CONSIDERATIONS

4.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides for the assessment and approval of actions that are likely to have a significant impact on Matters of National Environmental Significance.

A biodiversity assessment prepared by *Red-Gum Environmental Consulting Pty Ltd* considered the potential impacts of the proposed development on threatened species, threatened ecological communities and biodiversity values within and surrounding the subject land. The assessment identified that the majority of the site comprises a highly modified agricultural landscape previously used for broadacre cropping and dominated by exotic grasses and forbs. As a result, the development footprint is considered to have low biodiversity value. Vegetation along the northern boundary, within the Bundella Road Travelling Stock Reserve, was identified as having potential habitat value for threatened flora and fauna species and may be associated with threatened ecological communities.

An EPBC Act Protected Matters Report identified threatened ecological communities and threatened species within 10 kilometres of the site. However, the biodiversity assessment did not identify threatened species or ecological communities within the main development footprint. The assessment concludes that the proposed development is unlikely to result in a significant impact on threatened species or ecological communities, provided works are confined to the disturbed areas of the site and appropriate avoidance and mitigation measures are implemented. The site does not contain trees within the development footprint and is not considered to provide koala habitat, notwithstanding koala records in the broader locality.

On this basis, the proposal is not considered to be a controlled action under the EPBC Act and is unlikely to require referral to, or approval from, the Commonwealth Minister for the Environment. The proposal therefore satisfies the requirements of the EPBC Act, as the assessment has demonstrated that Matters of National Environmental Significance are unlikely to be significantly impacted by the development, subject to the recommended avoidance and mitigation measures being implemented.

4.2 Biodiversity Conservation Act 2016 & Biodiversity Conservation Regulation 2017

The *Biodiversity Conservation Act 2016* (BC Act) seeks to maintain a healthy, productive and resilient environment for the wellbeing of current and future generations, consistent with the principles of ecologically sustainable development. A Biodiversity Development Assessment Report (BDAR) is required where a development is likely to significantly affect threatened species, ecological communities or their habitats and triggers the Biodiversity Offset Scheme (BOS).

The Biodiversity Inspection Report (BIR) submitted with the development application identified a number of measures to avoid and minimise biodiversity impacts, including:

- Avoiding all mapped native vegetation and Plant Community Type (PCT) areas, particularly PCT 102 and the Travelling Stock Reserve (TSR);
- Restricting works to previously disturbed areas, including the existing gateway and access point;
- Locating any proposed vegetation screening within cleared paddocks and utilising locally indigenous species; and
- Retaining and buffering the four mature Eucalypt trees located in the north-eastern corner of the site.

The subject land is not identified on the NSW Biodiversity Values Map, the proposal does not involve the clearing of native vegetation, and the Biodiversity Offset Scheme threshold is not triggered. Accordingly, a BDAR is not required under the *Biodiversity Conservation Act 2016*.

The BIR concludes that the site generally exhibits low biodiversity value due to its long history of agricultural use and ongoing land management practices. While a small area of PCT 102 grassland occurs within the adjoining TSR, it does not satisfy the criteria for listing as a threatened ecological community. Nevertheless, the report recommends that this area be avoided to minimise any potential biodiversity impacts.

Subject to the implementation of the recommended avoidance and mitigation measures, the proposal is unlikely to significantly affect any threatened species, populations, ecological communities or their habitats, and is not expected to result in any State or Commonwealth biodiversity offset requirements. Appropriate conditions of consent are recommended to ensure the development is undertaken in accordance with the submitted Biodiversity Inspection Report. Accordingly, the proposed development is considered satisfactory having regard to the provisions of the *Biodiversity Conservation Act 2016*.

4.3 National Parks and Wildlife Act 1974

An Aboriginal Heritage Information Management System (AHIMS) search was undertaken by *Zenith Town Planning* on 30 March 2026 as part of the Aboriginal cultural heritage due diligence assessment for the proposed development. The search confirmed that there are no registered Aboriginal objects, places or sites of significance recorded on or in the vicinity of the site.

In addition, desk top analysis and a site inspection undertaken by *Zenith Town Planning* in July 2024 did not identify any visible Aboriginal artefacts, objects or items of cultural significance on the surface of the land.

The proponent also contacted the Nungaroo Local Aboriginal Land Council (LALC) on 16 March 2026 seeking advice regarding the proposed development and any known Aboriginal cultural heritage constraints affecting the site. The Nungaroo LALC was also requested to advise whether a site survey should be undertaken prior to the commencement of works to determine if an Aboriginal Cultural Heritage Assessment would be required. At the time of writing, no response has been received from the Nungaroo LALC.

Notwithstanding the above, should any previously unidentified Aboriginal objects, places or archaeological material be discovered during excavation or construction works, all works in the immediate vicinity of the find will cease and the relevant statutory requirements will be followed. Any such items will be appropriately recorded, managed and salvaged under the care and control of suitably qualified heritage specialists and in consultation with relevant Aboriginal stakeholders. Appropriate conditions of consent are recommended to ensure these procedures are implemented should the development be approved.

4.4 Bushfire prone land – Section 4.14

When determining a development application, the consent authority must consider the matters set out in Section 4.14(1)(a) of the EP&A Act 1979, which requires development on bush fire prone land to either comply with the relevant specifications and requirements of *Planning for Bush Fire Protection 2019* (PBP 2019), or be supported by certification from a suitably qualified bush fire consultant confirming such compliance.

The subject land is identified as bush fire prone land. Pursuant to Clause 100B of the *Rural Fires Act 1997*, the proposed development is not required to be referred to the NSW Rural Fire Service (RFS) as it does not constitute a Special Fire Protection Purpose development. Notwithstanding this, the application was referred to the NSW RFS for comment, and a number of recommendations were provided. These recommendations have been incorporated into the recommended conditions of consent.

Clause 8.3.5 of PBP 2019 outlines specific bush fire protection requirements for wind and solar farm developments. The document recognises that solar farms require particular consideration and should be provided with adequate separation from combustible vegetation, together with suitable emergency access and firefighting water supplies. PBP 2019 specifically requires:

- a minimum 10-metre Asset Protection Zone (APZ) around structures and associated buildings and infrastructure; and
- maintenance of the APZ to the standard of an Inner Protection Area (IPA) for the life of the development.

PBP 2019 further states that essential infrastructure should be designed and housed to minimise the impacts of bush fire on operational capability during bush fire emergencies and should not create an increased bush fire risk to surrounding land. The preparation and implementation of a Bush Fire Emergency Management and Operations Plan is also recommended to identify relevant risks and mitigation measures associated with both the construction and operational phases of the development.

In support of the application, the applicant has submitted a *Fire and Hazard Assessment* which includes a bush fire assessment of the site. The proposed development incorporates a 10-metre APZ around the perimeter of the site, comprising a 10-metre setback from the proposed non-combustible chain-link security fencing. The APZ will provide a defensible space and assist in protecting the development from radiant heat exposure while facilitating emergency service access. The applicant advises that the APZ will be established at the commencement of construction and maintained for the life of the development as an IPA in accordance with PBP 2019.

Whilst the submitted assessment adequately addresses asset protection measures, it does not include a Bush Fire Emergency Management and Operations Plan as contemplated by PBP 2019. Accordingly, it is considered appropriate to impose a condition of consent requiring the preparation and implementation of such a plan prior to the commencement of operations, to ensure ongoing bush fire risk management consistent with the recommendations of PBP 2019.

The proposed development should also generally comply with access, construction, landscaping, and water supply requirements of PBP 2019. The following comments are made in this regard:

- Access requirements of PBP 2019 have been considered in the design and site layout of the development, which will ensure safe access by firefighting vehicles, and evacuation should any staff be on site at the time of a bushfire.
- As the ancillary structures are non-habitable, there are no specific construction measures required for these.
- Landscaping is proposed; however, it is considered that additional vegetative screening will be required to minimise the visual impacts of the development (discussed later in this report). This vegetation will also need to comply with the landscaping and IPA requirements of PBP 2019.

- Adequate water supply is essential for firefighting purposes; however, no water supply is proposed on site. A condition of consent is recommended that a static water supply be constructed on site for emergency firefighting purposes (i.e. a water tank). PBP 2019 does not set out a minimum capacity for water supply for a solar farm. Given its size, it is considered that the general static water supply requirements set out in Table 5.3d for a large rural lot gives sufficient guidance, being 20,000L, fitted with a 65mm Storz fitting.

4.5 New England North West Regional Plan 2041

The *New England North West Regional Plan 2041* provides a strategic framework to guide economic development, infrastructure investment, sustainability and land use planning across the region. The Plan adopts a coordinated approach to managing growth and identifies a series of objectives aimed at supporting sustainable communities and regional prosperity.

The proposal is consistent with *Objective 1 – Coordinate land use planning for future growth, community need and regional economic development*. The development will contribute to regional economic growth through investment in renewable energy infrastructure, the creation of employment opportunities during construction and ongoing maintenance, and the diversification of land uses within the Liverpool Plains local government area. The proposal supports the transition to a more sustainable energy future while maintaining the productive capacity of the broader rural landscape.

The Regional Plan also establishes planning principles to guide local land use strategies, including:

- Identifying growth needs and opportunities;
- Identifying and directing suitable land for planned growth;
- Determining the required structure for development; and
- Encouraging locally responsive and sustainable design.

The proposed solar farm is considered consistent with these principles. The site is suitably located within a rural area where the development can occur with minimal land use conflict, while supporting regional investment and infrastructure delivery. The proposal represents a sustainable form of development that contributes to renewable energy generation and economic diversification within the Liverpool Plains Shire and broader New England North West region. Accordingly, the development is considered to be consistent with the objectives and strategic directions of the *New England North West Regional Plan 2041*.

4.6 Environmental Planning and Assessment Act 1979

4.6.1 Section 1.3 - Objects of Act

In making an assessment each object should be considered to the extent they are relevant. A response to the objects of the EP&A Act 1979 is provided below:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*

The proposal: -

- has the potential to provide a range of social benefits which align with the NSW State Priorities, in particular 'Delivering Infrastructure';
- would provide for construction employment opportunities;
- would not negatively impact on the economic welfare of the community or the State's natural resources; and
- has been designed to minimise impacts to the site's natural and built resources, where possible.

- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*

The EP&Act 1979 adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision making processes and that ESD can be achieved through the implementation of:

- the precautionary principle,
- inter-generational equity,
- conservation of biological diversity and ecological integrity, and
- improved valuation, pricing and incentive mechanisms.

Council considers the proposal satisfactorily addresses the ESD principles as follows:

The Precautionary Principle:

As a renewable source of power, solar energy has an important role in reducing greenhouse gas emissions and mitigating climate change, which is critical to protecting humans, wildlife, and ecosystems. This minimises adverse impacts in regard to demand on natural resources. Solar energy can also improve air quality, reduce water use from energy production, and provide ecosystem services for host communities through carbon sequestration, pollination, and ground and stormwater management.

Additionally, the proposal is not considered to cause serious or irreversible damage to the environment as the solar farm will be subject to a decommissioning process that will restore the land back to full agricultural capability.

Inter-Generational Equity:

The proposal would not cause significant impact on the health, diversity and productivity of the environment. Solar energy can help to reduce reliance on fossil fuels and by doing so reduce greenhouse gases, improve air quality and conserve water for the future.

