

PLANNING ASSESSMENT REPORT

WESTERN REGIONAL PLANNING PANEL

PANEL REFERENCE	PPSWES-310
DA NUMBER	DA2025/0061
LGA	Blayney
PROPOSED DEVELOPMENT	Electricity Generating Facility Solar Farm (two 4.99MW solar farm and battery storage energy system (BESS) & minor Boundary Adjustment.
ADDRESS	180 Greghamstown Road, Blayney Lot 74 DP 750390 & Lot 83 DP 750390
APPLICANT	Jou Jong of EDPR Australia Pty Ltd
OWNER	Neil Oldham
DA LODGEMENT DATE	31 July 2025
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Private Infrastructure and community facilities with a CIV greater than \$5m
CIV	\$16,304,372 (excluding GST)
CLAUSE 4.6 REQUESTS	Not applicable
KEY SEPP/LEP	• <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>Blayney Local Environmental Plan 2012</i>
TOTAL AND UNIQUE OBJECTIONS	Thirty six (36) submissions were received by council, although three (3) people sent in multiple submissions equating to total of thirty (30) submissions
DOCUMENTS SUBMITTED FOR CONSIDERATION	• Statement of Environmental Effects • Plans by edp Renewables – G-0100, G-0200, G-0300, G-2200, C-4300, G-4310, G-5300, C-5301, C-6300, C-6301, E-3400, E-4300, E-5300, E-5310 • Draft Plan of Subdivision • Biodiversity Inspection Report

	• Traffic Impact Statement • Noise Assessment • Visual Impact Assessment • Glint and Glare Study • Glint and Glare Study – Glare Analysis 1 & 2 • Water Assessment • Fire and Hazard Assessment • Waste and Decommissioning Assessment
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (s7.24)	Not applicable
RECOMMENDATION	Approved subject to conditions
SCHEDULED MEETING DATE	9 July 2026
REPORT PREPARED BY	Amanda Rasmussen, Manager Development Assessment, Blayney Shire Council
DATE OF REPORT	4 June 2026

EXECUTIVE SUMMARY

The development application DA2025/0061 seeks consent for Electricity Generating Facility Solar Farm (two 4.99MW solar farm and battery storage energy system (BESS)) & minor Boundary Adjustment. The applicant has advised that the two batteries would have capacity of between 5 and 10 MW each. The development site comprises Lots 74 and 83 in DP 750390 and is known as 180 Greghamstown Road, Blayney ('the site') and comprises a lot with a single road frontage to an unnamed Council road that intersects with Marshalls Lane to the east. The property has a combined area of approximately 32.8ha, with the development site having development site coverage of approximately 21.7 hectares (equating to approximately 66%). The development proposes two (2) systems; PV01 on existing Lot 74 and PV02 on existing Lot 83. Each PV system will consist of 10,300 solar panels (approximately) per site. The proposal also includes a minor boundary adjustment (subdivision) between the two (2) existing allotments with Proposed Lot 1 (formerly Lot 72) having a site area of 15.61 hectares and Proposed Lot 2 (formerly Lot 83) having a site area of 17.2 hectares. The site is currently used for livestock grazing and is vacant of built structures.

The site is located approximately 2km to the north west of Blayney. Uses within the broader area include grazing, cropping, mining and scattered rural residential dwellings, with freight, manufacturing and storage activities within the Blayney Industrial Estate (approximately 760m to the east).

The site is located in the RU2 Rural Landscape zone pursuant to clause 2.3 of the *Blayney Local Environmental Plan 2012* (the LEP). While 'electricity generating works' are not permissible in the zone under the LEP, they are made permissible through the operation of State Environmental Planning Policy (Transport and Infrastructure) 2021 on any land in a prescribed non-residential zone under clause 2.36(1)(b) of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the SEPP). As the RU2 Rural Landscape zone is a prescribed non-residential zone under the SEPP, the proposed development is permissible with consent.

The principal planning controls relevant to the proposal include *State Environmental Planning Policy (Planning Systems)*, *State Environmental Planning Policy (Primary Production) 2021*, *State Environmental Planning Policy (Transport and Infrastructure) 2021*, *State Environmental Planning Policy (Resilience and Hazards) 2021* and *Blayney Local Environmental Plan (LEP) 2012*. The proposal is consistent with the provisions of the LEP.

There were two (2) concurrence requirements from agencies for the proposal being Essential Energy and APA Group. No significant issues were raised regarding the development. The application is not integrated development pursuant to section 4.46 of the *Environmental Planning and Assessment Act 1979* (the Act).

The application was placed on public exhibition between 14 August and 5 September 2025, with a total of thirty-six (36) submissions being received by Council, although three (3) people sent in multiple submissions equating to a total of thirty (30) unique submissions.

The application is referred to the Panel as the development is '*regionally significant development*', pursuant to section 2.19(1) and clause (5)(a) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* as the proposal is development for private infrastructure with a CIV over \$5 million. An onsite meeting with the Western Region Planning Panel Delegate was undertaken on 11 March 2026.

Assessment of the application under section 4.15(1) of the Act considered that there are unlikely to be any significant adverse impacts of the development on the natural and built environments, subject to the recommended conditions.

The key assessment matters identified include:

- Visual impact – A Visual Impact Assessment was undertaken that concluded the overall impact of the development on landscape character (using proximity, elevation, topography, vegetation and structures on intervening land that may obscure visual connection with the development site) is assessed to be low-moderate for both private property and the public domain. The assessment recommended that the vegetation to be planted as a landscape screen along the southern and eastern boundaries as shown on the General Arrangement Plan comprise shrubs or trees that grow to a maximum height of 3m so as not to interfere with sunlight access to the array; be planted to a width of 3m with stepped plantings to ensure dense screening; and ensuring all plants be endemic to the locality of Blayney. As part of Planning assessment, the Visual Impact Assessment has been reviewed with additional measures incorporated into landscaping conditions to provide reasonable amenity.
- Glint and Glare - A Glint and Glare Assessment was undertaken based on potential visual receptors (road, rail and residences) which concluded that 1 observation point and 8 road routes may receive yellow glare. The yellow glare along the road routes did not exceed 15 minutes in a single day and were limited to small sections of road. The assessment recommended vegetation on the sites eastern and southern boundaries, in addition to vegetation being extended on the western site boundary to the length of the PV01 system (on Lot 74) to mitigate visual impacts of glare in most cases. The report further concluded where yellow glare is experienced, the durations will be short with low traffic expected. As part of the Planning assessment, the Glint and Glare assessment was reviewed and its conclusions are reasonable.
- Land use conflict - The land use for renewables can readily co-exist within surrounding land uses with minimal risk of conflict. Potential risks during construction are considered

manageable through the implementation of mitigation measures such as construction management, dust suppression and traffic management.

Whilst it is acknowledged that the development will change the current visual landscape and have some impact, the Visual Impact Assessment and Glint and Glare Study recommend vegetation screening to mitigate such impacts. This Planning assessment concurs with these recommendations.

- Traffic, access and parking – The proposal is satisfactory with regard to traffic impacts, subject to conditions. The proposed heavy vehicle route through the nearby industrial estate is appropriate. For any B-double use, approval will be required along Marshalls Lane westward from its intersection with Gerty Street.
- Noise - The noise assessment report results demonstrates that the development proposal satisfies the requirements of the Interim Construction Guideline, Noise Policy for Industry and the Road Noise Policy with negligible impact in relation to noise resulting from the proposal.
- Fire hazard - The proposal requires an APZ (Asset Protection Zone) of 10m for the whole of the site, including water reserved for fire fighting purposes on each of the allotments. The project design also incorporates system fault monitoring, automated fire detection and suppression systems and safety procedures. To further ensure that bushfire risk is being appropriately managed, a Bushfire Emergency Management and Operations Plan is to be developed and implemented for the life of the project.
- Decommissioning and Waste – It is intended that the site will be decommissioned within 35 years at the end of its useful life (subject to replacement of solar panels and evolving panel performance). It is important to ensure that all above and below ground solar farm infrastructure is removed and either recycled, reused or appropriately disposed of in order to return the site to its current agricultural potential. The conditions of consent include a provision for a Decommission and Rehabilitation Plan and a notation on title, or other legal mechanism, to ensure the landowner is responsible for site rehabilitation, should this not be undertaken by the developer.

The suitability of the site for the development is seen as satisfactory (subject to implementation of the conditions) and the development is considered to be in the public interest in terms of providing renewable energy and reducing reliance on fossil fuels.

It is recommended that DA 2025/0061 for an electricity generating works (solar farm), BESS and minor boundary adjustment at Lots 74 and 83 in DP 750390, 180 Greghamstown Road, Blayney be APPROVED pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* (the Act) subject to the conditions of consent attached to this report at **Attachment A**.

1. THE SITE AND LOCALITY

1.1 The Site

The site is described as Lots 74 and 83 in DP 750390 and known as 180 Greghamstown Road, Blayney. Each site comprises approximately 16.4 hectares and has been used primarily for livestock grazing and fodder crops (**Figure 1**). The site is currently used for sheep and cattle grazing and small-scale cropping. It has a gentle slope from north to south. There are no sheds or built infrastructure on the site. The landowner will lease the development site to the applicant

for the life of the solar farm and where possible livestock grazing would also occur within the solar farm. Vehicular access will be located at the south-western corner of Lot 74 where an un-named Council road connects to its intersection with Marshalls Lane.

Site vegetation is largely limited to exotic pasture grasses and ground cover with no native canopy or shrub species.

The site is not mapped as flood prone or bushfire prone land; although the land is mapped as bushfire prone land under the Draft Bushfire Mapping (yet to be adopted).

Existing access to the site is via an existing access point (informal) and rural gate located at the southern boundary of the site off an unnamed Council gravel road that extends westward at its intersection with Marshalls Lane.

A 11kV power line runs east-west along the unnamed road that connects to Marshalls Lane. The power line feeds into the Essential Energy Blayney Substation 66/11kV.

Lot 83 is affected by a high pressure gas pipeline that crosses the lower part of lot. The title has a registered 20m wide easement that runs east-west with terms of development restricted in the easement. The high pressure gas pipeline is managed by the APA Group.



Figure 1: Locality Map

1.2 The Locality

The site is located approximately 2km to the north west of Blayney (**Figure 1**) within a rural area (rural landscape) with uses in the surrounding area including agriculture (predominantly livestock grazing) and mining. Small rural holdings and rural residential uses are located on the outskirts of Blayney. The Blayney Industrial Estate is approximately 760m to the east and includes freight, manufacturing and storage activities. The Mid-Western Highway is located approximately 1.9km to the east and is accessed from the site via Marshalls Lane. The Blayney Railway Station is 3.0km to the south east. An isolated industrial site (Nestle Purina – Pet Care) is situated to the south west.

The northern extent of the Blayney urban area is approximately 640m to the south, with surrounding land comprising farming holdings and associated dwellings.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks consent for a solar farm comprising two 4.99MW AC Tracker System on land legally described as Lot 74 DP 750390 and Lot 83 DP 750390, 180 Gregshamstown Road, Blayney.