In addition to the previously mentioned environmental, social and economic benefits, the project will generate a clean source of energy and assist in reducing the carbon footprint. The project will assist to meet the needs of future generations and support the interests of the community in regard to increased accessibility and connectivity between the local areas.

As Australia transitions towards net zero emissions targets by 2050, projects that minimise their environmental footprint are a key part of the solution. This project positively contributes to these targets.

Conservation of Biological Diversity and Ecological Integrity:

The proposal would operate within the existing approved footprint of grazing land with minimal trees. The findings of the BIR were that there was no significant impact to flora and fauna given the remaining vegetation and habitats that are not impacted by the proposal.

Improved Valuation, Pricing and Incentive Mechanisms:

The proposal involves the generation of renewable energy, which is an important sustainable resource. Producing carbon free electricity embodies the principle of improved valuation of a natural resource, solar energy.

(c) to promote the orderly and economic use and development of land,

The proposal is an orderly use, and development is capable of managing expected impacts on the existing grazing land.

- (d) *to promote the delivery and maintenance of affordable housing,*

Not applicable.

- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*

The operation of the development is proposed within a modified and disturbed environment, and it has been determined there will not be a significant impact on local or regional biodiversity values.

- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*

The site is not identified as a heritage item under the Liverpool Plains Local Environmental Plan 2011 and is not located within a heritage conservation area. Given the site has been substantially disturbed through agricultural activities, the likelihood of impacting Aboriginal cultural heritage is considered low. Should any Aboriginal objects or archaeological material be identified during works, all works must cease in the affected area and appropriate management measures undertaken in accordance with relevant legislative requirements.

- (g) *to promote good design and amenity of the built environment,*

The likely impacts of the development have been considered in the assessment and recommended measures are provided to avoid, minimise or mitigate any potential impacts to the amenity of the surrounding environment.

- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

The proposed structures have been designed to comply with the BCA provisions and therefore meet health and safety requirements for the intended occupants.

- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*

The application shall be determined by the NRPP as per SEPP (Planning Systems) 2021.

- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

The proposal was publicly exhibited, including notifying adjoining landowners, placing a notice in newspaper, as well as displaying the proposal on Council's website.

4.6.2 Section 4.10 Designated development

Schedule 3 of the *Environmental Planning and Assessment Regulation 2021* (the Regulation) prescribes that 'electricity generating stations' that supply or can supply more than 30 megawatts of electrical power from energy sources, including solar, is designated development. As the proposed solar farm will generate a maximum of 4.99 megawatts, it does not constitute designated development.

4.6.3 Section 4.46 What is "integrated development"?

The proposal is not identified as being integrated development as there are no other approvals that are required to be issued under Section 4.46 of the EP&A Act 1979.

4.6.4 Section 4.5 Designation of consent authority

Private infrastructure which constitutes electricity generating works that has a capital investment value (CIV) of more than \$5 million are classified as regionally significant development in accordance with Clause 5, Schedule 6 of SEPP (Planning Systems) 2021. Consequently, the NRPP is the consent authority for the proposed development.

4.7 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.

4.7.1 Section 4.15 Evaluation

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the EP&A Act 1979. 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),*
- (b) *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.

(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*
- *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*
- *Liverpool Plains Local Environmental Plan 2011*
- *Liverpool Plains Development Control Plan 2012*

4.7.1.1 State Environmental Planning Policies (SEPPs)

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 over the page.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
<i>State Environmental Planning Policy (Biodiversity & Conservation) 2021</i>	A biodiversity assessment was undertaken by <i>Red-Gum Environmental Consulting Pty Ltd</i> to determine the potential impacts of the proposed development on threatened species, threatened ecological communities and biodiversity values within and surrounding the site. The assessment included a review of recorded threatened species observations, including koalas, and an evaluation of vegetation communities occurring within and adjacent to the project area. The assessment concluded that most of the site comprises a highly modified agricultural landscape that has been extensively cultivated and utilised for broadacre cropping. Vegetation across the site is predominantly characterised by exotic grasses and forbs, resulting in limited biodiversity value Areas along the northern boundary of the site, located within the Bundella Road Travelling Stock Reserve, were identified as containing vegetation that may provide habitat for threatened flora and fauna species and may be associated with threatened ecological communities. A review of available records identified a single koala occurrence within 10 kilometres of the site in a nearby woodland/forest area. However, the subject site does not contain suitable koala habitat, and the assessment found a low likelihood of koalas utilising or entering the site. The assessment further recommended that detailed flora and fauna surveys be undertaken should the proposed works extend into or impact the northern boundary area, to ensure any potential effects on threatened species, habitat or ecological communities are appropriately assessed and managed.	Y
<i>State Environmental Planning Policy (Housing) 2021</i>	-	N/A
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	-	N/A
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	Chapter 2: State and Regional Development Pursuant to Section 2.19(1) of the EP&A Act 1979 and Clause 5 of Schedule 6 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i>, the proposed development	Y

	is classified as Regionally Significant Development as it constitutes private infrastructure in the form of Electricity Generating Works and has a Capital Investment Value (CIV) exceeding \$5 million. The submitted Capital Investment Value of the development is \$8.7 million (excluding GST). Accordingly, the proposal is Regionally Significant Development, and the Northern Regional Planning Panel (NRPP) is the consent authority for the application.	
State Environmental Planning Policy (Precincts—Central River City) 2021 or State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021 or State Environmental Planning Policy (Precincts—Regional) 2021 or State Environmental Planning Policy (Precincts—Western Parkland City) 2021	-	N/A
State Environmental Planning Policy (Primary Production) 2021	Chapter 2: Primary production and rural development The aim of Chapter 2 of the Policy is to facilitate the orderly economic use and development of land for primary production, minimise land use conflict and the sterilisation of rural land, identify State Significant Agricultural Land (SSAL), and encourage and protect aquaculture. The Policy applies across New South Wales. The SoEE Report states that livestock grazing will continue beneath and around the solar panels once the development is operational. This co-location of agricultural and renewable energy land uses is intended to protect soils, maintain landscape function, and safeguard water quality. The applicant has also advised that moisture condensation on the panels may provide additional benefits to pasture growth, thereby supporting ongoing grazing activities. The subject site is identified as State Significant Agricultural Land on the Draft SSAL Mapping prepared by the former Department of Primary Industries. However, the draft mapping has not been formally adopted and there is currently no land identified as SSAL in Schedule 1 of the Policy. Accordingly, the proposed development is not considered inconsistent with the objectives of Chapter 2 of the Policy. Notwithstanding this, consultation with the DPIRD resulted in a request for additional information from the applicant. The matters raised in relation to potential SSAL impacts have since been addressed and can be appropriately managed	Y

	through conditions of consent should the development be approved.	
<i>SEPP (Resilience & Hazards) 2021</i>	Chapter 3: Hazardous and Offensive Development A <i>Fire and Hazard Assessment</i> has been submitted in support of the application. Chapter 4: Remediation of Land Clause 4.6 of the Policy applies to the proposed development. A review of the NSW EPA's contaminated land records confirms that the subject site is not identified as contaminated. Accordingly, the land is considered suitable for the proposed development. Both matters are discussed in further detail below.	Y
<i>State Environmental Planning Policy (Resources and Energy) 2021</i>	-	N/A
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Chapter 2: Infrastructure Section 2.36(1)(b) – Electricity generating works permitted with consent in a prescribed non-residential zone (RU1). Section 2.48(2) (Determination of development applications—other development) – electricity generating works - the proposal is satisfactory subject to conditions.	Y
Proposed Instruments	No compliance issues identified.	Y
<i>Liverpool Plains LEP 2011</i>	• Clause 1.2 - Aims of Plan • Clause 2.3 - Permissibility and zone objectives • Clause 6.6 - Essential Services These matters are addressed in greater detail following this table. A brief outline is also outlined as follows. The proposed development is defined as “electricity generating works” under the <i>Liverpool Plains Local Environmental Plan 2011</i> (LPLEP 2011), which is defined as: <i>electricity generating works means a building or place used for the purpose of—</i> <i>(a) making or generating electricity, or</i> <i>(b) electricity storage.</i> The subject site is zoned <i>RU1 Primary Production</i> under the LPLEP 2011. Development for the purpose of electricity generating works is prohibited within the RU1 zone under the LPLEP 2011. Notwithstanding, Clause 2.36(1)(b) of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (SEPP (T&I) 2021) provides that:	Y

	<i>development for the purpose of electricity generating works may be carried out by any person with consent on land in a prescribed rural use zone.</i> The RU1 zone is a prescribed rural use zone for the purposes of this clause. Accordingly, the proposed development is permissible with development consent under Clause 2.36(1)(b) of the SEPP (T&I) 2021. Further, Clause 2.36(9) of the SEPP provides that: <i>development for the purpose of a solar energy system may be carried out by any person with consent on any land.</i> The SEPP defines a “solar energy system” as: <i>any of the following systems—</i> <i>(a) a photovoltaic electricity generating system,</i> <i>(b) a solar hot water system,</i> <i>(c) a solar air heating system.</i> Given the proposal comprises a photovoltaic electricity generating system, it also meets the definition of a solar energy system and is therefore permissible with consent under Clause 2.36(9). In this regard, the provisions of the SEPP (T&I) 2021 override the prohibitions within the LPLEP 2011, and the proposed development is therefore permissible with development consent.	
<i>Liverpool Plans DCP 2012</i>	The Liverpool Plains Development Control Plan 2012 (LPDCP 2012) contains further guidance on how to implement the statutory provisions in the LPLEP 2011. The proposal demonstrates compliance with the provisions of the LPDCP 2012.	Y

The following outlines the assessment of the proposed development against the applicable State Environmental Planning Policies (SEPPs).

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This consolidated Policy applies to land within the Liverpool Plains Local Government Area with an area greater than one hectare. Accordingly, the provisions of the Policy require consideration as part of the assessment of the proposed development. The Policy seeks to encourage the conservation and management of natural vegetation areas that provide habitat for koalas and was previously identified as the State Environmental Planning Policy (Koala Habitat Protection) 2021.

The subject land has been subject to significant disturbance and modification as a result of historical agricultural activities. Consequently, portions of the site have been previously cleared, with the remaining vegetation comprising scattered native trees and shrub species throughout the property. Importantly, the proposed development does not require the removal of any native vegetation.

In support of the application, a Biodiversity Impact Report (BIR) was prepared by Red-Gum Environmental Consulting. The report concludes that a Biodiversity Development Assessment Report (BDAR) or a Test of Significance (ToS) would only be required where the four eucalyptus trees located in the north-eastern corner of the site are impacted by the proposed development. As these trees will not be disturbed, the preparation of a BDAR is not required.

Should consent be granted, the recommendations contained within the Biodiversity Impact Report will be incorporated into the recommended conditions of consent to ensure the ongoing protection of environmental values on the site.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2: State and Regional Development

Chapter 2, Section 2.19(1) of the SEPP (Planning Systems) 2021 is relevant to the development application and declares the proposal regionally significant development. That is, the proposal is development for private infrastructure and constitutes electricity generating works and the capital investment value (CIV) of the project is \$8.7 million (more than \$5 million). Accordingly, the NRPP is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Primary Production) 2021

Given that the subject land and surrounding properties are zoned RU1, the provisions of Chapter 2 of the *State Environmental Planning Policy (Primary Production) 2021* (SEPP (Primary Production) 2021) are applicable to the proposed development. It is noted that the proposal is permissible with development consent under clause 2.36(1)(b) of the SEPP (T&I) 2021, which provides that electricity generating works may be carried out by any person with consent in a prescribed zone.

One of the aims of Chapter 2 of the Policy is to minimise land use conflict and the sterilisation of rural land by balancing development opportunities with the protection of native vegetation, biodiversity and water resources. The Policy also seeks to facilitate the orderly and economic use and development of agricultural land for primary production purposes.

The development site is identified as State Significant Agricultural Land (SSAL) on the Draft SSAL Map. As this mapping remains in draft form, there is no statutory requirement to refer the application to the NSW Department of Primary Industries and Regional Development (DPIRD). Furthermore, SSAL is not identified as referral development under Schedule 1 of the Policy.

Notwithstanding the above, the application was referred to DPIRD Agriculture for comment on 22 April 2026. DPIRD subsequently requested additional information through correspondence dated 12 May 2026 and 20 July 2026. The applicant provided the outstanding information and amended supporting documentation on 14 August 2026. Following its review, DPIRD provided advice and recommendations which have been incorporated into the recommended conditions of consent attached to this report.

The matters raised by DPIRD have been considered as part of this assessment. The information submitted by the applicant demonstrates that the proposal is capable of operating alongside existing agricultural activities and will not result in the unnecessary sterilisation of productive agricultural land. While the proposal has the potential to generate temporary construction impacts and ongoing visual, noise and dust impacts, these matters can be appropriately managed through the recommended conditions of consent and the implementation of the submitted management plans. Accordingly, the proposal is considered to be consistent with the objectives of Chapter 2 of the SEPP (Primary Production) 2021.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3: Hazardous and offensive development

The provisions of Chapter 3 and the *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* require the preparation of a Preliminary Hazard Analysis (PHA) for developments that may be considered hazardous or offensive. To address these requirements, the applicant engaged *EDP Renewables* to undertake a hazard assessment and risk screening, documented in the separately submitted Fire and Hazard Assessment.

The assessment concluded that a PHA is not required, as the quantity and nature of dangerous goods proposed to be stored on site do not warrant further detailed hazard analysis. Notwithstanding this finding, the assessment recommends a range of management and mitigation measures to minimise potential risks.

Accordingly, it is recommended that a condition of consent be imposed requiring the development to be carried out in accordance with the mitigation and management measures identified in the submitted application documentation, including the Fire and Hazard Assessment.

Chapter 4: Remediation of Land

The provisions of Chapter 4 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (the *Resilience and Hazards SEPP*) have been considered in the assessment of the development application. Clause 4.6 of the SEPP requires the consent authority to consider whether land is contaminated and, if so, whether the land is suitable in its contaminated state, or will be suitable following remediation, for the proposed development.

The subject land has historically been used for agricultural purposes, including cultivation and grazing activities. There is no evidence of past land uses typically associated with contamination, and no known contamination investigations have been undertaken on the site. Furthermore, there are no known land use restrictions, notices, or orders issued by the NSW Environment Protection Authority (EPA) relating to contamination of the subject land.

Having regard to the historical use of the land and the nature of the proposed development, there is no reasonable basis to suspect the presence of contamination that would render the site unsuitable for the proposed use. Accordingly, the provisions of Clause 4.6 of the Resilience and Hazards SEPP are satisfied.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Section 2.36 Development permitted with consent

Section 2.36(1)(b) of the SEPP (T&I) 2021 states that development for the purpose of electricity generating works may be carried out by any person with consent on any land in a prescribed rural use zone, which includes the *RU1 Primary Production* zone.

Section 2.48 Determination of development applications—other development

In accordance with the provisions of Section 2.48(2) before determining a development application for development the consent authority must: -

- (a) *give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and*
- (b) *take into consideration any response to the notice that is received within 21 days after the notice is given.*

Essential Energy was consulted in relation to the proposed development who provided a response 8 May 2026 supporting the proposal subject to recommendations.

4.7.1.2 Liverpool Plains Local Environmental Plan 2011

The relevant local environmental plan applying to the site is the *Liverpool Plains Local Environmental Plan 2011* (LPLEP 2011) and is considered below.

1.2 Aims of Plan

The relevant aims of the LPLEP 2011 include: -

- “(2)(c) to promote ecologically sustainable urban and rural development...
 (e) to minimise land use conflict...
 (f) to ensure that development has regard to the capability of the land...
 (i) to enable development that has proper regard to the environmental constraints of the land and minimises impacts on biodiversity, water resources and natural landforms.”*

The proposal is consistent with the relevant aims of the LPLEP 2011. The proposed layout of the solar farm infrastructure is intended to have minor impact on the existing rural environment. In addition, the mitigation measures proposed to be implemented will minimise potential land use conflict and impacts to the environment.

2.3 Zone objectives and Land Use Table

The site is zoned *RU1 Primary Production* under the LPLEP 2011 and use of the land for the indicated purpose is prohibited in the RU1 zone. However, the provisions of the SEPP (T&I) 2021 prevail over the LPLEP 2011, making the proposal a permissible use on the site in the RU1 zone. That is, Section 2.36(1)(b) of the SEPP (T&I) 2021 provides that development for the purposes of electricity generating works may be carried out by any person with consent on land in a prescribed zone. Section 2.35 identifies RU1 as a prescribed zone (refer Figure 2 for zoning map).

According to the definitions contained in the ‘Dictionary’, the proposal satisfies the definition of a ‘electricity generating works’ and as previously identified, is not a permissible use with consent in the RU1 zone. The land use is identified as follows: -

- electricity generating works means a building or place used for the purpose of—***
(a) making or generating electricity, or
(b) electricity storage.

Although ‘electricity generating works’ are prohibited in the RU1 zone, the development is permissible by virtue of Sections 2.35 and 2.36(1)(b) under the SEPP (Transport and Infrastructure) 2021 as discussed in an earlier section of this assessment report.

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.*

The proposal is generally consistent with these objectives. As noted previously, although the solar farm will be located on productive agricultural land, it is permissible in the zone via the SEPP (T&I) 2021, will still be used for stock grazing while operational, and will revert back to grazing / agricultural use following decommissioning. It is not expected that the proposal will adversely impact on the natural resource base or the future use / capability of the land. The proposal does not alter the current lot arrangements thus will not lead to fragmentation. Land use conflict is considered unlikely, as discussed throughout the following assessment sections of this report.

Land consolidation

While the development extends across two allotments (Lot B and Lot 169), it could be argued that locating infrastructure over separate titles may complicate the long-term operation and management of the approved solar farm. However, only a minor portion of Lot B is proposed to be utilised for the development. Given the limited extent of works on this allotment, together with the ability to manage ongoing access, operational and maintenance requirements through existing ownership arrangements and conditions of consent, land consolidation is not considered necessary to facilitate the orderly development and management of the site.

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

The LPLEP 2012 also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 5** below.

Table 4: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Height of buildings (CI 4.3(2))	Not Adopted	Maximum height of 2.75 metres (solar structures)	N/A
FSR (CI 4.4(2))	Not Adopted	-	N/A
Land acquisition (CI 5.1/5.1A)	Not Applicable	-	N/A
Heritage (CI 5.10)	Applicable	There are no heritage items, heritage conservation areas, or other known items of cultural heritage significance located on the subject site. Construction activities associated with the development, including temporary increases in dust, noise and traffic, are not expected to adversely impact the nearest item of colonial heritage due to its separation distance of more than 15 kilometres from the site. An AHIMS search also confirmed that there are no registered Aboriginal objects, places or sites of significance located on or in the vicinity of the subject site. Accordingly, the proposed development is not expected to result in any adverse impacts on historic or Aboriginal cultural heritage values.	Yes
Flood Planning (CI 5.21)	Applicable	The Flood Planning Area (FPA) mapping contained within the LPLEP 2011, together with the 1% Annual Exceedance Probability (AEP) floodway modelling undertaken by GHD (2011), indicates that the subject site is not affected by flooding associated with Quirindi Creek or Jacob and Joseph Creek. The proposed solar farm site is located approximately 16.8 kilometres from the nearest extent of the modelled 1% AEP (formerly 100-year ARI) flood inundation area associated with Jacob and Joseph Creek. A Water Assessment Report (WAR) prepared by <i>edp Renewables Pty Ltd</i> in November 2025 further assessed the site's flood and drainage characteristics. The report concluded that, while the site may be subject to minor localised inundation during significant rainfall events, it is not at risk from major flood events. The assessment also identified that surface water runoff and stormwater drainage across the site generally flow in a south-westerly direction.	

		Based on the available flood mapping and site-specific investigations, the proposed development is not considered to be constrained by mainstream flooding. Any localised drainage and stormwater management matters can be appropriately addressed through detailed design and the implementation of suitable stormwater management measures as part of the development.	
Earthworks (CI 7.1)	Applicable	Earthworks will apply to the development during construction. Consequently, Council must consider the impact of earthworks associated with the proposal. Minimal earthworks are expected to be carried out in conjunction with the proposed development to accommodate the posts for the PV arrays, underground cabling and the access road. Suitable conditions exist in the recommended terms of consent to address any adverse impacts that may arise during construction and operation.	Yes
Essential Services (CI 7.4)	Applicable	The subject site is not connected to reticulated sewer, water, electricity or telecommunications services. However, the operational requirements of the proposed solar farm are minimal and can be adequately accommodated through on-site infrastructure and utility arrangements. Grid connection, and any ancillary service requirements will be addressed as part of the detailed design and approval process. Accordingly, the development is capable of being adequately serviced and complies with the essential services requirements of Clause 7.4.	Yes
Airspace Operations (CI 7.5)	Applicable	The subject land is located approximately 3 km from Quirindi Airport. The proposed solar farm will not penetrate the airport's Obstacle Limitation Surface (OLS) or Operational Surface. Accordingly, the development will not adversely affect aviation safety or airspace operations. Further, a Glint and Glare Assessment has also confirmed that reflections from the solar arrays will not result in unacceptable impacts on aircraft operations.	Yes

The proposal is considered to be generally consistent with the provisions of the LPLEP 2011.

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

There are no draft environmental planning instruments that are applicable to the subject site or the proposed development. Accordingly, there are no proposed instruments that require consideration in the assessment of this application.