In summary the proposed development includes (**Figure 2**):

- 10,300 solar panels (approximately) per site to be installed in rows of 120m long running east-west. The height of each module is 2m-2.75m with a mounting system constructed on piles that are typically driven into the ground with depths of 1.5m to 3m. Each row of PV modules will rotate to track the sun.
- Each solar farm will consist of an inverter station, comprising two inverter units, the high/medium voltage switchgear and transformers.
The inverter station is ground mounted and incorporated on a 12.19 metre skid.
- A battery energy storage system (BESS) having height of 2.9m on a 12.1m skid is to be situated alongside each of the inverter stations.
- New access off the un-named road extending west from Marshalls Lane.
- 4m wide access road along the western boundary of each allotment
- Additional power pole at the southern end of existing Lot 74 and lines to connect to existing power lines
- Temporary parking spaces for up to 24 vehicles with three (3) spaces allocated for ongoing maintenance at the site.
- 3m wide vegetation screening for the length of the eastern and southern boundaries
- 1.8m high security fence on the outer side of the vegetation screening and asset protection zone within the security fence. The fence will be topped with three rows of barbed wire for a total height of 2.3m.
- Boundary adjustment between the two allotments; being Lot 74 DP 750390 (16.4ha) and Lot 83 DP 750390 (16.4ha). The resultant changes creates Proposed Lot 1 of 15.61ha and a battle-axe lot Proposed Lot 2 of 17.2ha.
- Electronic surveillance equipment is to be installed to allow 24/7 monitoring of the facility.
- No development is proposed over the existing gas pipeline easement
- The solar farm is to be operated for a period of 35 years.

- At the cessation of the solar farm operation, the site will be decommissioned and rehabilitated back to its pre-development state.

The solar farm is proposed to be constructed over a four month period, utilising up to 50 construction staff, with approximately 30 staff on site at any one time. The operational phase will not require staff permanently on-site with up to 2-3 staff occasionally on-site for maintenance purposes. The proposal aims to target employment of local contractors and businesses.

The facility is to operate for 35 years; subsequently decommissioned solar panels and all related infrastructure and reinstatement of soil profiles to return the land to agricultural use.



Figure 2: General Arrangement Site Plan

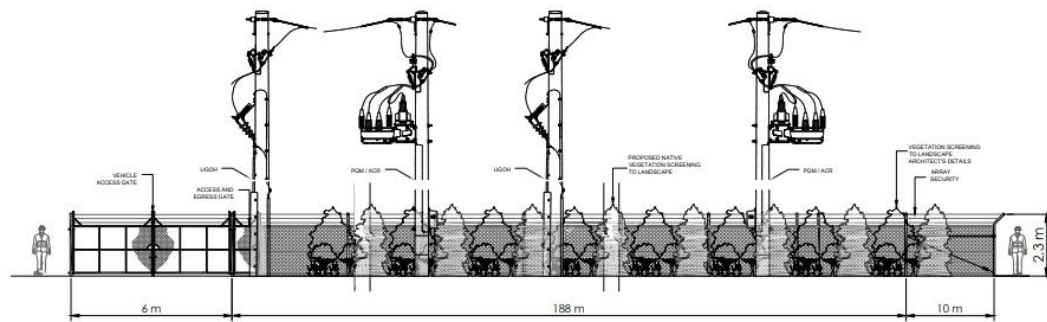


Figure 3: Development Elevation (Source: EDP Renewables)

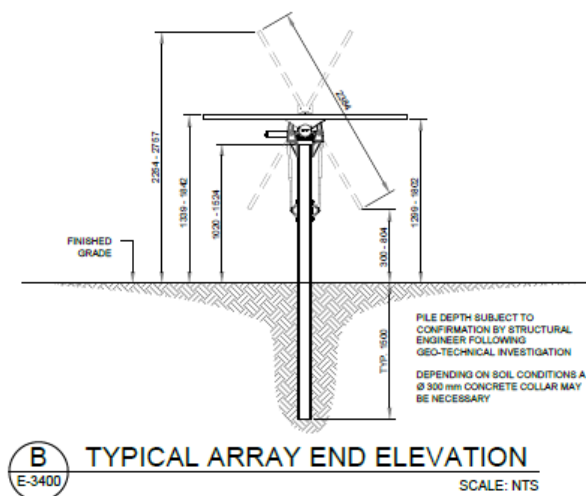


Figure 4: Array Elevation (Source: EDP Renewables)

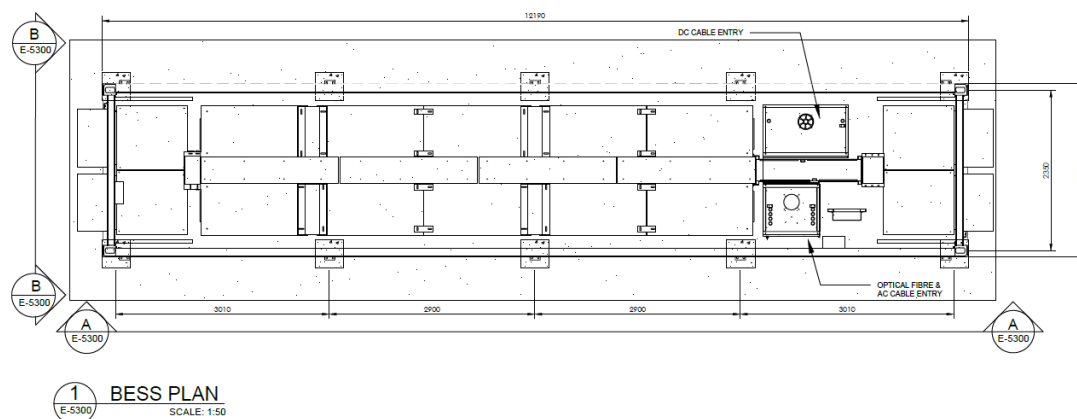


Figure 5: BESS Floor Plan (Source: EDP Renewables)

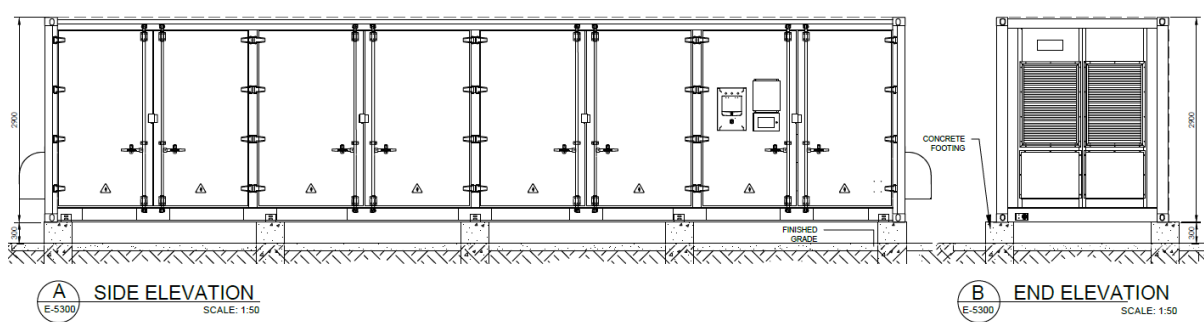


Figure 6: BESS Elevation (Source: EDP Renewables)

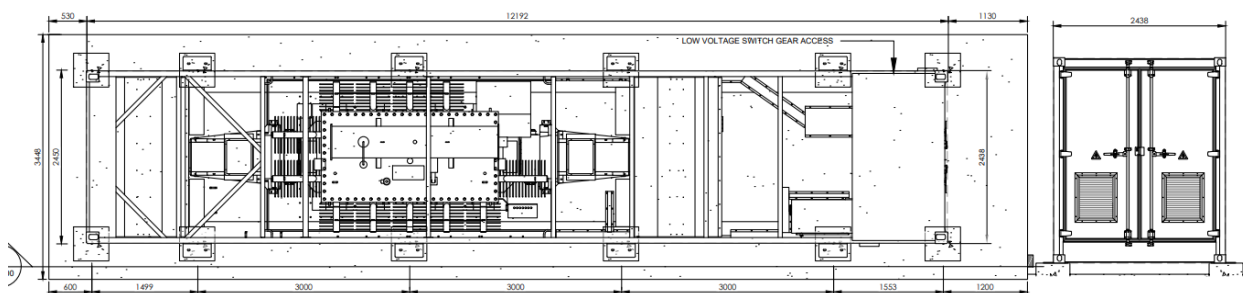


Figure 7: Inverter Floor Plan & End Elevation (Source: EDP Renewables)

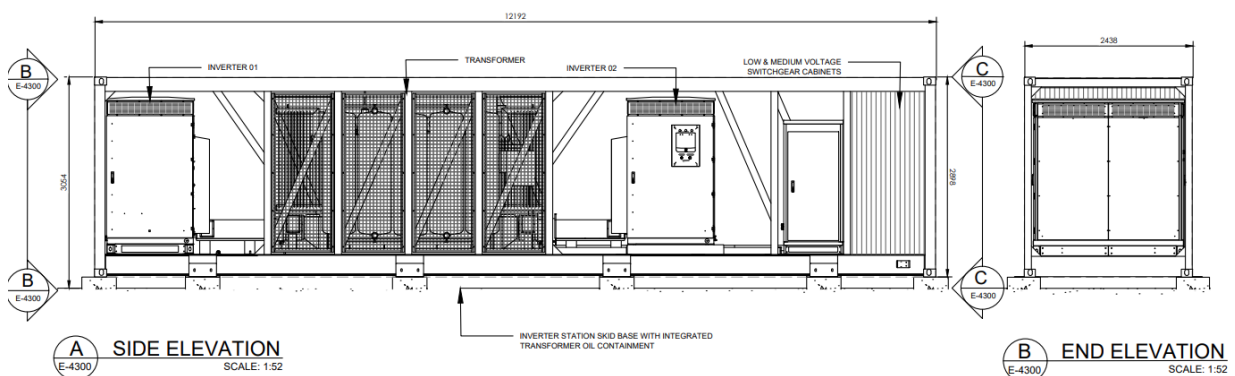


Figure 8: Inverter Side & End Elevation (Source: EDP Renewables)

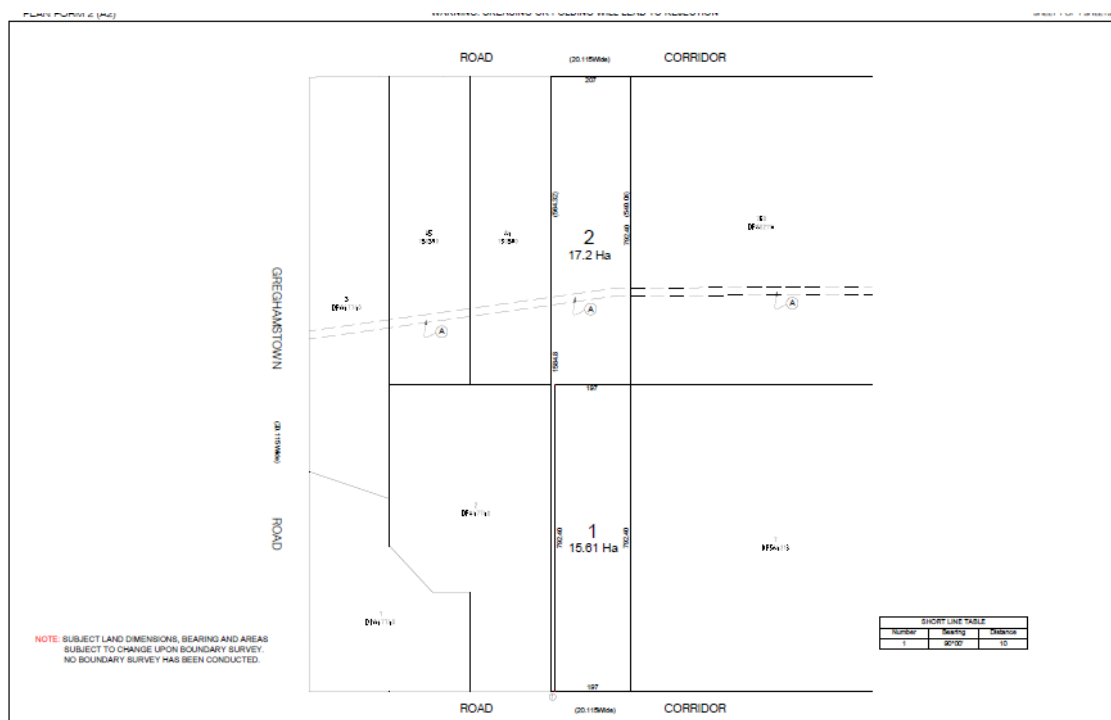


Figure 9: Proposed Boundary adjustment

There are no specific numerical development controls that apply, and key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	32.8ha in total Lot 74 DP 750390 – 16.4ha – Proposed Lot 1 – 15.61ha Lot 83 DP 750390 – 16.4ha – Proposed Lot 2 – 17.2ha
Site Coverage	Proposed Lot 1 – 73% Proposed Lot 2 – 59.9%
	2 x 4.99MW per site
	10,300 solar modules per site
Max height	Solar panel installed height of 2.75m at maximum rotation and the highest structure (other than power poles) being the inverter station at 3.05m above natural ground level. Battery Energy Storage System (BESS) having a height of 2.9m.
Landscaping	Plans include a 3m landscape buffer to the eastern along the boundary of both Lots 74 and Lot 83. A 3m wide landscape/vegetation buffer along the southern boundary of Lot 74 is also proposed.
Car parking spaces	24 temporary spaces during the construction period 3 spaces for ongoing maintenance