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

The following Development Control Plan is relevant to this application:

Liverpool Plains Development Control Plan 2012

The *Liverpool Plains Development Control Plan 2012* (LPDCP 2012) contains further guidance on how to implement the statutory provisions in the LPLEP 2011. The LPDCP 2012 does not contain any controls for electricity generating works. However, the following controls in **Table 5** generally apply to the development and a response has been generated for each provision in connection with the assessment of the proposal: -

Table 5: Consideration of the LPDCP 2012

Chapter	Comment
3.6.1 Building Setbacks	There are no specific development controls within the LPDCP 2012 relating to electricity generating works. However, the standard setback requirements for structures within the RU1 zone are 20 metres from the front boundary and 10 metres from side and rear boundaries. These controls have been used as a relevant guide in assessing the proposal. The proposed development generally complies with these setback provisions. The closest setback of solar infrastructure to Bundella Road is approximately 18 metres on Lot B, with proposed landscaping and vegetation screening to further soften views of the development from the road corridor. Elsewhere, setbacks increase to approximately 44 metres from the road frontage at the north-eastern corner of the site on Lot 169. The closest side setback is approximately 10 metres, while the setback to the rear boundary of Lot 169 is approximately 20 metres. While the proposal does not fully achieve the indicative 20-metre front setback at one location, the variation is minor, being approximately 18 metres at its closest point to Bundella Road. The visual impacts of the development have been comprehensively assessed and are considered acceptable. Having regard to the limited extent of the variation, the proposed vegetation screening, the site's topography, and the setback distances achieved across the remainder of the site, it is not considered necessary or reasonable to require the solar infrastructure to be relocated further from the road frontage. The proposed setback is therefore considered satisfactory and is unlikely to result in any significant adverse visual or amenity impacts.
3.6.2 Traffic & Access	The Traffic Impact Assessment (TIA) prepared by <i>McLaren Traffic Engineering</i> has been reviewed and is considered to satisfactorily address the relevant traffic, access and parking provisions of the LPDCP 2012. The assessment concludes that the proposed development is capable of being accommodated on the surrounding road network without giving rise to any unacceptable traffic, access or parking impacts. Accordingly, the proposal is considered supportable from a traffic and transport perspective and is consistent with the objectives and controls of this Part of the LPDCP 2012. Appropriate conditions of consent are recommended to ensure ongoing compliance with the submitted Traffic Impact Assessment and the implementation of all recommended traffic management measures.

3.6.3 Utilities & Services	The subject lands are not serviced by Council's reticulated sewer infrastructure. Given, there will be no staff on the site during operations, it is considered that permanent water and sewer services are not essential for proposed development. A WAR of the potential impacts on groundwater and surface water flows and flooding has been carried out by <i>edp Renewables Pty Ltd</i>. The assessment identified a number of recommendations for Stormwater Management during the construction, operation and decommissioning stages of the development. Details relating to stormwater management have been addressed by draft conditions. Draft conditions are to be included to ensure stormwater management is implemented for the development. It is considered the proposed development satisfies the controls under this Part of the LPDCP 2012.
3.6.4 Design	The project has been designed taking into consideration the existing site features. The design of the proposed development is considered to be suitable. The proposed landscaping measures as requested by Council are intended ameliorate the visual impact of the solar panels. Compliance with this Part is therefore achieved.
3.6.5 Fencing	Security fencing is proposed on the site around the array area at a height of 2.3 metres. Compliance with this Part is therefore achieved.
3.6.6 Outdoor Lighting	A condition is to be included in the recommended terms of consent requiring any outdoor lighting installed in accordance with AS 4282 <i>Control of Obtrusive Effects of Outdoor Lighting</i>.
3.6.7 Outdoor Signage	Not applicable. No outdoor signage is proposed as a part of the development.
3.6.8 Loading and Unloading Facilities	It is considered there is adequate area on the subject lands for loading and unloading. Compliance with this Part is therefore achieved.
3.6.9 Noise	Noise will be applicable during the construction and decommissioning stages of the development and has the potential for impacts to nearby residential receivers. A Noise Impact Assessment, prepared by <i>Muller Acoustic Consulting</i>, March 2026, has been submitted with the subject application and is considered satisfactory. Should the development be supported draft conditions will be included in the notice of determination to regulate and minimise noise.
3.6.10 Landscaping	Initially, the applicant proposed landscaping and screening measures along the northern boundary of the site adjacent to the proposed solar array. During the assessment of the application, Council issued a request for additional information on 22 June 2026 seeking further landscaping and screening measures along the eastern boundary of the development area to assist in mitigating visual impacts on adjoining landowners. In response, the applicant submitted amended plans incorporating additional landscaping measures along the eastern boundary. Council has also recommended conditions of consent requiring the establishment and ongoing maintenance of enhanced vegetation screening along both the northern and eastern boundaries of the site. The proposed landscaping is to comprise locally indigenous tree and shrub species designed to strengthen visual screening of the development from surrounding properties and public viewpoints. To maximise the effectiveness of the proposed screening, a condition of consent is recommended requiring the landscaping to be established at the commencement of construction works. The condition will also require the

	submission and approval of a detailed Landscaping Plan prior to the commencement of works, identifying the proposed species selection, planting densities, planting locations and ongoing maintenance requirements. Subject to the implementation and ongoing maintenance of the proposed landscaping and screening measures, the development is considered satisfactory and consistent with the objectives and intent of the Liverpool Plains Development Control Plan 2012. The proposed landscaping will assist in mitigating visual impacts and improving the integration of the development within the surrounding rural landscape.
3.6.11 Parking	Off-street parking requirements was adequately addressed in the TIA for the assessment. Conditions have been included in the recommended terms of consent to ensure compliance in this regard.
4.1.1 – 4.1.1.9 Development on Flood Affected Land	The subject land is not identified as being flood-prone or flood liable under Council's flood planning controls. Notwithstanding, the WAR submitted with the application confirms that flood modelling undertaken by <i>GHD Group Pty Ltd</i> concluded that the proposed solar farm would not be affected by flooding during the 1% Annual Exceedance Probability (AEP) flood event. While minor localised inundation may occur during significant rainfall events, the site is not considered to be at risk from major flooding and is therefore suitable for the proposed development.
4.2. Environmental Effects & Land Use Buffers	A SoEE report and supporting technical studies were submitted with the application to assess the potential environmental impacts of the proposed development. Having regard to the findings of these assessments, the development is not expected to result in any significant adverse environmental impacts, subject to the imposition of appropriate conditions of consent. The LPDCP 2012 does not prescribe specific separation distances or land use buffers for solar farm developments. Consultation with Essential Energy has also been undertaken as part of the assessment process in accordance with the Regulation and Section 2.48 of the SEPP (T&I) 2021. There were no concerns identified that would warrant refusal of the application.

Section 7.18 – Contributions plans

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act 1979 and have been considered in the recommended conditions (notwithstanding Contributions Plans are not DCPs and are required to be considered):

- *Liverpool Plains Shire Council Section S7.11 Development Contributions Plan 2022*

Council may levy contributions for the proposed development in accordance with its adopted Section 7.12 Contributions Plan. According to the cost summary report by *EDP Renewables* and confirmed Capital Investment Value (CIV), the cost of the development is \$9,572,475.78 (incl. GST) and therefore a 1% levy will apply. A condition has been included in the recommended terms of consent requiring the Section 7.12 Contribution to be paid to Council prior to the issue of a Construction Certificate.

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

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

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

Schedule 3 - Designated Development

Schedule 3 of the Regulation 2021 prescribes that 'electricity generating stations' that supply or can supply more than 30 megawatts of electrical power from energy sources, including solar, is designated development. As the proposed solar farm will generate a maximum output of 4.99 megawatts, it does not constitute designated development.

However, the proposed electricity generating works are classified as regionally significant development in accordance with Clause 5, Schedule 6 of SEPP (Planning Systems) 2021 as it has a capital investment value (CIV) of more than \$5 million and is private infrastructure. Consequently, the NRPP is the consent authority for the proposed development.

Section 61

Section 61 of the Regulations contains additional matters that must be taken into consideration by a consent authority in determining an application. No matters raised in this clause are relevant for consideration with this proposal.

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

4.8 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.

Flora and fauna impacts

A Biodiversity Inspection Report (BIR) prepared by *Red-Gum Environmental Consulting* was submitted in support of the application to assess the potential impacts of the proposal on native vegetation, threatened species and biodiversity values. The assessment identified that the majority of the subject land comprises highly modified agricultural land dominated by exotic pasture species as a result of historical cropping and grazing activities. As such, the site is considered to have generally low biodiversity value.

The proposed development has been designed to avoid impacts on native vegetation and does not require the clearing of native trees within the development footprint. In particular, the four mature Eucalypt trees located in the north-eastern corner of the site are to be retained and protected, together with vegetation associated with the adjoining Bundella Road Travelling Stock Reserve (TSR). While the site is predominantly modified and of low biodiversity value, small areas of native grassland and the adjacent TSR require careful management to ensure biodiversity impacts are avoided and minimised. The application was referred to the Local Lands Services (LLS) for comment regarding potential impacts on the adjoining TSR on 19 May 2026. No comments were received in response to the referral.

The BIR concluded that the project is unlikely to trigger the Biodiversity Offset Scheme (BOS) or require the preparation of a Biodiversity Development Assessment Report (BDAR), having regard to the current clearing thresholds, mapped biodiversity values and the proposed avoidance measures. The assessment did not identify any threatened species, threatened ecological communities or critical habitat within the proposed development footprint. Although records of threatened species exist within the broader locality, including koala records within 10 kilometres of the site, the subject land does not contain suitable habitat and the likelihood of threatened species utilising the site is considered low.

The BIR recommends a number of measures to avoid and minimise biodiversity impacts, including:

- Restricting all construction activities and associated impacts to previously disturbed areas, particularly in relation to site access and ancillary works;

- Locating vegetation screening within already cleared paddocks and utilising locally indigenous species;
- Avoiding mapped Category 2 regulated land and retaining appropriate buffers around the mature Eucalypt trees located in the north-eastern corner of the site;
- Avoiding impacts to vegetation associated with the adjoining TSR; and
- Undertaking additional flora and fauna surveys should future works extend into native grassland areas or the adjoining TSR.

Additionally, the assessment notes that if the proposed development were modified in a manner that results in impacts to sensitive biodiversity areas, including Plant Community Type (PCT) 102 grasslands, Category 2 regulated land or other native vegetation communities, a Test of Significance (TOS) and/or a BDAR may be required. In such circumstances, a BDAR waiver is unlikely to be supported where native vegetation impacts cannot be avoided.

Adherence to the recommendations of the BIR will assist in avoiding biodiversity impacts and streamlining environmental assessment requirements. Having regard to the findings of the BIR, the absence of proposed native vegetation clearing, and the implementation of the recommended avoidance and mitigation measures, the development is unlikely to result in significant adverse impacts on flora, fauna, threatened species or biodiversity values. Accordingly, the proposal is considered satisfactory in relation to biodiversity impacts.

Context and setting

The proposal is considered to be generally compatible with the rural character and surrounding context of the site. The land is relatively flat, requiring only minor earthworks for the construction of internal access tracks and associated solar infrastructure. The site is located within a predominantly agricultural landscape and is considered suitable for the proposed development.

Although the site is surrounded by agricultural land and scattered rural dwellings, the solar farm is considered to be a relatively benign land use that will allow for the continuation of grazing activities, resulting in a dual land use outcome. Upon decommissioning, the land will be capable of reverting to agricultural production.

The most noticeable impacts are expected during the construction phase, particularly in relation to traffic and noise generation; however, these impacts are temporary and can be appropriately managed through conditions of consent. Subject to the implementation of landscaping and screening measures, visual impacts are also considered acceptable. The submitted assessments indicate that significant glare and reflectivity impacts are unlikely.

Notwithstanding the above, concerns have been raised regarding the visibility of the proposed infrastructure from Bundella Road and nearby rural properties. These matters have been considered as part of the assessment and are discussed further in the "Visual Impacts" section of this report.

Site Design and Internal Design

The proposed development has been designed having regard to the physical characteristics and constraints of the site, including surrounding land uses, biodiversity values, access arrangements, bushfire considerations and visual impacts. The solar arrays, BESS, inverter station and associated infrastructure are appropriately located within a predominantly cleared and disturbed area of the site.