Setbacks	Solar panel arrays will have a minimum setback of 10m from the site boundaries.
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2.2 Background

Pre-lodgement advice was sought from Council and that advice (issued on 2 February 2023), identified the following issues for consideration (in addition to the typical due diligence issues of traffic, water, biodiversity, noise, glint and glare, visual impact, fire hazard, waste and decommissioning):

- The project should be designed and address the matters raised in the Large-Scale Solar Energy Guidelines;
- Visual Impact Assessment in accordance with the Technical Supplement – Landscape and Visual Impact Assessment;
- No impact upon the proposed by-pass/heavy vehicle de tour corridor;
- The traffic management report should consider a by-pass road and the impact on general road access to local residences;
- Construction and operational noise;
- Heritage, whilst the site is not identified as having an item or being within a Heritage Conservation Area, the impacts of the development on any nearby items or areas needs to be considered;
- Aboriginal archaeology;
- Socio-economic impacts;
- Impact on agricultural land;
- Consultation with nearby landholders and community;
- Construction and decommissioning waste;
- Management of potential bushfire hazard, regardless that the site is not bushfire prone land. The potential for grassfire and the management of hazards is to be addressed.

Additional clarification was sought by the Applicant from Council who provided the following additional information on 5 December 2024:

- Access would be maintained via the existing unnamed road. For noting the Quarry uses this portion of the unnamed road as their formal access route. You will need to consider traffic from the Quarry operation in your proposal (and the proposals effect on other users of this road) and subsequent construction traffic access management plan.
- The use of this road is only possible from Marshalls Lane and not the Greghamstown Road end. Council in its DA assessment of the proposal will then consider what if any additional requirements or upgrades would be required.

A chronology of the development application since lodgement is outlined in **Table 2**.

Table 2: Chronology of the DA

Date	Event
31 July 2025	DA lodged

14 August to 5 September 2025	Exhibition of the application
16 September 2025	Essential Energy referral response received
2 October 2025	Request for information (RFI) issued
7 October 2025	API referral response received
16 October 2025	Building Referral response received
23 October 2025	RYI response received
10 November 2025	Engineering Referral response received
3 November 2025	EHO Referral response received
11 March 2026	WRPP delegate onsite inspection with Council staff
1 June 2026	Revised Engineering Referral received

2.3 Site History

A review of Councils record management system has revealed there has been no development application lodged or completed for the land.

3. STATUTORY CONSIDERATIONS

Instrument	Relevant Provisions	Proposed Development
Environmental Planning & Assessment Act		The application has been assessed in accordance with Section 4.15 of the Act; matters for consideration.
Biodiversity Conservation Act 2016		Red Gum Consulting have prepared a Biodiversity Inspection Report. The assessment concludes that the site is dominated by exotic pasture grasses which have little to no value to threatened fauna or flora on the site. The proposal is unlikely to displace any rare or threatened species.

		The report identifies mitigation measures to address clearing that would minimise risks to threatened species that may be opportunistically using the site.
Water Management Act 2000		The development is not integrated development and no controlled activity approvals are required. Impacts on groundwater are not anticipated based on works not requiring groundwater extraction with the proposed site activity not contributing to any regional groundwater issues. There is the potential for increased impacts resulting from surface water however the solar farm doesn't feature any hard stand surfaces (with the exception of pads for ancillary infrastructure) that will cause or significantly contribute to increased water run-off that what is currently present. Solar farms are constructed with minimal ground invasive techniques with any erosion to be contained within standard erosion and sediment controls measures via conditions of consent for construction plans. There are two mapped watercourses, a first order stream and a minor stream. Neither stream features any distinct riparian habitation and are not specifically mapped on SEED or the BLEP 2012 Riparian and Watercourses Map.
Local Land Services Act	Local Land Services Act 2013 regulates the clearing of native vegetation on rural	The LLS Act does not apply to the solar farm development as development consent is

	land. Clearing may be authorised on Category 1(Exempt) Land but only where activity is permitted without consent and when no other permit is required under other legislation. If located on Category 2 (Regulated, Sensitive or Vulnerable) Land, clearing may be authorised as an Allowable Activity or under the Land Management Code within the LLS Act. If the clearing on Category 2 Land is not an Allowable Activity or is not authorised under Land Management (native vegetation) Code, a BDAR is required and the clearing may need to be offset under the Biodiversity Offset Scheme.	required to enable the works to proceed.
National Parks and Wildlife Act 1994	The objectives of the National Parks and Wildlife Act 1974 are to conserve and protect habitat, ecosystems, biodiversity, landforms, landscape and objects, places or features of cultural value in NSW.	The Due Diligence Code of Practise for the Protection of Aboriginal Objects in NSW provided a process whereby reasonable determination can be made as to whether or not Aboriginal objects will be harmed by an activity, whether further investigation is warranted and whether the activity requires an application for an Aboriginal heritage Impact Permit. A search of AHIMS records has been undertaken. It is considered that an extensive search of AHIMS records or further investigations and associated Aboriginal Heritage Impact Permit are not required as there are no Aboriginal sites or places that have been recorded or observed or the development site. Furthermore, the landscape features do not indicate the presence of any Aboriginal cultural objects on the development site.

Heritage Act 1977	The aims of the Heritage Act 1977 are to identify, protect and conserve items of heritage significance. Provision of the Heritage Act facilitate the establishment of a State Heritage Register for the listing of items of State significance and the preparation of conservation management plans for these items. The Heritage Act also sets out the procedures for the approval of works relating to items listed on the State Heritage Register.	The site is not listed as an item of Environmental Heritage under Schedule 5 of the Blayney LEP 2012, is not located in a heritage conservation area and does not adjoin land that is identified as a heritage item. There are no state heritage items in the vicinity of the development site.
Noxious Weeds Act 1993	The aims of the Noxious Weeds Act 1993 are to prevent the establishment, reduce the risk of spread and minimise the extent of noxious weeds within NSW.	The Biodiversity Inspection Report by Red Gum Consulting does not identify the presence of noxious weeds.
Roads Act 1993	Under Section 138 of the Roads Act 1993, consent is required to carry out works in, on or over a public road, remove or interfere with a structure, work or tree on a public road or connect a road to a classified road.	The development will require consent for a new access from a public road.
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	The Environment Protection and Biodiversity Conservation Act 1999 aims to protect nationally and internationally important flora, fauna, ecological communities and heritage places. The approval of the Commonwealth Minister for the Environment is required for actions that may have a significant impact on matters of national significance. Further the EPBC also requires Commonwealth approval for certain actions on Commonwealth land.	The Biodiversity Inspection report by Red Gum Consulting indicates the site is dominated by exotic pasture grasses with little or no value to threatened flora and fauna. There is no threatened flora or fauna present and due to the absence of trees and shrubs are unlikely to displace rare or threatened species. The proposal is not situated on Commonwealth land.

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (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.

It is noted that the proposal is not considered to be:

- Integrated Development (s4.46)
- Designated Development (s4.10)

The development did require concurrence under the following clauses:

- Requiring concurrence (s4.13)- Section 2.48 – *State Environmental Planning Policy (Transport and Infrastructure) 2021* - Development near electrical infrastructure
- APA Group Section 2.77 – *State Environmental Planning Policy (Transport and Infrastructure) 2021* - Development adjacent to pipeline corridors

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

The relevant environmental planning instruments and the matters for consideration under the Regulation are considered below.

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

A summary of the key matters for consideration arising from the relevant EPIs are outlined in **Table 3**.

Table 3: Summary of Key Matters in the Relevant Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Planning Systems) 2021	Section 2.19(1) declares the proposal regionally significant development pursuant to clause 5(a) of Schedule 6 as it comprises private infrastructure (electricity generating works) with a CIV of more than \$5m.	Yes
State Environmental Planning Policy (Primary Production) 2021	Chapter 2: Primary production and rural development	Yes
SEPP (Resilience & Hazards) 2021	<u>Chapter 4: Remediation of Land</u> Section 4.6 Contamination and remediation are to be considered in determining development applications.	Yes
	<u>Chapter 4: Hazardous and offensive development</u> and the Hazardous Industry Planning Advisory Guideline for Hazard Analysis requires that a preliminary hazard assessment (PHA) be prepared for potentially hazardous or offensive development.	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	<u>Chapter 2: Infrastructure, Part 2.3 Development controls</u> Section 2.36 Development permitted with consent. Section 2.42 applies to a regionally significant development application for electricity generating works in a regional city – not applicable as the site is not located in the Renewables Zone of a regional city. Section 2.48(2) (Determination of development applications—other development) – as the development is in proximity to existing electricity infrastructure and may influence the electricity network, Essential Energy has been consulted and has raised no objections. Section 2.98 Development adjacent to rail corridors – not applicable. Section 2.119 Development with frontage to classified road - not applicable as the development does not have frontage to a classified road. Section 2.122 Traffic generating development – referral to TfNSW is not required.	Yes
Biodiversity and Conservation	The potential for koala habitat has been assessed Clause /chapter	Yes

Proposed Instruments	There are no applicable draft instruments.	N/A
Blayney Local Environmental Plan 2012	Clause 2.3 Permissibility and zone objectives Clause 4.B Boundary adjustments between lots in certain rural zones Clause 5.10 Heritage conservation Clause 6.8 Essential services	No permissible, although with conditions is consistent with zone objectives Yes Yes Yes

State Environmental Planning Policy (Planning Systems) 2021

The proposal is regionally significant development pursuant to section 2.19(1) as it satisfies the criteria in clause 5(b) of schedule 6 in SEPP (Planning Systems) 2021 as the proposal is development for private infrastructure with a CIV of more than \$5 million. Accordingly, the Western Regional Planning Panel is the consent authority for the application.

State Environmental Planning Policy (Primary Production) 2021

Chapter 2: Primary Production and Rural Development

The proposal is not for the purposes of primary production and electricity generating works are not specifically mentioned in the policy. However, the proposal is consistent with the broad aims of the policy, particularly regarding the use of land for primary production, reducing land use conflict and sterilisation of rural land and the protection of native vegetation and biodiversity.

The proposal has an estimated life span of 35 years, after which it is proposed to decommission the solar farm by removing all infrastructure relating to the approved development from the site. At that time, the land would again be suitable for primary production purposes. It is unlikely that the development as proposed will result in any land use conflicts or sterilise the land for future primary production purposes.

The development area on the site has been previously cleared and used for grazing purposes. Given the historical use of the property, there will be insignificant impacts on native vegetation and biodiversity.

Clause 2.8 State Significant Agricultural Land

In section 2.8 of the SEPP, it is established that land is deemed State significant agricultural land if it is listed in Schedule 1. However, Schedule 1 has yet to be finalised and does not identify any lands, therefore the proposal is consistent with the SEPP. Furthermore, the site is not identified on the draft State Significant Agricultural Land map exhibited by the Department of Primary Industries.

The proposal is considered to be consistent with the aims of *SEPP (Primary Production) 2021*.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3: Hazardous and offensive development

3.7 Consideration of Departmental guidelines

In determining whether a development is—

- (a) a hazardous storage establishment, hazardous industry or other potentially hazardous industry, or
- (b) an offensive storage establishment, offensive industry or other potentially offensive industry,

consideration must be given to current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development.

In accordance with this clause, the applicant has undertaken an analysis and screening process to determine whether the proposal constitutes a potentially hazardous development under the Department of Planning's guidelines for hazardous and offensive development. SEPP (Resilience and Hazards) sets out the screening and risk assessment framework, noting that risk potential is typically influenced by five key factors:

- the properties of the substances handled or stored
- the conditions of storage or use
- the quantity involved
- the location in relation to the site boundary and
- surrounding land uses.

The SEPP screening process does not prescribe thresholds for Australian Dangerous Goods (ADG) Code Class 9 materials (Miscellaneous Hazardous Substances), which include the lithium-ion batteries proposed for the site. Resulting, a Preliminary Hazard Analysis (PHA) is not automatically triggered on the basis of screening thresholds.

The proposal however, identifies that the potential for risk (fire risk) associated with the Battery Energy Storage System (BESS) and has adopted management and mitigation measures presented in **Table 4**.

These measures will be required to be incorporated into the Construction Management Plan as required by a condition of consent.

Based on the above assessment, the proposal does not need the criteria of a potentially hazardous development under the provisions of the SEPP and therefore the proposal is considered to be consistent with the SEPP. The implementation of the identified mitigation measures in Table 4 are considered to be adequate for the site and development.

Table 4: recommended mitigation measures for potential hazardous materials.

No.	Safeguard and mitigation measures
HM1	The Blayney 4C & 7C Solar and BESS site would manage the fire risks associated with the BESS by: • Installing reliable, automated monitoring and control systems, with an alarm and shutdown response capability. • Taking reasonable and safe measures to prevent the risks of external heat effects in the event of a bushfire. • Designing appropriate separation and isolation between battery cubicles, and between the BESS and other infrastructure, in accordance with the manufacturers' recommendations, and including gravel set-off areas around the facility. • Compliance with all applicable Australian codes and standards. • Preparation of a BESS-specific fire response plan, in conjunction with the NSW Rural Fire Service. • Installing an adequate automatic fire suppression system integrated into the detection and control system. • Disposal (and where possible, recycling) of any potentially hazardous material in accordance with the best international practices available at that time.
HM2	Fuels and pesticides/herbicides in use at the site will be stored at the laydown area in appropriately bunded areas designed in accordance with AS1940-2004.

Chapter 4: Remediation of Land

Section 4.6 of the SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. On the basis of the available information, the subject site in its current state is considered to be suitable for the proposed development, which is not a sensitive land use, does not require significant excavation and will not involve staff permanently on site, except during the construction phase.

The land is not within an Investigation Area. The land has been historically general agricultural and grazing. As part of the development application, consideration was given to potential contamination issues. Visual inspection of the site does not indicate any areas or sources of potential contamination.

Figure 3 of the Managing Land Contamination Planning Guidelines outlines a DA process when considering contamination. This indicates that a Preliminary Investigation is not always required. 3.4.1 of the guidelines indicates "A preliminary investigation is not necessary where contamination is not an issue." Given the proposed use of the land there would be little point in requiring a Preliminary Investigation. Based on this information, further investigation is not warranted and the land is deemed suitable for its use as a Solar Farm.

The proposal is considered to be consistent with *SEPP (Resilience and Hazards)* 2021.

State Environmental Planning Policy (Biodiversity and Conservation) Koala Habitat

The development area and its surrounds are clear of trees. There have been no records within close proximity of the subject site which has been cleared of all native vegetation that could provide any habitat or foraging opportunities for koalas.

It is feasible that koalas may occupy vegetated sections in the broader area however there have been no recordings of koala presence in close proximity to the development site.

The proposal is considered to be consistent with SEPP (Biodiversity and Conservation) Koala Habitat. No further assessment or mitigation measures are warranted.

Blayney Local Environmental Plan 2012

Clause 2.3 Permissibility and zone objectives

The site is located within the RU2 Rural Landscape zone pursuant to clause 2.3 of the *Blayney Local Environmental Plan 2012* (the LEP) (**Figure 10**). The proposal for electricity generating works is not permissible in the zone under the LEP but is made permissible with consent on any land in a prescribed non-residential zone under clause 2.36(1)(b) of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the SEPP). As the RU2 Rural Landscape zone is a prescribed non-residential zone under clause 2.35 of the SEPP, the development is permissible with consent within the zone.

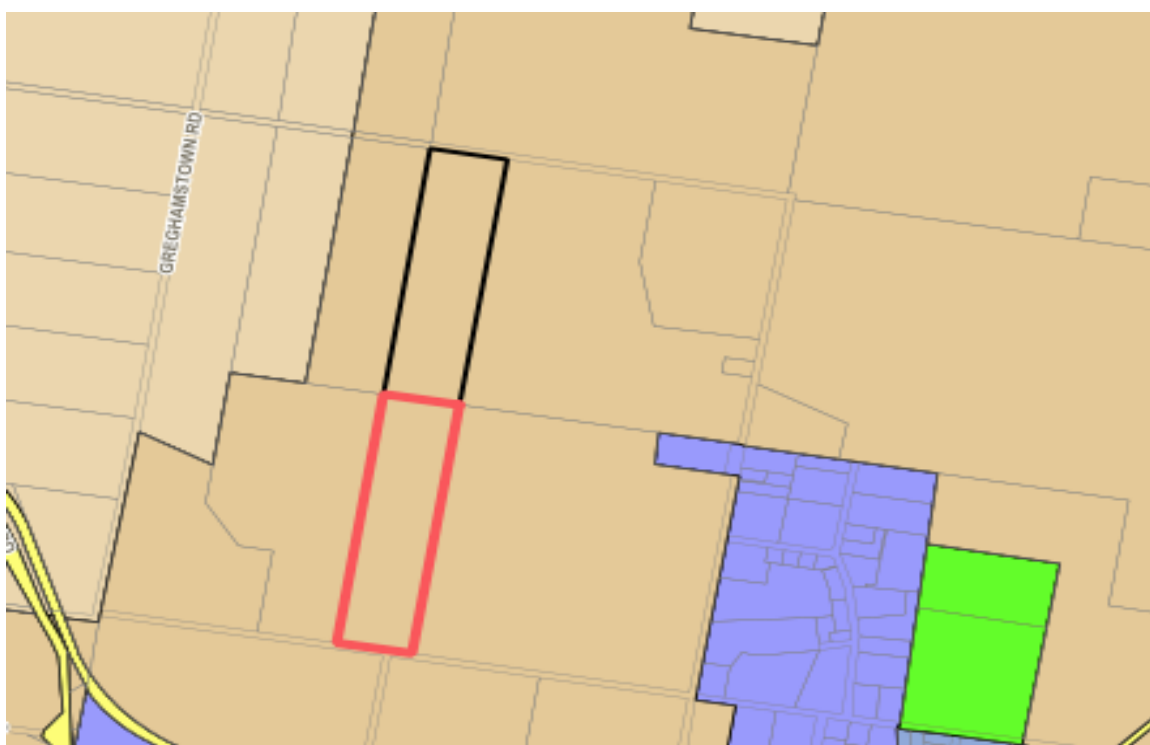


Figure 10: RU2 Rural Landscape zone (Source: NSW Planning Portal Spatial Viewer)

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

- Encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- Maintain the rural landscape character of the land.
- Provide for a range of compatible land uses, including extensive agriculture.
- Encourage development that will not have an adverse impact on the environmental and scenic qualities of the existing landscape.

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

- The proposal will provide renewable energy maintaining the rural function of the land.
- The development of the solar farm will have minimal impact on the surrounding land uses during the operational phase and can coexist with existing agricultural practices.

- The plans include a 3m wide vegetation screen to be planted on the inner side of the proposed security fence with plantings up to 3m in height at maturity that are endemic to the Blayney locality. This will be located along the entire length of the eastern boundary of both allotments and the southern boundary of Lot 74 to mitigate in part visual and amenity impacts by the proposed solar farm. The proposed landscaping is in line with the recommendations of the submitted Visual Impact Assessment. Additional landscaping recommended from the Glint and Glare Study, requiring an extension of landscaping to partially screen the south-western boundary along the edge of the PV01 system (to be located on Proposed Lot 1 – currently Lot 74) to mitigate glare potential.

Clause 4.2B Boundary adjustment between lots in certain rural zones

The objective of this clause is to facilitate boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.

The proposal seeks minor changes to the sites existing boundaries and the creation of an access handle which will provide access to the northern lot (proposed Lot 2).

Existing Lot	Existing Site Area	Proposed Lot	Proposed Site Area
74/750390	16.4ha	1	15.61ha
83/750390	16.4ha	2	17.2ha (comprising an access handle)

The existing lots are vacant rural land, with no dwelling opportunities. The subdivision does not create additional lots, will not create opportunities for dwellings, will not increase the potential for land use conflict and will not have adverse effect on agricultural viability of the land.

The proposed boundary adjustment meets the requirements of the clause.

Clause 5.10 Heritage conservation

The site is not identified as, or located near, any items of environmental heritage significance listed in the LEP. A search of the Aboriginal Heritage Information Management System (AHIMS) found no Aboriginal sites or places on or within proximity of the site (the nearest site being 3km away). Aboriginal objects are unlikely to occur, given the site comprises disturbed land having been utilised for agricultural purposes. Procedure in the event of any unexpected find is included in the recommended conditions.

Clause 6.8 Essential services

This clause requires that:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*

(e) suitable vehicular access.

The proposed solar farm does not require reticulated water or sewerage services. During the construction phase portable toilets are to be provided for waste disposal and will be managed by an external contractor.

A 20,000 litre water tank will provide water for bushfire protection and non-potable water uses on each site.

The site has access to electricity and the electricity network. The development proposes an additional power pole at the southern end of existing Lot 74 and lines to connect to existing power lines. Further consultation will be required with Essential Energy. The application was referred to Essential Energy requiring concurrence (s4.13)- Section 2.48 – *State Environmental Planning Policy (Transport and Infrastructure) 2021* - Development near electrical infrastructure. Comments were received and have been included in the draft conditions of consent.

Changes in existing stormwater flows may result from the development. The solar farm doesn't feature any hard stand surfaces (with the exception of pads for ancillary infrastructure) that will cause or significantly contribute to increased water run-off that what is currently present. Solar farms are constructed with minimal ground invasive techniques with any erosion to be contained within standard erosion and sediment controls measures via conditions of consent for construction plans.

A new access point from the unnamed road extending west from Marshalls Lane will be required to be constructed. Council's Development Engineer has considered the access arrangements and has no objection subject to suitable conditions.