The proposed layout incorporates appropriate setbacks, internal access arrangements, vegetation retention and landscape screening measures to minimise potential impacts on adjoining landowners and the surrounding rural environment. As discussed throughout this assessment, the development is not expected to result in significant land use conflicts or unacceptable amenity impacts.

A range of mitigation measures and recommended conditions of consent will further manage potential impacts associated with the development. These include requirements relating to landscaping and visual screening, erosion and sediment control, stormwater management, biodiversity protection, traffic and access management, bushfire protection measures, noise management, environmental management procedures, and site rehabilitation and decommissioning. Collectively, these measures will ensure that potential impacts are appropriately

avoided, minimised and managed throughout the construction, operational and decommissioning phases of the development.

In this regard, the site design and internal layout are considered appropriate for the proposed use and capable of accommodating the development in an orderly, environmentally responsible and sustainable manner.

Visual Impacts

Given the proximity of the development to Bundella Road and the nearest dwelling, located approximately 270 metres to the east of the proposed development area (refer Figure 9), visual impacts are a key matter for consideration in the assessment of the application.

The applicant submitted a Visual Impact Assessment (VIA) prepared with regard to the *Transport for NSW Environmental Impact Assessment Practice Note: Guideline for Landscape Character and Visual Impact Assessment* and the Department of Planning and Environment's *Technical Supplement – Landscape and Visual Impact Assessment* under the *Large-Scale Renewable Energy Guideline*. The VIA concludes that the proposal would result in a minor reduction in visual amenity, would remain generally consistent with the existing rural landscape character, and could be removed at the end of its operational life without resulting in permanent landscape impacts. The VIA also notes that large-scale renewable energy developments are typically located in rural areas due to their land requirements and proximity to energy infrastructure.

The VIA found that visual impacts from most public viewpoints and surrounding receivers would be negligible to low, having regard to separation distances, existing vegetation and the generally flat topography of the locality. However, moderate to high visual impacts were identified in relation to views from Bundella Road and the nearest dwelling to the east of the site.

While the findings of the VIA are generally accepted, Council considers that the solar arrays and perimeter fencing along the eastern boundary have the potential to result in increased visual impacts for the adjoining landowner, particularly prior to the establishment of landscaping. To address this issue, Council requested additional landscape screening along the eastern boundary of Lot 169 adjacent to the nearest dwelling. In response, the applicant provided amended plans incorporating additional landscaping measures.

Conditions of consent are recommended requiring the establishment and ongoing maintenance of vegetative screening to reduce the visual impacts of the development. The vegetative screening is to be:

- comprised of species common to the locality and suitable for local growing conditions;
- capable of reaching a mature height of not less than 4.5 metres;
- provided within a landscaped corridor with a minimum width of 5 metres;
- of sufficient density to adequately screen views of the development;
- positioned on the outside of the security fence;
- designed so as not to impede the Asset Protection Zone where it functions as an Inner Protection Area;
- located wholly within the leased area;
- provided with a suitable irrigation source; and
- prepared by a suitably qualified landscape architect.

The condition should also require the submission of a landscape section drawing to Council, showing the proposed planting arrangement and projected growth of the landscaping at 3–5 years, 5–10 years and 10–15 years post-planting. This will assist in demonstrating the effectiveness of the proposed screening over time and ensure the intended visual mitigation outcome is achieved.

Council considers that the proposed landscaping is a practical and effective measure to reduce visual impacts on nearby receivers, particularly the adjoining dwelling to the east and users of Bundella Road. Subject to the implementation and ongoing maintenance of the required landscaping and screening measures, the visual impacts of the development are considered acceptable and do not warrant refusal of the application.

Glint and Glare Impacts

Further to the visual impacts discussed above, the proposed solar farm has the potential to generate glint and glare impacts. However, photovoltaic (PV) panels are generally designed to maximise light absorption rather than reflection. In this regard, PV modules are typically constructed from dark, light-absorbing materials and treated with anti-reflective coatings to improve efficiency and minimise reflectivity.

The extent of reflected light varies depending on the angle of the PV modules, the position of the sun, and seasonal changes in the sun's path. Where tracking systems are used, the angle of the panels may also vary throughout the day and year, which can influence the duration and location of any potential glare.

The applicant has submitted a Glint and Glare Study and Glare Analysis, which identify potential receptors and assess glint and glare hazards using the Solar Glare Hazard Analysis Tool (SGHAT). The SGHAT was developed by Sandia National Laboratories and is recognised by the Australian Government Civil Aviation Safety Authority (CASA) as an appropriate methodology for solar glare assessment.

The assessment concludes that predicted solar glare impacts would be limited in extent, duration and intensity. The report also confirmed that potential flight path impacts remain within acceptable Federal Aviation Administration (FAA) criteria, while potential impacts to road users are assessed as low. While CASA does not currently provide specific guidance for assessing solar farm glare impacts on airports, it recognises the FAA methodology as an appropriate and sufficiently advanced approach for glare assessment. On this basis, the overall glare impact is considered acceptable and no specific mitigation measures are required.

The application was also referred to Airservices Australia / CASA, in relation to glint, glare or aviation safety and no concerns were raised. It is further noted that glare from solar farms typically has the greatest potential to affect air traffic controllers observing aircraft within an airport circuit area. As Quirindi Airport does not have an air traffic control tower, the proposed solar installation is not considered to pose an aviation hazard.

Overall, the potential glint and glare impacts have been appropriately assessed and are considered acceptable, subject to the development being carried out in accordance with the submitted plans and supporting technical reports.

Traffic, access and parking impacts

Traffic

The Traffic Impact Assessment (TIA), prepared by *McLaren Traffic Engineering*, has been reviewed and is considered to satisfactorily address the relevant traffic requirements of the LPDCP 2012.

The assessment identifies that traffic generation associated with the development will primarily occur during the construction phase. Construction activities are expected to generate up to 65 heavy vehicle deliveries over the construction period, including vehicles up to 19 m semi-trailers, with a maximum of approximately eight truck movements per day. Construction staff are expected to generate up to 15 vehicle trips in both the morning and afternoon peak periods. As previously identified, all construction traffic will access the site via Bundella Road and the Kamilaroi Highway.

Once operational, the solar farm will be largely unattended, with site access generally limited to routine maintenance activities occurring approximately four times per year by up to three staff members. Consequently, operational traffic generation will be negligible and is not expected to adversely affect the surrounding road network.

Overall, the TIA concludes that the surrounding road network has sufficient capacity to accommodate both construction and operational traffic associated with the development without resulting in unacceptable impacts on traffic flow or road safety. Thus, the proposal is considered acceptable from a traffic perspective and consistent with the objectives and controls of the LPDCP 2012. Appropriate conditions of consent are recommended to ensure implementation of the recommendations and traffic management measures contained within the TIA, including the

preparation and approval of a Traffic Management Plan (TMP) by Council / Principal Certifier prior to the commencement of construction.

Access

Bundella Road and the Kamilaroi Highway will provide the primary access routes to the proposed solar farm. Vehicular access to the site is proposed via an existing access point from Bundella Road located at the north-western corner of Lot 169. As Bundella Road is identified as a Crown road, the application was referred to Crown Lands for comment. Crown Lands raised no objection to the proposed development. A map identifying Crown Land and the Crown road is provided in Figure 10.

Crown Lands also advised that the application should be referred to Local Land Services (LLS), as a Travelling Stock Reserve (TSR) is located adjacent to Bundella Road and separate approval may be required to access the project area through the TSR. Council sought comments from LLS on multiple occasions; however, no response was received. Notwithstanding this, Council raises no objection to the proposed use of the existing access arrangement, subject to appropriate upgrading works being undertaken.

Council considers the proposed access arrangement acceptable, subject to a condition of consent requiring the access point to be upgraded in accordance with Council's engineering requirements. This will ensure that the access is capable of safely accommodating traffic associated with both the construction and operational phases of the development. Suitable access will also be available for maintenance and emergency vehicles, including firefighting appliances. Subject to the recommended conditions, access to the site is considered satisfactory and does not warrant refusal of the application.

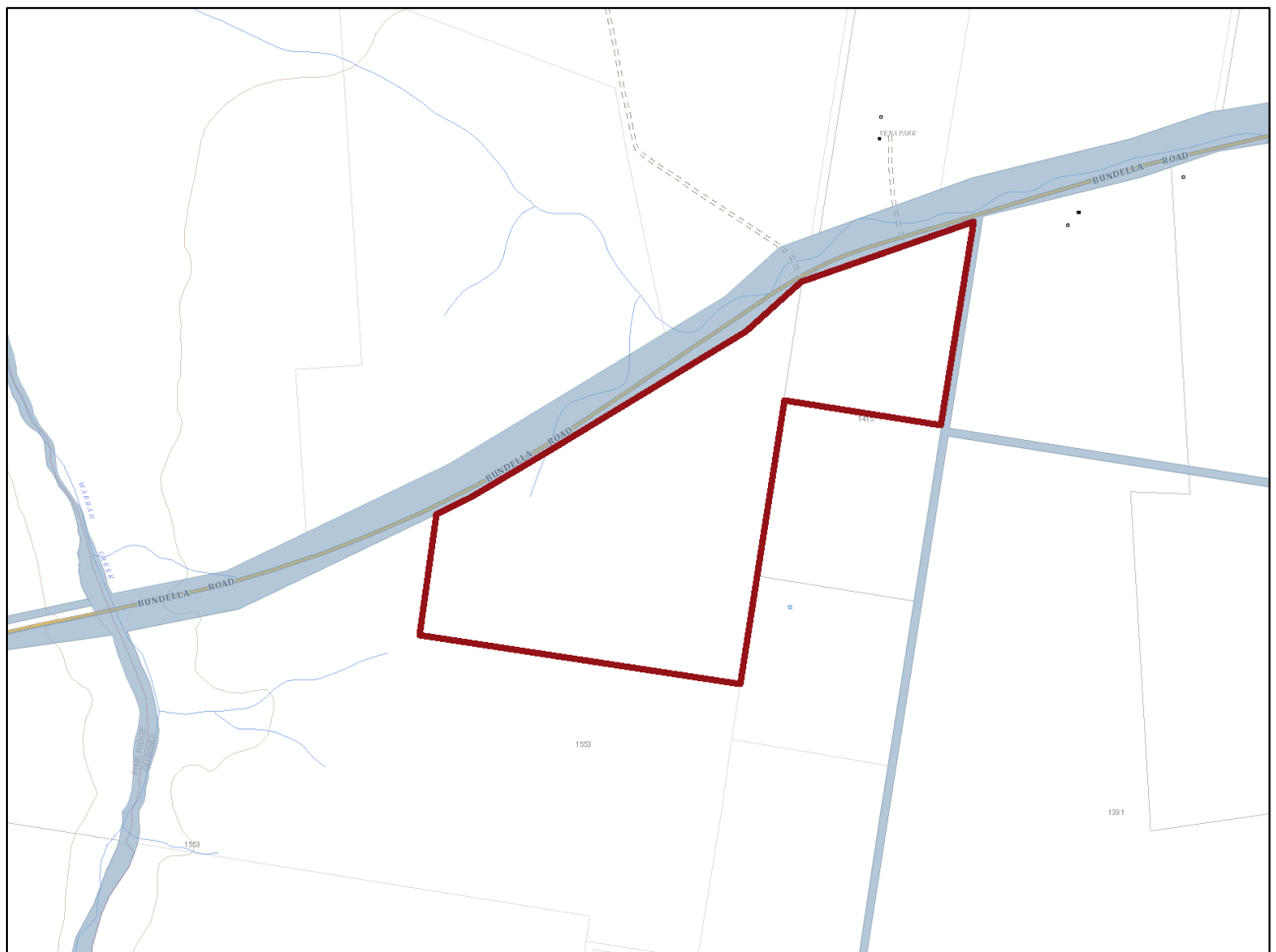


Figure 10: Mapping of Crown Land and Crown road adjoining the subject site

Parking

The proposed development will not require regular on-site parking during operation due to its largely unattended nature. During the construction phase, approximately 24 temporary staff parking spaces will be provided to accommodate construction personnel.