The proposal is considered to be either consistent with the provisions of the LEP or capable of consistency with the LEP subject to conditions.

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

There are no proposed instruments which have been the subject of public consultation under the Act, that are relevant to the proposal.

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

There are no provisions within Blayney Development Control Plan (DCP) 2018 that are applicable to Electricity Generating Facilities.

The following contributions plan is relevant pursuant to section 7.18 of the Act (notwithstanding Contributions plans are not DCPs they are required to be considered):

- *Blayney Shire Local Infrastructure Contributions Plan 2022*

The contributions plan authorises the imposition of conditions under section 7.11 of the Act only for residential development and heavy haulage development, neither of which are applicable. For development with a cost of more than \$200,000, the plan enables a levy of 1% of the cost of development under s7.12 of the Act. This contributions plan has been considered in the recommended consent conditions.

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

There have been no planning agreements entered into.

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

Matters under Part 4, Division 1 of the EP&A Regulation 2021 are not relevant as the site is vacant with no existing buildings to be reused or demolished.

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

The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. Potential impacts related to the proposal that have not been considered above in response to SEPPs and LEP controls are assessed below.

Context and Setting

The subject site is rural zoned land comprising approximately 32.8 hectares. The land has gentle sloping topography, with cleared paddocks. Remnant vegetation is non-existent across the site.

The surround area is predominantly rural in nature, comprising agricultural uses of grazing, residential/rural dwellings associated with agricultural holdings and two existing quarries and an industrial factory.

The development footprint comprises approximately 10,300 solar arrays per site (PV01 and PV02), which represents approximately 66% of the total site. Individually, existing Lot 74 (Proposed Lot 1) will have approximately 73% site coverage and existing Lot 83 (proposed Lot 2) will have approximately 59.9% site coverage.

The site is currently vacant of any ancillary farming infrastructure or residences.

Whilst the subject land is altered from its original state and being used for grazing purposes, it is acknowledged that the development will alter the existing visual landscape of the site and locality.

Agriculture

The proposed development is situated on vacant rural land. The development proposes to use 32.8 hectares of rural land equating to 0.02% of the total land area used for agricultural purposes within the Blayney LGA which is considered negligible in a regional context. The predominant use of the land has been for grazing. The proposed footprint for this development is approximately 66% of the total land to be utilised.

Whilst there is a minor and temporary loss of agricultural land, agricultural activities such as grazing are still able to occur by the Landowners. No consent is required for ongoing grazing activities (extensive agriculture).

The proposal is for a fixed time period of 35 years and at the cessation of the development the land will be required to be rehabilitated and returned to original use for agricultural purposes.

The Large Scale Solar Energy Guidelines specify that where a solar energy project is located adjacent to a horticultural or cropping activity, the solar array should be setback from the property boundary by at least 30m to mitigate any heat island effect. Whilst, the Guidelines don't specifically apply, in this instance, consideration of the Guideline has still been applied to the development and included in the assessment. Adjoining land is not being used to cultivate crops nor horticulture; therefore additional setbacks for the arrays is not required or considered necessary in this instance.

The subject land has a Land and Soil Capability of Class 4. Class 4 land has moderate to severe limitations for higher impact land management practises such as cropping. The limitations can be overcome by specialised management practises with high level of knowledge, expertise, inputs, investment and technology. Class 4 land is generally used for grazing and is suitable for pasture improvement.

The proposal acknowledges that the land is not prime agricultural land (ie not Class 1 land), is not mapped as State Significant Agricultural Land nor is it mapped as Biophysical Strategic Agricultural Land (BSAL).

The lands use, combining renewables and grazing activities, being able to co-exist thereby reinforcing the lands ability to continue to be used for an agricultural purpose whilst also supporting the objectives of the land zone table.

Naturally Occurring Asbestos

The subject development site is mapped as having Naturally Occurring Asbestos containing medium asbestos potential under the statewide mapping (**Figure 11**).

If Naturally Occurring Asbestos is identified, and it is likely to be affected by the proposed works, Clause 432 of the Work Health and Safety Regulations 2017 (as amended) requires that a site-specific Asbestos Management Plan must be prepared in accordance with the regulations and the Model Asbestos Policy for NSW Councils (2015) (as amended).

If Naturally Occurring Asbestos is identified, no further works may be undertaken until an Asbestos Management Plan is prepared to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

Conditions have been included to assist the Developer when undertaking construction on the site to comply with government regulations regarding NOA.



access works. The site is characterised by relatively gentle topography, which facilitates construction and reduces the extent of ground disturbance required. Subject to the implementation of appropriate erosion and sediment control measures in accordance with relevant guidelines and best practice, the proposed earthworks are not expected to result in significant adverse environmental impacts.

Biodiversity

The site is void of native remnant vegetation and the SEE does not propose the removal of any trees.

The site and adjoining land are not identified on the Biodiversity Values Map and is not mapped as Terrestrial Biodiversity under the BLEP 2012.

Red Gum Consulting have prepared a Biodiversity Inspection Report. The assessment concludes that the site is dominated by exotic pasture grasses which have little to no value to threatened fauna or flora on the site. The proposal is unlikely to displace any rare or threatened species.

The report identifies mitigation measures to address clearing that would minimise risks to threatened species that may be opportunistically using the site. These include:

- Construction limits and exclusion zones clearly identified prior to work;
- A visual inspection is to be conducted by environmental staff before construction commences to identify any areas of the site that might be supporting native fauna;
- Vehicle movements around the site will be restricted to the construction footprint and away from any existing native trees bordering the site with flagging exclusion fencing to be installed;
- Soil disturbance by vehicle and pedestrian access is to be kept to a minimum outside the construction footprint;
- Any weeds removed (in particular those bearing seeds) are to be disposed of appropriately at the nearest waste management facility; and
- Species selection for any revegetation works is to consider the appropriate PCT for the site and guided by a suitably qualified ecologist.

Heritage

The subject site is not listed as an item of environmental heritage in Schedule 5 of the BLEP 2012. There are no listed heritage items in proximity to the site.

A search of AHIMS records was carried out which did not reveal any known Aboriginal sites or places that have been recorded or observed on the development site. For noting the landscape features of the site do not indicate the presence of any Aboriginal cultural objects.

Orange LALC was advised of the plans for the development and a request forwarded to the LALC enquiring whether they had any knowledge of indigenous items or places of significance on the site and whether a site survey was required prior to commencement of works, with no response being received.

Conditions have been included as a precautionary measure should any there be any discovery of Aboriginal Objects or discovery of other cultural items on the site during the construction phase.

Glint and Glare

A Glint and Glare Study assessment report was prepared by ITP Renewables. The assessment is based on potential visual receptors (residences, roads, rail) within 2km of the development site.

The 2km radius is generally used as glint and glare impacts beyond the 2km radius are highly unlikely.

Figure 12 provides the visualisation of the glare study results.

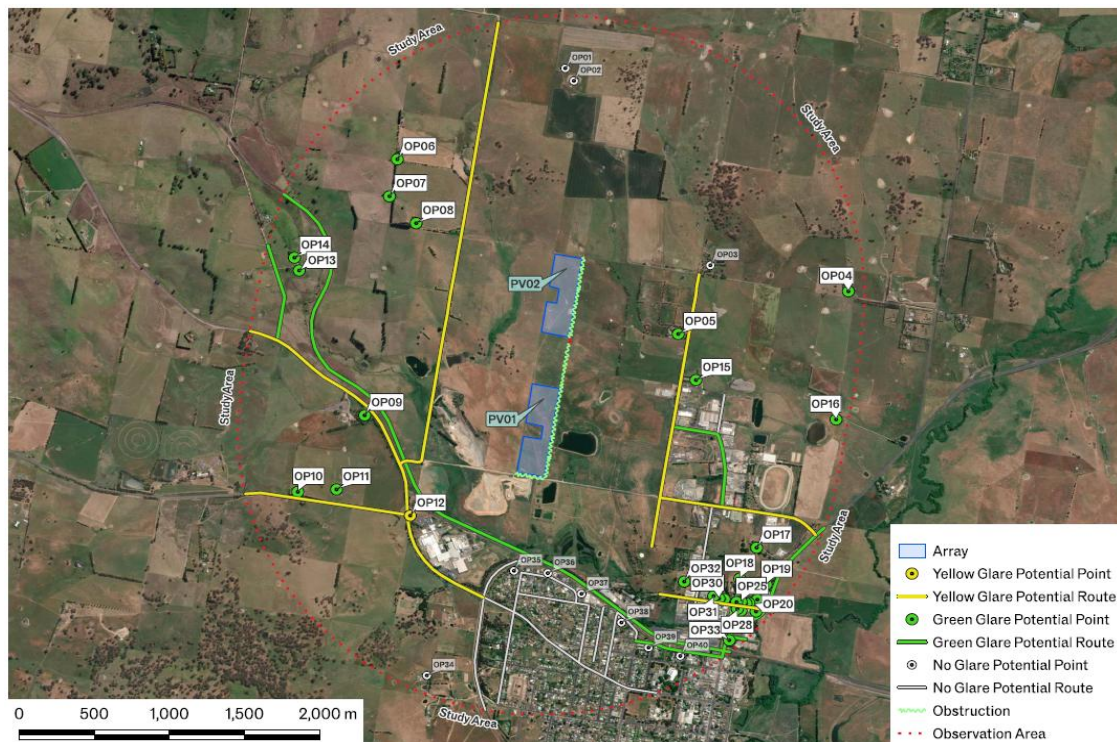


Figure 12: Visualisation of glare study results

The conclusions of the assessment:

- 29 observation points, 14 road routes and 1 rail route may receive green glare.
- 1 observation point and 8 road routes may receive yellow glare.
- Yellow glare potential is limited to glare caused by PV01.
- Yellow glare along the road routes did not exceed 15 minutes in a single day and were limited to small sections of the roads.
- The intersection of Millthorpe Road and Browns Creek Road will be subject to glare, in which mitigation through the extension of the vegetation screen around the western site boundary of PV01 (Proposed Lot 1 and existing Lot 4) is recommended.

The recommendation from the GlareGauge analysis concludes the proposed vegetation on the sites eastern and southern boundaries, along with the vegetation extension on the western site boundary to the length of the PV01 system will be sufficient to mitigate visual impacts of glare in most cases. Where yellow glare is experienced, the durations are short with low traffic expected in these areas. Conditions have been included requiring landscaping in accordance with the recommendations of the Glint and Glare Study.

Through an informal request for information regarding any impact on the Orange Airport the Applicant has provided the following information:

We confirm that the positioning of the solar arrays for the Blayney 4C & 7C project will not impact airplane flight routes to or from Orange Airport.

The Glint and Glare Study (dated 12 May 2025) adopted a conservative study area of 2 km around the project site, noting that impacts beyond this distance are highly unlikely due to the decreasing size of the reflective surface in a viewer's field of vision and the presence of intervening terrain and vegetation.

Orange Airport is located well beyond this 2 km zone. The assessment utilised the GlareGauge/SGHAT tool, which is the industry standard recognised by the Civil Aviation Safety Authority (CASA) for ensuring aviation safety. Given the distance and the single-axis tracking technology used, which is designed to maximise light absorption and minimise reflection, there is no hazard posed to flight routes or airport operations.

Additionally, based on experience, Airservices Australia has previously responded with the following: "at between 2 and 2.75 m AGL, the solar farm would not impact airspace procedures, CNS facilities, or ATC operations."

Visual Impact

A Visual Impact Assessment (VIA) was undertaken by Zenith Town Planning to identify impacts and determine whether these impacts are acceptable in the context of benefits of the development to both the community and the economy.