No dedicated parking spaces are proposed for the operational phase of the development. However, an internal access road network will be provided throughout the site to facilitate maintenance and operational activities. Given the infrequent maintenance requirements and the limited number of personnel expected to access the site, the absence of formal parking facilities is considered appropriate and acceptable in the circumstances.

Accordingly, the proposal is not expected to result in any adverse parking impacts and is considered consistent with the relevant parking provisions of the LPDCP 2012. Conditions have been included in the recommended terms of consent to ensure that the identified mitigation measures, on site carpark and access are provided for the proposed development.

Public Domain

The proposed development is expected to have a negligible impact on the public domain. The site is located on privately owned rural land and will not result in the loss of public recreation opportunities, public open space, or established pedestrian and cycling connections. Furthermore, the development is not expected to adversely affect public access to surrounding land or infrastructure.

Given the nature and location of the proposal, the development is unlikely to diminish the functionality, accessibility or amenity of the public domain. Accordingly, the proposal is considered acceptable in this regard.

Utilities and Servicing

Apart from electricity the site is not provided with any reticulated services. Stormwater can be appropriately managed onsite. A condition of consent will require temporary toilets and car parking to be provided for construction workers. The proposed development will require water to be stored onsite for firefighting purposes as previously discussed.

Overall, the site can be appropriately serviced and adverse impacts are unlikely. Relevant conditions are attached in **Attachment A** of this assessment.

Heritage

There are no heritage items listed in Schedule 5 of the LPLEP 2011 located on or in the immediate vicinity of the subject site. Furthermore, the heritage assessments submitted in support of the application confirm that no Aboriginal objects, places or items of cultural significance were identified within the development area. Thus, the proposed development is not expected to result in any adverse impacts upon European or Aboriginal cultural heritage values.

Notwithstanding the above, the potential for previously unidentified Aboriginal objects, places or archaeological material to be encountered during construction cannot be entirely excluded. To address this risk, a condition of consent is recommended requiring all works to cease in the vicinity of any unexpected heritage finds and for appropriate management and notification procedures to be undertaken in accordance with relevant legislative requirements.

Subject to the recommended condition, the proposal is considered acceptable from a heritage perspective and is consistent with the relevant objectives and controls of the LPLEP 2011 and applicable heritage management requirements..

Other land resources

The proposed development is not expected to adversely impact other land resources, including adjoining agricultural land, mineral and extractive resources, or water supply catchments. The development has been designed to minimise off-site impacts and incorporates appropriate mitigation

measures to manage potential environmental effects during both the construction and operational phases.

The solar farm is compatible with the surrounding rural landscape and will not sterilise known mineral or extractive resources. Furthermore, the proposal is not anticipated to adversely affect the productivity or viability of adjoining agricultural land uses. Appropriate environmental management measures and conditions of consent will ensure that impacts on land and water resources are appropriately managed.

Accordingly, the proposal is considered acceptable with respect to other land resources and is not expected to result in any significant adverse impacts on surrounding land uses or natural resources..

Water impacts

A Water Assessment Report (WAR) prepared by *EDP Renewables* was submitted in support of the development application. The assessment concluded that the proposed solar farm is unlikely to result in significant impacts on regional water resources, flooding behaviour, surface water flows or downstream properties, provided that the recommended mitigation and management measures are implemented throughout the construction and operational phases of the development.

The WAR identifies a range of measures to minimise potential water quality and stormwater impacts, including:

- Suspension of construction activities during periods of heavy rainfall to minimise erosion, sediment mobilisation and downstream impacts;
- Implementation of best-practice erosion and sediment control measures in accordance with *Managing Urban Stormwater: Soils and Construction* (the "Blue Book");
- Installation of appropriate drainage and sediment control infrastructure, including sediment fencing, level spreaders and other stormwater management measures;
- Regular inspection, maintenance and repair of stormwater and sediment control devices;
- Implementation of specific controls for concrete works and dewatering activities, including containment and lawful disposal of runoff; and
- Progressive stabilisation and rehabilitation of disturbed areas through revegetation, mulching, turfing and other erosion control measures.

The assessment confirms that the site is not affected by mainstream flooding and that any localised overland flow paths can be appropriately managed through detailed design and the implementation of the recommended stormwater management measures. The proposed development is therefore not expected to adversely affect receiving waters, neighbouring properties or downstream drainage systems.

Conditions of consent are recommended requiring the development to be undertaken in accordance with the recommendations of the WAR and the implementation of appropriate erosion, sediment and stormwater management measures. Where required, the applicant shall obtain a Section 68 approval under the *Local Government Act 1993* for any stormwater drainage works associated with the development.

The proposal was not required to be referred to the *Department of Climate Change, Energy, the Environment and Water* (formerly DPE Water) for a Controlled Activity Approval under section 91 of the *Water Management Act 2000*, as the proposed works are not located within 40 metres of waterfront land. Accordingly, no objections are raised in relation to water and stormwater impacts.

Overall, subject to the recommended conditions of consent, the proposed development is unlikely to result in any significant adverse impacts on water resources, drainage patterns, flooding behaviour or water quality and is considered acceptable in this regard.

Soil impacts

The proposed development is not expected to result in significant adverse impacts on soil resources. The site has been subject to historical agricultural activities and is generally characterised by modified and disturbed land. The proposed works involve relatively minor ground disturbance

associated with the installation of solar array supports, underground cabling, access tracks and ancillary infrastructure.

Appropriate erosion and sediment control measures will be required to be installed prior to the commencement of construction and maintained for the duration of works to minimise the potential for soil erosion and sediment movement. The recommendations contained within the WAR, together with best-practice construction management measures, will assist in protecting soil stability and limiting off-site impacts.

The development has also been designed to minimise disturbance to existing landforms, with only limited earthworks proposed. Following construction, disturbed areas will be progressively stabilised and rehabilitated through revegetation and groundcover establishment where appropriate. In addition, the submitted Waste and Decommissioning Assessment provides for the removal of infrastructure and rehabilitation of disturbed land at the end of the operational life of the solar farm.

Conditions of consent are recommended requiring the implementation of erosion and sediment controls, rehabilitation measures and decommissioning requirements to ensure soil resources are appropriately protected throughout the construction, operational and decommissioning phases of the development.

Accordingly, subject to the recommended conditions of consent, the proposed development is unlikely to result in any significant adverse impacts on soil resources and is considered satisfactory in this regard.

Air Quality impacts

The proposed development is unlikely to result in significant adverse air quality impacts. Potential impacts are primarily associated with the construction phase and may include the temporary generation of dust from earthworks, vehicle movements, excavation activities and the handling of construction materials.

These impacts are expected to be localised and short-term in nature and can be appropriately managed through standard construction environmental management measures, including dust suppression, progressive site stabilisation, and the implementation of erosion and sediment controls.

During operation, the solar farm will not generate significant air emissions, odour, smoke or dust. Vehicle movements associated with routine maintenance activities will be infrequent and are not expected to adversely affect local air quality.

Accordingly, subject to the implementation of appropriate mitigation measures during construction, the proposed development is considered satisfactory with respect to air quality impacts and is unlikely to adversely affect surrounding land uses or the environment.

Contamination

The potential for land contamination has been considered as part of the assessment of the proposed development. A review of investigation information submitted by the proponent, available contaminated land records and relevant environmental databases did not identify any contaminated sites on, or in the vicinity of, the subject land, including the Pine Ridge locality. Furthermore, the site has historically been utilised for agricultural purposes and there is no evidence of past land uses typically associated with significant contamination.

The proposed development does not involve industrial processes, chemical manufacturing, intensive waste generation or other activities that would ordinarily present a significant contamination risk. During construction, fuels, oils and other hazardous substances required for plant and equipment operation will be stored and managed in accordance with relevant environmental standards and best practice management measures. Appropriate conditions of consent can also require spill response procedures and the safe storage and handling of potentially hazardous materials.

Concerns have been raised regarding the potential for contamination of soils, surface water and groundwater from the solar farm and associated Battery Energy Storage System (BESS). In this

regard, the development will be subject to environmental management measures during both the construction and operational phases, including the management of fuels, lubricants and other chemicals, appropriate waste disposal practices, stormwater controls, and emergency response procedures. The submitted Fire and Hazard Assessment also identifies management measures to minimise environmental risks associated with the proposed infrastructure.

Having regard to the historical use of the land, the absence of known contamination sources, and the nature of the proposed development, the site is considered suitable for the proposed use. Subject to the recommended conditions of consent and implementation of appropriate environmental management measures, the proposed development is unlikely to result in significant contamination impacts on land, surface water or groundwater and is considered acceptable in this regard.

Environmental Impacts

The subject land is predominantly modified agricultural land and is not identified as environmentally sensitive. Existing native vegetation and mature trees within and adjacent to the development area will be retained, with additional landscaping proposed to provide visual screening.

The development will involve limited earthworks and is not expected to significantly alter the natural landform of the site. Erosion, sediment and dust control measures will be implemented during construction to minimise potential impacts on surrounding properties and the environment.

Additionally, no concerns are raised in relation to contamination, flooding or significant biodiversity impacts, subject to compliance with the recommended mitigation measures and conditions of consent. Conditions relating to biodiversity protection, unexpected heritage finds, bushfire management and site rehabilitation are also recommended as part of the assessment.

Consequently, subject to the recommended conditions of consent, the proposed development is unlikely to result in significant adverse environmental impacts.

Noise and vibration

The Noise Impact Assessment (NIA) prepared by *Muller Acoustic Consulting Pty Ltd* submitted with the subject application demonstrated that noise emissions from the project would satisfy construction Noise Management Levels (NMLs) at all receiver locations and is predicted to comply with all relevant noise and vibration criteria during both construction and operation. The main noise source of the development will be associated with the construction phase of the development, including heavy vehicles coming and going from site, as well as pile drivers to install the solar panel infrastructure. Most of this noise and vibration will be limited to a short term intensive construction period (approximately 12 weeks).

The Report also confirmed there are no operational noise sources that generate significant maximum noise events, with noise emissions from the project predicted to satisfy the NSW EPA maximum noise level criteria. The report concluded that the Project satisfies the relevant requirements of the Interim Construction Noise Guideline, Noise Policy for Industry and the Road Noise Policy.

Natural hazards

The subject site is identified as bushfire-prone land. Pursuant to Clause 100B of the *Rural Fires Act 1997*, the proposed development is not required to be referred to the NSW RFS as it is not classified as a Special Fire Protection Purpose development. Notwithstanding this, the application was referred to the NSW RFS for comment, and a number of recommendations were provided to assist in mitigating bushfire risk. These recommendations can be incorporated into the development through appropriate conditions of consent.