The visual catchment of the proposed development was defined by an area within 2km of the edge of the development site as shown in **Figure 13**. Visibility of the site from land situated outside of the 2km area would be negligible.

Figure 14 uses a digital model that indicates the terrain and contours in the vicinity of the development site and within the 2km visual catchment.

Elevation relative to the development site, along with proximity, are important elements in the visual assessment as it indicates whether an observation point is located at a higher level above the development site and therefore whether the site is potentially visible from an observation point and whether vegetation screening provides benefit.

The Visual Impact Assessment concludes that the overall impact of the development on landscape character (using proximity, elevation, topography, vegetation and structures on intervening land that may obscure visual connection with the development site) is assessed to be low-moderate for both private property and the public domain. The report acknowledges:

- that existing primary production and industrial type uses within close proximity to the site have already compromised the rural character at the northern edge of the town which
- The Church Hill lookout on Lowe Street and two Dwellings (OP4 and OP15) to the east have impact rating of high.
- There are several dwellings within OP19 the cluster of dwellings zoned urban residential to the south of the site have an impact rating of high due to being in close proximity to the project site and are able to look upslope to the site. Other dwellings within this cluster have the potential for a filtered line of sight to the array.
- A further 5 dwellings (OP1, OP2, OP3, OP5 and OP20) have a visual impact rating of moderate due to being in mid-range proximity to the site, at an elevation above the project site or with potential views of the array.
- The visual impact is assessed to be high on the rail line south of the development site and Marshalls Lane, Lowe Street and some roads within the cluster of urban dwellings to the south of the site.

The Visual Impact Assessment provides the following recommendations:

- It is recommended that the vegetation to be planted as a landscape screen along the southern and eastern boundaries as shown on the General Arrangement Plan comprise shrubs or trees that grow to a maximum height of 3m so as not to interfere with sunlight access to the array;
 - The landscape screen to be planted to a width of 3m with stepped plantings to ensure dense screening; and
- All plants to be used in the landscape screen should be endemic to the locality of Blayney to ensure that the vegetation contributes to the rural landscape character and enhance local biodiversity values.



Figure 13: The visual catchment with observation points (extract from Visual Impact Assessment by Zenith Town Planning)

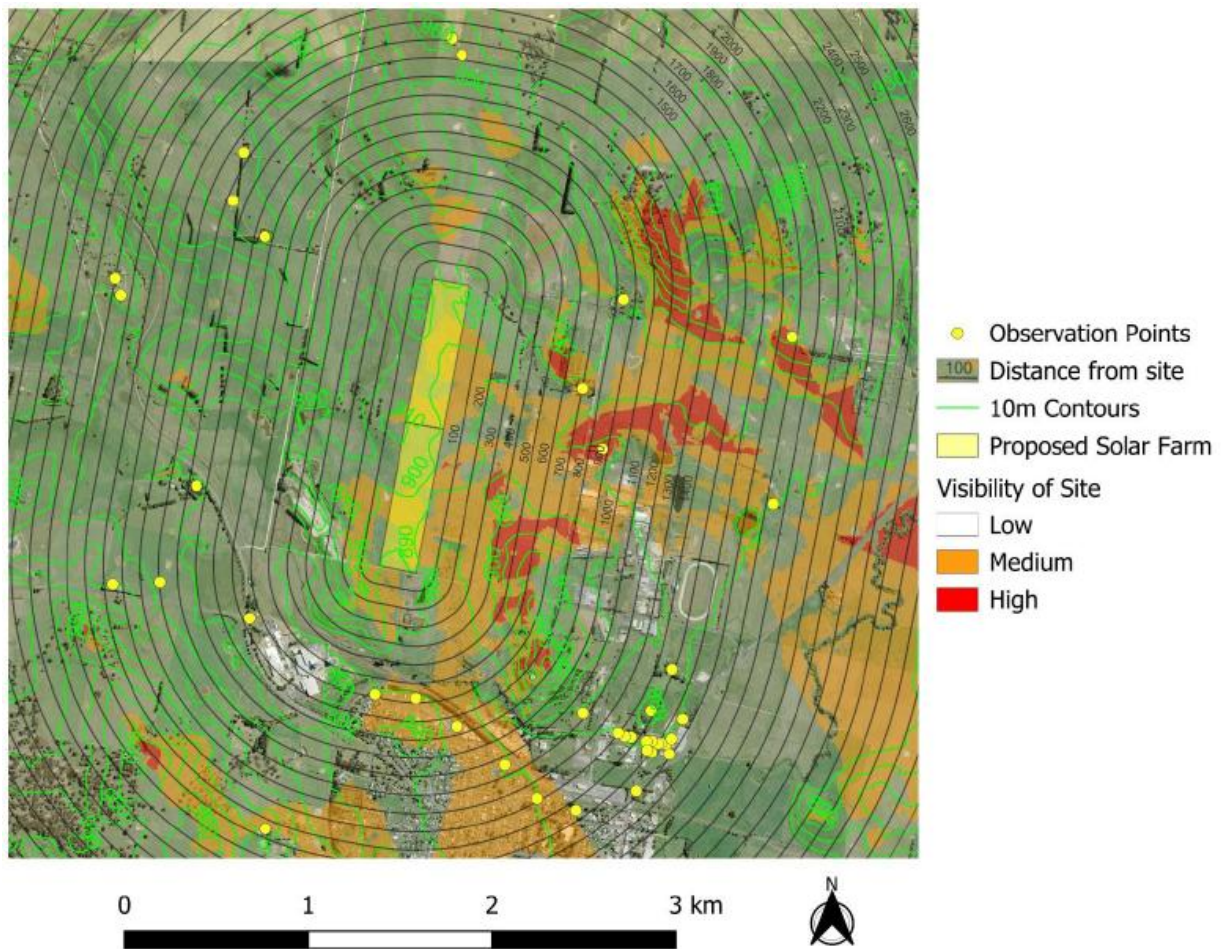


Figure14: Digital elevation model (Source: EDPR)

In addition to the recommendations, the proposed landscaping is to address height, density and duration to achieve maturity with additional emphasis on parts of the site that are viewable from residential properties as having a moderate or high impact rating on the Visual Impact Assessment prepared by Zenith Town Planning dated 11 February 2025.

Traffic and Access

The subject site fronts an unnamed council local road with access to be proposed from this unnamed portion of road. Conditions have been included to ensure appropriate approvals, construction and inspections are undertaken in accordance with Councils Guidelines for Engineering Works.

At peak construction, there would be up to 30 staff on-site at any one time. It is anticipated that (as a worst case scenario), the development would generate 15 inbound (am) trips and 15 outbound (pm) trips. These are considered minor and temporary increases in traffic generation with the surrounding road network not adversely impacted.

Operational maintenance of the solar farm is expected to generate a maximum of 24 vehicle movements per annum. Impact on the surrounding road networks is negligible.

The Traffic and Parking Impact Statement identifies the following expected traffic generation:

Phase	Description of Vehicles	Expected Vehicle Trips
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Establishment	10-15 trucks and trailers to deliver gravel with 4-5 workers with 2 workers per vehicle	10 vehicle trips per day for 2 to 3 days
	Light Vehicles	4 to 6 trips per day
Construction	80 B-double articulated trucks of 26m length to deliver equipment	8 vehicle trips per day
	40 light vehicle trips for 40 construction workers	80 vehicle trips per day
Commissioning	Light and heavy rigid vehicles for 10 workers with 2 persons per vehicle	10 vehicle trips per day
Operational	1 light vehicle for maintenance contractor	2 vehicles trips every 2 to 3 months

The development is classified as low impact development under Austroads Guide to traffic Management Part 12: Integrated Transport Assessments for Developments.

The Traffic and Parking Impact Statement identifies that the largest construction vehicle will be a 26m B-double.

Marshalls Lane is an approved B-double route to its intersection with Gerty Street. Separate approval for travel further west along Marshalls Lane and the unnamed road will be required.

The proposed traffic route involves leaving the Mid Western Highway at Marshalls Lane, and travelling west along Marshalls Lane and further west along the unnamed local Council road, and turning right into the site. Egress from the site will be via a left hand turn onto the unnamed road, travelling east along the unnamed road and Marshalls Lane to its intersection with the Mid Western Highway, righting either left or right onto the highway.

The development does not propose formalised carparking. During construction, 24 car spaces will be required to be provided. As the construction phase is temporary in nature the parking spaces will still need to be provided having appropriate dimensions, line marked using an all-weather service in accordance with the conditions. Three (3) informal spaces are proposed for operational and maintenance staff post construction.

Council's Development Engineer has raised no objections with regard to traffic, access or parking, subject to conditions.

Noise and Vibration

In terms of vibration, the SEE indicates that key noise emissions from the development are associated with the inverter, transformer and BESS (HVAC system comprising air conditioner, heat exchanger and ventilation fans). Emissions from these sources are acoustically insignificant compared with ambient background noise levels at assessed receivers.

Noise sources from maintenance activities include light vehicle movements on site and maintenance of equipment.

Noise emission from construction activities were modelled based on:

- earthworks (trenching for cabling);
- piling of panel supports; and
- assembly of the panels

The assessment taking into account receiver locations (**Figure 15**) concluded that:

- construction noise levels will satisfy construction management levels at all receivers;
- emissions from the project would satisfy the operational PNTLs at all identified receivers;
- Sleep disturbance is not anticipated, as there are no operational noise sources that generate maximum noise events. Noise emissions from the development are predicted to satisfy the EPA maximum noise level criteria;
- Road traffic noise emissions associated with project construction are anticipated to satisfy RNP criteria at all receivers along the proposed transportation route;
- Vibration impacts from the development would be negligible due to the nature of the development works and distances to potential vibration sensitive receivers.



Figure15: Receiver Location

The noise assessment report results demonstrates that the development proposal satisfies the requirements of the Interim Construction Guideline, Noise Policy for Industry and the Road Noise Policy with negligible impact in relation to noise resulting from the proposal.

Dust

Dust will occur prior to works commencing, during the construction and decommissioning phases resulting from earthworks, excavation, vehicle movements and construction. Temporary air quality impacts can be effectively managed using a consent condition requiring identification and implementation of mitigation measures. A Dust Management Plan will be required to be submitted to Council for approval prior to the release of either the Construction Certificate for Building Works or the Subdivision Works Certificate. The plan is to be prepared in accordance with current applicable legislation and best practise industry guidelines.

Bushfire

The development site is not mapped as being bushfire prone, although a 10m wide asset protection zone (APZ) is proposed around the entire solar array (as per pre-lodgement advice from Council). The site plan confirms that the solar arrays are a minimum of 10m from all boundaries.

A 20,000 Litre water storage tank is also proposed to act as a static water supply for emergency services.

The subject site, whilst not currently mapped as being bushfire prone land, RFS Draft Bushfire Prone Land Map (**Figure 16**) identifies the site will be mapped subject to future endorsement. The land is grassland and will be mapped as Vegetation Category 3 land.