Council's flood mapping under the LPLEP 2011 identifies that the site is not affected by flood planning controls. Furthermore, the site is not known to be affected by any other significant natural hazards that would prevent or constrain the proposed development.

Having regard to the above, the site is considered suitable for the proposed development from a natural hazards perspective, subject to compliance with the recommendations of the NSW RFS and the recommended conditions of consent.

Safety, security and crime prevention

The proposed development is located on private land, approximately 20 kms from the township of Quirindi, and will be provided with a 2.3m high security fence around the compound area. No concerns in relation to safety, security and crime prevention are raised, and thus adverse impacts are considered unlikely.

Economic impact

The proposed development is expected to have a positive economic impact at both the local and regional level, particularly during the construction phase. Construction activities will generate employment opportunities and associated economic benefits through expenditure on wages, accommodation, fuel, transport, materials and other local services.

The operational phase of the development will require only limited maintenance activities and staffing; however, it will contribute to ongoing investment in renewable energy infrastructure within the region. The proposal is not expected to result in any significant adverse economic impacts. In this regard, the development is considered likely to provide a net economic benefit to the local government area and broader region, while supporting the diversification of economic activity and energy generation within the locality.

Social impact

The proposed development is not expected to result in significant adverse social impacts. The intermittent nature of operational activities, together with the site's topography, proposed landscaping and screening measures, and the implementation of management plans during both the construction and operational phases, will assist in minimising impacts on surrounding landowners and the broader community.

The application acknowledges the potential for adverse social impacts associated with matters such as safety, health, security and construction-related disturbance. However, the various technical assessments submitted in support of the application identify appropriate mitigation and management measures to address these risks. Where implemented, these measures are expected to minimise potential impacts and ensure the development operates in a safe and responsible manner.

On balance, the proposal is considered unlikely to result in unacceptable social impacts and is capable of being appropriately managed through the recommended conditions of consent. As such, the development is considered acceptable from a social impact perspective.

Energy

The proposed development involves the establishment of a renewable energy facility comprising a 4.99MW photovoltaic electricity generating system and associated infrastructure, including a Battery Energy Storage System (BESS). The development will contribute to the generation of clean, renewable electricity and support State and national objectives relating to energy security, emissions reduction and the transition to a low-carbon economy.

The proposal represents an appropriate use of the site, taking advantage of the area's solar resource while maintaining the ability for continued agricultural activities within and around the development area. Subject to the recommended conditions of consent and implementation of the proposed management measures, the development is not expected to result in significant adverse environmental impacts associated with energy generation and is considered satisfactory in this regard.

Construction

The construction phase of the development has the potential to result in temporary impacts, including noise, dust, traffic generation and general site disturbance. These impacts are expected to be short-term in nature and can be appropriately managed through the implementation of mitigation measures and compliance with the recommended conditions of consent.

Conditions of consent are recommended to ensure construction activities are undertaken in an environmentally responsible manner and address, at a minimum, the following matters:

- Hours of construction work, consistent with relevant NSW guidelines;
- Construction waste storage, handling and disposal;
- Noise and dust suppression measures, together with the management of other potential pollutants;
- Erosion, sediment and stormwater management controls;
- Traffic management and site access arrangements;
- Continuity of public access and protection of public infrastructure; and
- Appropriate site and traffic signage.

Subject to compliance with the recommended conditions of consent and associated management measures, construction-related impacts are considered capable of being effectively managed and are unlikely to result in significant adverse impacts on the surrounding locality.

Waste Management and Decommissioning

The proposed development is expected to generate minimal waste during its operational phase, primarily comprising maintenance-related materials and the occasional replacement of equipment. These waste streams can be appropriately managed through standard waste management practices and disposal at suitably licensed facilities.

The applicant has submitted a Waste and Decommissioning Assessment (WDA) which provides a framework for the removal, reuse, recycling and disposal of solar panels, electrical equipment, support structures, cabling and ancillary infrastructure following the cessation of operations.

Appropriate conditions of consent are recommended requiring the preparation and implementation of a Decommissioning and Rehabilitation Management Plan prior to the cessation of operations. The Plan will be required to address the removal of all solar-related infrastructure, lawful waste disposal, recycling opportunities, site remediation and rehabilitation of disturbed areas. Conditions will also require the site to be restored to a condition capable of supporting its previous agricultural use and land capability.

Subject to the recommended conditions of consent and implementation of the Waste and Decommissioning Assessment, waste generated during operation and following the cessation of the development can be appropriately managed. Accordingly, no concerns are raised in relation to the long-term management of waste associated with the proposed development

Cumulative impacts

The proposal is considered compatible with the existing character and land use pattern of the locality and is not expected to result in any unacceptable land use conflicts. The development has been designed to minimise off-site impacts and incorporates a range of mitigation measures, including vegetative screening, which will assist in integrating the development into the surrounding landscape and reducing visual impacts.

The recommended conditions of consent, together with the management and mitigation measures proposed by the applicant, are considered adequate to minimise potential impacts during both the construction and operational phases of the development. Furthermore, the key environmental, social, traffic, visual and agricultural considerations associated with the proposal have been comprehensively assessed throughout this report.

On balance, the cumulative impacts of the development are considered acceptable and do not warrant refusal of the application. The assessment demonstrates that the proposal is consistent with the relevant planning legislation, strategic planning framework and applicable development controls. Consequently, the proposal is not expected to result in any significant adverse cumulative impacts and is considered suitable for the site and its surrounding locality.

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

The subject site is considered suitable for the proposed development. Environmental constraints and site-specific characteristics have been assessed through the supporting documentation submitted with the application. The assessment has demonstrated that the site is capable of accommodating the proposed development without resulting in unacceptable environmental, social or economic impacts.

In this regard, the following matters are relevant:

- The proposed development is compatible with and sympathetic to the existing character and built form of the locality.
- No hazardous land uses or activities have been identified within the vicinity of the site that would constrain the proposed development.
- The physical attributes of the site are conducive to the proposed use and are capable of accommodating the development.
- It has been demonstrated that any potential impacts associated with the proposal can be appropriately mitigated and managed through the imposition of suitable conditions of consent.
- Essential services and utilities are available and adequate to service the development.
- The proposal has been designed having regard to the bush fire risk affecting the site and is capable of complying with the relevant bush fire protection requirements.
- The development is not expected to result in any significant adverse environmental impacts, subject to the imposition of appropriate conditions of consent.
- Construction-related noise impacts are expected to be temporary in nature and can be appropriately managed through standard conditions of consent.
- Known environmental constraints affecting the land, including bush fire risk, are not considered to be prohibitive to the development proceeding.
- The proposed development is permissible with development consent pursuant to Clause 2.36 of the SEPP (T&I) 2021 and is generally consistent with the strategic directions and objectives contained within Council's Local Strategic Planning Statement.

Accordingly, it is considered that the site is suitable for the proposed development for the purposes of Section 4.15(1)(c) of the EP&A Act 1979.

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

A total of forty (40) submissions were received in relation to the proposed development, of which nineteen (19) were unique submissions (refer to **Attachment D**). The following issues were raised:

- Agricultural value and land use compatibility
- Fire Hazard and Safety Risks
- Road safety, traffic, parking and access
- Post-project decommissioning and rehabilitation
- Visual impacts
- Aviation impacts
- Flooding, stormwater and water resources
- Economic and community benefits
- Biodiversity and ecological impacts
- Impact on property values
- Electromagnetic fields (EMF), health and radiation impacts
- Community Consultation and Public Notification
- Security, Lighting and Surveillance
- Biosecurity, weeds and pest management
- Future Expansion and Battery Energy Storage Systems (BESS)
- Residential amenity and setbacks
- Telecommunications and Service Interference
- Project Lifespan and Sustainability
- National security and critical infrastructure concerns

These submissions are considered in section 5.3 and Table 7 later in this report.

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

The potential visual, social, economic and environmental impacts associated with the proposed development have been comprehensively assessed throughout this report. The assessment has demonstrated that the proposal is not expected to result in any unacceptable adverse impacts, subject to compliance with the recommended conditions of consent and relevant statutory requirements. Furthermore, the development is not anticipated to adversely affect public health or safety, provided it is carried out in accordance with all applicable planning controls, standards, construction requirements and the recommendations contained within the supporting technical reports.

The proposed solar farm represents an appropriate use of the subject land. The development is permissible with development consent under the provisions of the SEPP (T&I) 2021 and is compatible with the rural character and existing land uses within the locality. Potential impacts associated with both the construction and operational phases of the development have been assessed and can be effectively managed through the implementation of the recommended mitigation measures and conditions of consent.

The proposal is consistent with the relevant planning controls and strategic objectives applicable to the site. Relevant government agencies and public authorities have been consulted as part of the assessment process, with their recommended conditions incorporated into the draft consent where appropriate.

In addition to facilitating the generation of renewable energy, the development is expected to deliver broader economic and community benefits. During the construction phase, the project will generate employment opportunities and is likely to provide indirect economic benefits to the township of Quirindi through increased demand for accommodation, hospitality and other local services. The proposal will also contribute to State and national renewable energy objectives by supporting the transition towards more sustainable energy generation.

Having regard to the matters raised above, the proposed development is considered to be in the public interest and warrants approval, subject to the recommended conditions of consent.

5. REFERRALS AND SUBMISSIONS

5.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment referral as required by the EP&A Act 1979 and outlined in **Table 6** below. 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 6: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act 1979) and Integrated Development (s4.46 of EP&A Act 1979)			
Not applicable - no concurrence requirements, as the proposal is not integrated or designated development.			
Referral / Consultation Agencies			
NSW Rural Fire Service (RFS)	S4.14 – EP&A Act Development on bushfire prone land	The proposal does not involve a ‘special fire purpose’ or subdivision for residential purposes, thus no referral / concurrence to NSW RFS required. However, NSW RFS were consulted for advice and provided recommended conditions. This matter has been previously addressed in this report.	Y
Electricity supply authority - Essential Energy	Section 2.48 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Development near electrical infrastructure	Advice and recommendations were provided by Essential Energy. Support in principle was received for the project. Conditions of consent are attached.	Y
Department of Planning and Environment- Water	<i>Water Management Act 2000</i> , s91	Not applicable as the proposed development does not involve works in, on or under waterfront land.	N/A
Northern Region Planning Panel	Section 2.19(1) and Clause 5 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>	Referral for Assessment required as development is Council related development over \$5 million.	Y
Department of Primary Industry Regional	EP&A Regulation 2021, s38 (Amendment of development application)	DPIRD requested additional information through correspondence dated 12 May 2026 and 20 July 2026. The outstanding information was subsequently provided by the proponent on 14 August 2026. Advice	Y

Development (DPIRD)		and recommendations have established appropriate draft conditions which address the matters raised in DPIRD's comments.	
Air Services Australia / CASA	Proximity to Quirindi Airport	No issues raised.	Y
Transport for NSW	Development that is deemed to be traffic generating development of Schedule 7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>	Not considered to be traffic generating development, under the thresholds in Schedule 7.	N/A
Local Lands Services - North West	Regarding Travelling Stock Route (TSR)	The application was referred to Local Land Services (LLS) on 19 May 2026, with follow-up correspondence seeking comment. No response was received. However, any potential impacts can be appropriately managed through the recommended conditions of consent.	Y

5.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 7** below.