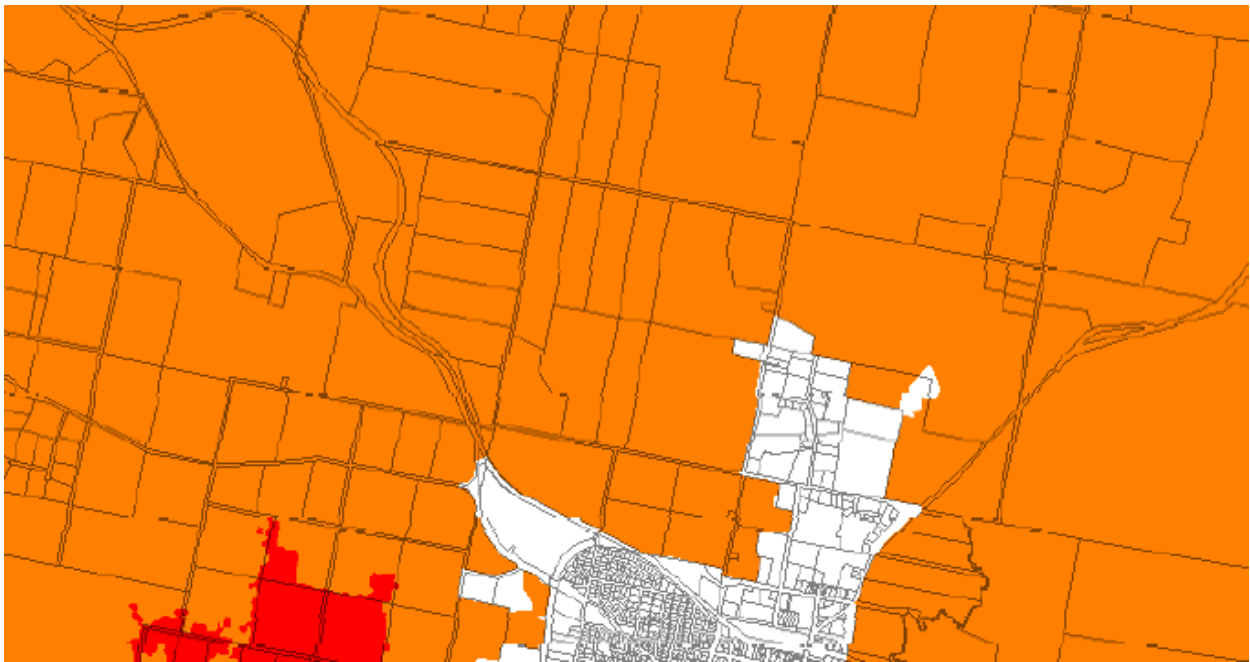


Figure 16: RFS Draft Bushfire Prone Land Map

Whilst formalised referral to the RFS is not required, Planning for Bushfire Protection 2019 (BPP 2019) requires consideration under Section 8.3.5 Wind and solar farms; in particular adequate clearances for combustible vegetation in addition to firefighting access and water.

The BPP 2019 requires the following:

- A minimum 10m APZ for the structures and associated buildings; and
- The APZ must be maintained to the standard of an IPA for the life of the development.

An APZ is excluded from road access to the site and power (or other services) to the site and associated fencing.

Essential equipment should be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It should also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush.

A Bush Fire Emergency Management and Operations Plan should identify all relevant risks and mitigation measures associated with the construction and operation of the wind or solar farm. This is to include at a minimum:

- Detailed measures to prevent or mitigate fires igniting;
- Work that should not be carried during total fire bans;
- Availability of fire-suppression equipment, access and water;
- Storage and maintenance of fuels and other flammable materials;
- Notification of the local NSW RFS Fire Control Centre for any works that have the potential to ignite surrounding vegetation, proposed to be carried out during a bush fire danger period to ensure weather conditions are appropriate; and appropriate bush fire emergency management planning.

In response to the requirements under the PBP 2019, a condition of consent will be included requiring a Bushfire Emergency Management and Operations Plan to be submitted to Council for approval prior to the issue of a Construction Certificate. To ensure ongoing safety a further condition is to be included requiring the implementation of the plan for the life of the development to provide assurance that bushfire risk is being appropriately managed over time.

Cumulative Impacts

Cumulative impacts may result from other developments, biodiversity, socio-economic and or construction traffic, noise or visual amenity.

Figure 17 provides a visual representation of the proposed solar farm and the approved solar farm at 269 Marshalls Lane.

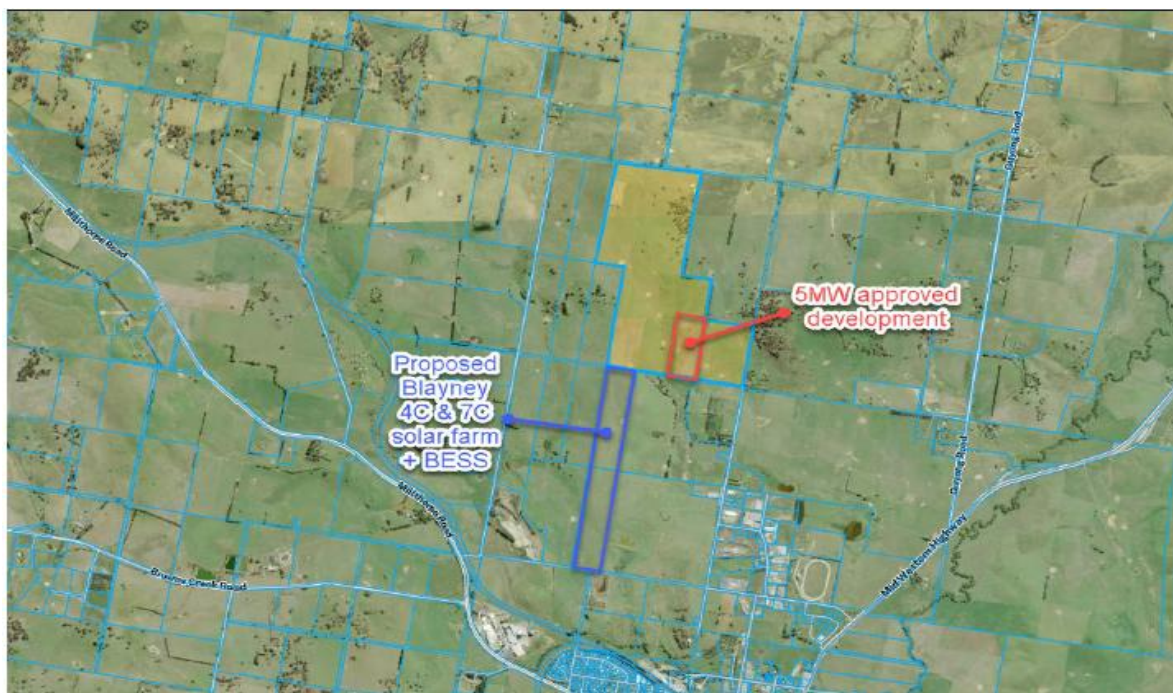


Figure 17: Proposed and Approved Solar Farms, Blayney

The combined scale of agricultural land being utilised for the proposal and the adjoining approved solar farm located off Marshalls Lane equates to 0.03% of the LGA's agricultural land. Environmental impacts on biodiversity, heritage and water resources are minimal. Impacts from traffic, construction, risk to bushfire, visual impact, glint/glare and loss of agricultural have been considered as a part of the overall assessment indicating that the solar farm can be adequately operated through suitable conditions of consent.

Decommissioning and Rehabilitation

Decommissioning of the solar farm and subsequent rehabilitation of the land will be subject to a Decommission and Rehabilitation Plan to be submitted to Council for approval prior to the release of the Construction Certificate for Building Works. It's estimated that up to 80% of site waste is currently recyclable and this is likely to increase as technologies advance. The decommissioning will include all infrastructure including cabling, panels, mounting frames including footings, inverters being disassembled and removed from site.

Land is to be rehabilitated and re-stored to its pre-existing use, including pre-existing LSC class as the land was previously used for agricultural purposes.

It is important to ensure that the solar farm is appropriately decommissioned, and the land returned to its pre-existing state, either at the end of its useful life or earlier, should the solar farm permanently cease operations before that time. A condition of consent is required to address future uncertainty, should the developer/operator no longer be in business in 35+ years time when decommissioning is anticipated, or fail to meet this obligation within a specified time period. Therefore, a condition of consent is proposed that a notation be placed on the land title to ensure that the landowner is held responsible for ensuring that the solar farm is adequately decommissioned. Previous advice from Land Registry Services advised this is possible and has been used in a similar situation

4. REFERRALS AND SUBMISSIONS

a. Agency Referrals and Concurrence

The development application has been referred to Essential Energy as required by *SEPP (Transport and Infrastructure) 2021* and to the Australian Gas Pipeline outlined below in **Table 5**.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			N/A
Referral/Consultation Agencies			
Essential Energy	Section 2.48 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> . Development near electrical infrastructure	No objections raised by Essential Energy, only general comments regarding safety. These comments are included as advice in the recommended conditions.	Yes
Australian Gas Pipeline	Section 2.77 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> - Development adjacent to pipeline corridors	No objections, approved with conditions.	Yes

Transport for NSW	Section 2.121 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> . Development that is deemed to be traffic generating development in Schedule 3.	The proposal is not deemed “traffic generating development and was not referred to TfNSW.	N/A
Integrated Development (S 4.46 of the EP&A Act)			
		The applicant has not nominated the proposal as integrated development.	N/A

b. Council Officer Referrals

The development application was referred to Council’s building and engineering staff as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	No objections subject to conditions.	Yes
Building	No objections subject to conditions	Yes
Environmental	No objections subject to conditions to address waste, recycling, decommissioning and site rehabilitation.	Yes

The Council referral officers raised no issues and the required conditions have been included in the recommended consent conditions.

c. Community Consultation

The proposal was notified in accordance with the Blayney Shire Community Participation Plan from 14 August until 5 September 2025.

The notification included the following:

- letters sent to adjoining and adjacent properties
- Council’s website
- advertised on 14 August 2025 in the Village Voice
- hard copy on display in Council’s foyer

At the conclusion of the notification period, thirty six (36) submissions were received by council, although three (3) people sent in multiple submissions. Therefore, there were a total of 30 unique submissions. All submissions have been uploaded to the Planning Portal and are available to Panel Members.

The Applicant through a request for additional information was asked to address the matters raised through the submission process. The following summary was provided by the Applicant:

Concerns Raised	Applicants Response
1.Community Consultation and Engagement Concerns were raised regarding the adequacy of community consultation.	EDPR views the formal public exhibition and submissions process for the development application as a valuable opportunity to listen to the community, understand their concerns, and incorporate feedback, where appropriate. For a project of this scale, we consider this level of community consultation both appropriate and effective. Additionally, from the outset, proactive measures, informed by comprehensive assessments - such as strategically placed vegetation screening to minimise visual impact – have been integrated into the design.
2. Visual Impact The potential visual impacts on the surrounding landscape, rural amenity, and views from nearby residences was one of the primary concerns raised.	A <i>Visual Impact Assessment</i> was conducted using relevant guidelines for landscape character and visual impact assessment. The assessment found the overall impact of the proposed development on landscape character to be low-moderate, noting that topography, other primary production and general industry uses of the surrounding land will temper the visual impact. Vegetation screening was proposed to the eastern and southern boundaries, which is expected to significantly reduce the prominence of the solar farm in the landscape and mitigate the visibility of the site from most observation points, including the dwellings to the south and east of the site.
3. Land use and agricultural compatibility Concerns were raised that the proposed site is on prime agricultural land and that its use for a solar farm is inappropriate.	The site is a 32.5-hectare parcel historically used for grazing. The site has a land capability class of 4 which is moderate capability land with moderate to high limitations for cropping, high intensity grazing and horticulture. Class 4 land is not considered prime arable land. At the end of the project's 35-year operational life, the solar farm will be decommissioned, and the site can be returned to its pre-development land use or other agricultural purposes. Based, on the relevant regulations and guidelines, the project is considered a suitable and legitimate land use in this rural zone. The landowner has a reasonable expectation to develop a use that is permissible. Notably, the project presents an opportunity to incorporate agrivoltaics, an approach that allows energy generation and farming to coexist. The design of the solar panels not only supports continued agricultural activity, particularly sheep grazing beneath and around the panels, but also offers additional benefits, such as providing livestock with shelter during hot weather and improving soil moisture retention through natural condensation beneath the panels. This co-use practice enables a more versatile and sustainable use of the land, preserving agricultural activities while supporting the transition to renewable energy targets.