Table 7: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Development Engineer has assessed the proposal and raised no concerns in relation to traffic generation, access and car parking, stormwater subject to conditions of consent.	Y
Traffic	The increased traffic generation is short term (3 months) and has been resolved by proposed conditions of consent, involving management and mitigation measures.	Y
Building	Council's Building Certifier raised no concerns, subject to conditions of consent, and advised only a final inspection and occupation certificate would be required once the works are complete.	Y
Health	Council's Health Surveyor has assessed the proposal. Draft conditions have been provided to ensure compliance and the proposed development does not impact on the soil or groundwater.	Y
Waste	A waste assessment was submitted in support of the application. A Construction Waste Management Plan will be required prior to the commencement of works. Relevant requirements are included in the recommended conditions of consent.	Y

Public Domain/ Assets	Council's Public Domain / Assets Officer has assessed the proposal and associated documentation and raised no concerns, subject to conditions of consent.	Y
Heritage	In accordance with the LPLEP 2011, there are no heritage items on, adjoining, or near the subject site. An AHIMS search confirmed no Aboriginal objects, places, or areas of archaeological significance within or near the site. As the site is not heritage-listed and is not located within a heritage conservation area, no heritage referral is required.	N/A

The outstanding issues raised by Council officers are considered in the Key Issues section of this report.

5.3 Community Consultation

The proposal was notified in accordance with Council's Community Participation Plan 2024 from 22 April 2026 to 6 May 2026. At the request of a number of landholders seeking additional time to prepare submissions, the exhibition period was extended by one week to 13 May 2026.

Notification of the proposal included:

- Publication on Council's website;
- Notification letters issued to adjoining and adjacent landowners; and
- Public notice on Council's website.

Council received a total of forty (40) submissions, comprising nineteen (19) unique submissions, all of which objected to the proposed development. The matters raised in these submissions are addressed in **Attachment D**.

6. KEY ISSUES

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

6.1 Agricultural value and land use compatibility

Issues Raised

The proposed development may result in the loss of productive agricultural land and has the potential to affect agricultural productivity, existing farming operations, future agricultural use of the land, and the broader agricultural economy of the locality.

Response:

The proposal was referred to the NSW Department of Primary Industries and Regional Development (DPIRD), and comments were received. DPIRD requested that the applicant undertake additional technical studies. These studies were subsequently submitted and reviewed by DPIRD. The recommendations provided by DPIRD have been incorporated into the recommended conditions of consent attached to this report and are considered to satisfactorily address the concerns raised by the agency.

Resolution: The issue has been resolved through recommended conditions of consent as outlined in **Attachment A**.

6.2 Fire Hazard and Safety Risks

Issues Raised

Potential fire and safety risks associated with the development, including emergency response arrangements, fire spread, hazardous materials management, and the resilience of solar and battery infrastructure during natural disaster events.

Response:

The proposed development was referred to the NSW Rural Fire Service (NSW RFS) for comment. A number of recommendations were received and have been incorporated into the recommended conditions of consent attached to this report.

Resolution: The issues have been resolved through recommended conditions of consent as outlined in **Attachment A**.

6.3 Road safety, traffic, parking and access

Issues Raised

Impacts on road safety, traffic movements, property access and the local road network, including increased construction traffic, road damage, dust generation, access constraints for agricultural vehicles, and concerns regarding the location and visibility of the proposed site access.

Response:

The increase in traffic on Bundella Road will be temporary and limited to the approximately three-month construction period. Upon completion of construction, traffic generation associated with the development is expected to be minimal and limited to infrequent site visits. The TIA concluded that the development can be adequately accommodated by the existing road network and is supportable in terms of traffic and parking impacts. Recommended conditions of consent have been included to manage and mitigate any potential impacts associated with the development during the construction phase.

Resolution: The issues relating to access increased traffic and the potential impacts on safety have been resolved and accordingly, warrants approval of the application.

6.4 Post-project decommissioning and rehabilitation

Issues Raised

The adequacy of proposed decommissioning and rehabilitation measures, including the potential abandonment of infrastructure at the end of the project's operational life, the removal and disposal of solar farm components, and the absence of a clearly defined and financially secured rehabilitation plan to ensure full restoration of the site.

Response:

Conditions have been included in the recommended terms of consent in **Attachment A** to address waste and technological hazards at post operation phase of the development.

6.5 Visual impacts

Issues Raised

Potential impacts on visual amenity, rural landscape character arising from the visibility of the proposed solar farm, including concerns relating to glare, reflection and the effectiveness of proposed screening measures.

Response:

The identified visual impacts are addressed through draft conditions of consent, with Council also seeking additional landscaping and screening measures to further mitigate visual impacts on neighbouring properties and road users.

Resolution: The issues relating to the potential visual impacts have been resolved and accordingly, warrants approval of the application.

6.6 Aviation impacts

Issues Raised

Potential glare and reflected sunlight from the proposed solar farm affecting pilots operating in the vicinity of Quirindi Aerodrome, resulting in aviation safety impacts.

Response:

The VIA assessed views from the RT03 flight path and found the visual impact to be low, with no significant glint or glare impacts identified. Furthermore, Airservices Australia, as the relevant aviation authority, reviewed the proposal and did not raise any concerns regarding aviation safety or impacts on aircraft operations.

Resolution: The issues relating to the potential aviation impacts have been resolved and accordingly, warrants approval of the application.

6.7 Flooding, stormwater and water resources

Issues Raised

There is the potential for impacts on flooding behaviour, drainage patterns, stormwater runoff, erosion, sedimentation, water quality and groundwater resources, including concerns regarding the effectiveness of proposed stormwater and erosion control measures and their ability to protect surrounding land and waterways.

Response:

The site is currently used for primary production, and the proposed solar farm is considered a less sensitive land use in terms of potential exposure to flooding and drainage impacts. The proponent has advised that the development involves minimal ground disturbance, with solar array posts driven into the ground and excavation generally limited to ancillary infrastructure. The existing topography and drainage patterns will largely be maintained, and rainfall runoff from the solar panels will be dispersed onto the ground and absorbed by the surrounding soil. Appropriate stormwater, erosion

and sediment control measures are also proposed to manage potential impacts during construction and operation.

Resolution: Should the proposal be supported draft conditions will be included which provide mitigation measures in relation to the impacts of stormwater run-off and contamination. It is therefore considered that these issues have been resolved.

6.8 Biodiversity and ecological impacts

Issues Raised

Potential impacts on biodiversity, native vegetation and wildlife, including koala habitat and wildlife movement corridors, and concerns regarding the adequacy of ecological assessments and proposed measures to avoid, minimise and manage impacts on native flora and fauna.

Response:

This will be resolved by the draft conditions of consent to be enforced at the construction, operation and post operation stages of the development, should the development be supported.

Resolution: The issues have been resolved via recommended conditions of consent outlined in **Attachment A**.

6.9 Electromagnetic fields (EMF), health and radiation impacts

Issues Raised

Potential impacts associated with electromagnetic fields (EMF), radiation, heat generation and related infrastructure, including effects on human health, livestock, wildlife, agricultural operations and the surrounding environment, as well as the adequacy of assessment, monitoring and proposed mitigation measures.

Response:

The proponent provided information from the World Health Organization (WHO) indicating that electricity generated by solar panels and transmitted through associated infrastructure produces extremely low-level electromagnetic fields (EMF). The information further notes that low-level EMF exposure has been extensively studied and that there is no evidence to indicate adverse health effects from such exposure. Therefore, the proposed development is not expected to result in significant EMF-related impacts on human, wildlife or livestock health.

6.10 Biosecurity, weeds and pest management

Issues Raised

Potential biosecurity impacts associated with the introduction and spread of weeds, pests and diseases, the effectiveness of pest exclusion measures, and the adequacy of proposed biosecurity management, site maintenance and rehabilitation practices to protect surrounding agricultural land and rural environmental values.

Response:

Potential biosecurity impacts have been considered through the preparation of a Biosecurity Management Plan, which identifies management and mitigation measures to minimise the introduction and spread of weeds, pests and diseases. In addition, a draft condition of consent has been included requiring the implementation of appropriate weed management and control measures during the construction phase of the development.

Resolution: With the imposition of a recommended condition relating to the management of weeds during construction it is considered that the issue identified is resolved.

6.11 Decreased property values

Issue Raised

Concerns were raised that the development would negatively impact property values for the surrounding residents.

Response:

While not strictly a planning consideration, the management of impacts on the surrounding environment and properties will ameliorate much of the potential impact on the community and potential property values. Conditions have been included in the terms of consent to ensure that all potential impacts are appropriately mitigated by the developer.

6.12 Community consultation and public notification

Issue Raised

Concerns were raised regarding a lack of communication with the applicant and the adequacy of Council's notification of the development..

Response:

The proposal was notified in accordance with Council's Community Participation Plan from 22 April 2026 to 6 May 2026. Following requests from several landholders seeking additional time to prepare submissions, the exhibition period was extended by one week to 13 May 2026.

At Council's request, the applicant subsequently contacted nearby residents following the exhibition period to discuss the proposal and seek further feedback. Should the application be approved, conditions of consent will be imposed requiring the applicant to consult with adjoining landowners prior to the commencement of works, including providing details of the proposed construction activities and any relevant mitigation measures.

6.13 Residential amenity and setbacks

Issue Raised

Potential impacts on the amenity of neighbouring residences due to the proximity of the proposed development, including concerns regarding setback distances, visual impacts, screening measures and the accuracy of information presented regarding nearby dwellings.

Response:

The proposed development complies with the applicable setback requirements. In response to concerns raised during the assessment process, Council requested that additional screening measures be considered. The applicant subsequently submitted amended plans incorporating increased screening, which are considered to further reduce potential visual impacts and improve the interface between the development and adjoining properties. Accordingly, the proposal is not expected to result in unreasonable amenity impacts on neighbouring residences.

Resolution: The issue has also been resolved through recommended conditions of consent as outlined in **Attachment A**.

7. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act 1979 and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

A review of the SoEE Report, plans and all associated documentation submitted with the Application has been undertaken, and the merits of the proposal have been assessed. The assessment has included consideration of internal referrals, external government agencies and the public submissions, in conjunction with analysis of the potential environmental impacts of the proposal.

Council considers the key issues associated with the proposal relates to:

- Agricultural value and land use compatibility
- Fire Hazard and Safety Risks
- Road safety, traffic, parking and access
- Post-project decommissioning and rehabilitation
- Visual impacts
- Aviation impacts
- Flooding, stormwater and water resources
- Biodiversity and ecological impacts
- Electromagnetic fields (EMF), health and radiation impacts
- Biosecurity, weeds and pest management
- Deceased property values
- Community consultation and public notification
- Residential amenity and setbacks

The proposed development constitutes an 'electricity generating works', is appropriately located within the RU1 zone under the relevant provisions of LPLEP 2011 and is permissible in the RU1 zone under the provisions of clause 2.36(1)(b) of the SEPP (Transport and Infrastructure) 2021. The proposal is consistent with all statutory and non-statutory controls applying to the development.

It is considered that the key issues as outlined in Section 6 have been resolved satisfactorily through amendments to the proposal and in the recommended draft conditions included at **Attachment A**.

8. RECOMMENDATION

That the Development Application DA 2026/0013 for electricity generating works (4.99MW solar farm and Battery Energy Storage System) at 1415 and 1553 Bundella Road, Quirindi NSW 2343, 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 **Attachment A**.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Site Photographs
- Attachment C: Design Plans
- Attachment D: Public Submissions