4. Traffic and road safety A few submissions expressed concerns about increased traffic and potential safety risks.	A <i>Traffic and Parking Impact Statement</i> was prepared for the project. Vehicular access is proposed via a proposed two-way driveway from the Unnamed Road located between Greghamstown Road and Marshalls Lane that is adjacent to the southern boundary of the development site. Based on anticipated traffic generation, the proposed development is classified as a low impact development expected to generate fewer than 10 peak hour vehicle trips. According to the Austroads Guide to Traffic Management, no detailed assessment is required for developments with such low impact.
5. Fire and safety risks Concerns included fire risk from the plant, bushfires, and toxic smoke impacting nearby residences and facilities.	Safety of the proposed development is paramount. Throughout the lifecycle of the project, the developer is bound by Australian laws to comply with workplace health and safety standards. A <i>Fire and Hazard Assessment</i> was prepared and lodged with the development application. As of lodgement of the development application, the NSW Rural Fire Service (RFS) data indicated that the proposed solar farm site is not located in a bushfire prone area. However, <i>Draft Bushfire Prone Land Mapping</i> provided by Blayney Shire Council through email correspondence with EDPR, identified the site as bushfire prone land. Regardless, the project design incorporates several safety features, including a minimum 10-metre Asset Protection Zone (APZ) surrounding the solar arrays and BESS to assure safety in the unlikely event of a bushfire. This APZ is to be managed as an Internal Protection Area (IPA) according to NSW Rural Fire Service standards and provides a buffer against radiant heat effects for emergency services. The project design also incorporates comprehensive system fault monitoring, automated fire detection and suppression systems, and safety procedures built into WHS policies.
6. Noise impact Some submissions highlighted potential noise impacts from the construction and operation of the solar farm and BESS on surrounding residents and livestock	A <i>Noise Assessment</i> was conducted and lodged with the development application, providing an assessment of the potential environmental noise emissions during construction and operation. The assessment used relevant standards such as the NSW Industrial Noise Policy and Australian Standards and concluded that predicted noise levels from construction and operation will satisfy the applicable management levels at all receivers with the inclusion of standard mitigation measures.
7. Impacts to property values and insurance premiums Some submissions expressed concerns about the potential for the development to negatively impact	There is no clear evidence that solar developments negatively impact property values. There are some studies that suggest that the presence of utility-scale solar farms in the area had neither a negative or positive effect on property values. Some studies even found that there was either a neutral impact or, ironically, a positive

property values or insurance premiums in the surrounding area.	impact. While the following article references studies undertaken in regions of the USA, it provides a relatively recent glimpse of real-world experiences of the impacts of nearby solar facilities on local property values: <i>Property Values and Utility-Scale Solar Facilities – Clean Power</i>, 2022 https://cleanpower.org/wp-content/uploads/2021/08/Solar-and-Property-Values-Fact-Sheet_2.2.22.pdf Some concerns have been expressed regarding increasing insurance premiums for properties in the vicinity of the project. There is no clear evidence that the presence of renewable energy infrastructure increases the insurance premiums of nearby properties. The <i>Insurance Council of Australia</i> has indicated that its members are generally not refusing or increasing premiums solely due to the presence of energy infrastructure, and that there have been no recorded instances wherein insurers have raised premiums as a result of nearby energy infrastructure. The ICA notes that broader cost increases (relating to escalating costs of natural disasters, the increasing value of homes, inflation, etc.) are affecting all premiums: <i>Farm Insurance and Energy Infrastructure – Insurance Council of Australia</i>, 2024 https://insurancouncil.com.au/wp-content/uploads/2024/05/Updated-ICA-Briefing-Farm-Insurance-and-Energy-Infrastructure-May-2024.pdf
8. Glint and Glare Concerns were raised about glint and glare from the solar panels impacting nearby residents and road users.	A <i>Glint and Glare Assessment</i> was conducted and lodged with the development application. As mentioned in the assessment, solar panels are designed to maximise light absorption and typically reflect only about 2% of incoming light, which is less reflective than a body of water. The assessment concluded that glint and glare impacts were low, and mitigation measures were not required.
9. Decommissioning and site rehabilitation Submissions questioned the decommissioning, recycling/disposal of panels, and the potential for the site to be abandoned.	As outlined in the <i>Waste and Decommissioning Assessment</i> accompanying the development application, the solar farm will be decommissioned at the end of its approximately 35-year project life, and the site will be restored to its original state or repurposed for other agricultural uses. Notably, a significant portion of the solar farm materials are recyclable. Waste generated during decommissioning will be categorised and either recycled or disposed of in accordance with the POEO Act. Specialised industries already exist to perform this work, and it is anticipated that these industries will expand and streamline processes as more solar farms are decommissioned in the future. Regarding the potential for site abandonment, the developer/owner is responsible for decommissioning at the end of the project life and is required to adhere to long-term contracts with various stakeholders to ensure site remediation.

10. Proximity to residences and urban area Submissions highlighted the project's location close to numerous residential properties and its position near the edge of the expanding Blayney urban area.	The site is located approximately 2.6m kilometres from the Blayney township, to the north-west. The property is zoned RU2 Rural Landscape, where electricity generating works and solar energy systems are prohibited under <i>Blayney LEP 2012</i>. However, the <i>SEPP (Transport and Infrastructure) 2021</i> permits electricity generating works in areas zoned RU2.
11. Appropriateness of location (outside REZ) Several submissions questioned the appropriateness of the location and enquired about the suitability for the project address	While the site is not currently within a formal Renewable Energy Zone, the proposal is not inconsistent with the planning priorities, goals and actions of the Central West and Orana Regional Plan 2041 and the Blayney Shire Local Strategic Planning Statement, as outlined in the <i>Statement of Environmental Effects</i> (SEE) accompanying the development application. Site selection for the renewable energy project considered various factors, including zoning restrictions, proximity to the existing electricity network, and suitability of the land.
12. Project scale and nature Submissions referred to the project as large-scale, industrial, or a factory rather than a farm.	The proposal, consisting of two 5MW solar farms with BESS, is considered a town-scale solar farm. According to planning guidelines, town-scale solar farms typically range from 5MW to 20MW and are designed to supply power to the local distribution network, serving the energy needs of the nearby community. This project also meets planning criteria for regional-scale developments.
13. Biodiversity and environmental impacts Concerns were raised about potential impact on wildlife, ecosystems and biodiversity, particularly in regard to neighbouring properties.	<i>Biodiversity Assessment</i> was undertaken, and provided with the development application, which aimed to determine the potential impact on any threatened species and endangered ecological communities present on or near the site. The report found that the development is unlikely to have a significant effect on any threatened species and ecological communities and/or their conservation, and the proposed vegetation screening can even contribute to habitat value. Some concerns were raised about potential negative impact of the disposal of cadmium when the farm is to be decommissioned and its potential environmental impact. The panels to be used for the project are not cadmium telluride solar panels, but crystalline silicon panels that do not contain any significant amount of materials that could cause negative environmental impact. <i>Debunking Myths About Solar Panels Fact Sheet – Clean Energy Council, 2025</i> https://cleanenergycouncil.org.au/for-consumers/fact-sheets/environment-and-planning-get-the-facts/environmental-impacts-renewable-energy/solar-panels-toxicity-myth-d80880e52ed26938e65f99b1bb989947
14. Air Quality	Some submissions raised concerns about potential dust generation from the solar farm and its possible impact on nearby properties.

Concerns were raised about dust created by the site potentially interfering with land use on nearby properties.	The proposed development has been designed to follow the natural terrain of the land as much as possible to minimise disturbance to the soil and landscape. The solar panels will be mounted on piles (posts) driven into the ground, which removes the need for extensive earthworks, footings, or concreting. As a result, the project is not expected to involve substantial ground disturbance. Section 5.4 of the SEE details the proposed dust mitigation measures to minimise dust emissions throughout the construction and operational phases of the development, protecting air quality and preserving the amenity of surrounding land uses.
15. Cumulative impacts A couple of the submissions raised cumulative impact concerns.	The matter of cumulative impacts is discussed in Section 6.1.3 of the SEE. The assessment concludes that the cumulative impacts of the proposed Blayney 4C & 7C Solar Farm + BESS and the approved 5MW solar farm (located to the north-east of the proposed site) are considered minor. This conclusion is based on the projects' combined scale, occupying 43.8 hectares altogether and representing just 0.03% of the LGA's agricultural land. For further details on the assessment findings, including other cumulative impact considerations and proposed mitigation measures (such as the proposed landscape screening), reference should be made to the SEE.
16. Biosecurity A couple of the submissions expressed concerns relating to biosecurity.	The SEE, based on biodiversity assessments undertaken, addresses biosecurity considerations (such as the potential introduction of noxious weeds, vermin, or feral species) associated with vehicle and equipment movement during the construction and operation of the solar farm. Noting that the site is already dominated by exotic pasture grasses, some of which are highly invasive, mitigation measures to reduce biosecurity risks are discussed in the SEE. Recommendations include implementing measures in the Environmental Management Plan, including ensuring that any weed removal occurs before seed development, that all removed weeds are disposed of appropriately at a waste management facility, and that species selection for any revegetation works is guided by a qualified ecologist. Furthermore, regular operational site inspections will be conducted to manage grassland and control weeds. For further details, refer to the SEE.
17. Heat island effect A couple of the submissions raised concerns relating to heat-island effect.	The topic of heat island effect may be more relevant to larger/state significant solar farm developments. This development application is for a relatively small utility-scale facility that generates 5MW per site. The distance from the urban area of Blayney would also further negate any contribution to the heat arising from the hardstand of streets and buildings.

18. Other (project address) Several of the submissions suggested the street address is incorrect or misleading.	The subject property is described as <i>Lots 74 and 83 DP750390</i>, which corresponds to the street address <i>180 Greghamstown Road, Blayney, NSW</i>. This is consistent with online maps and cadastral sources and with the <i>Property Report</i> (Attachment A in the SEE) obtained from the NSW Planning Portal listing the property details as 180 GREGHAMSTOWN ROAD BLAYNEY 2799 and specifies the lot numbers: 74/-/DP750390 and 83/-/DP750390.
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The following issues were identified in submissions presented to Council. Comments are provided following consideration and assessment:

- **Visual Impact**

Comment: A Visual Impact Assessment was provided to assess changes in landscape character and adverse visual amenity. The assessment concluded the overall impact of the development being low to moderate with recommendations for vegetation that were adopted by the Applicant as a part of the documentation submission. Landscaping conditions have been included to ensure appropriate vegetation species are chosen, an appropriate irrigation strategy is developed and ongoing maintenance for the lifetime of the development is maintained.

- **Proximity to Blayney township**

Comment: Noted. The development site is approximately 2.6km from the Blayney township. The development site is an area that includes quarrying, industrial and agricultural activities. Whilst electricity generating works are prohibited under Council local planning provision (BLEP 2012), the development is permitted under the provisions of the SEPP (Transport and Infrastructure) 2021 for rural zones including RU2 Rural Landscape zones.

- **Proximity to residences**

Comment: The current planning provisions permit the development of rural land for solar energy systems with no required setback distances from the urban area or proximity to residence. Solar panels are designed to typically maximise light absorption and usually reflect approximately 2% of incoming light. Supporting documentation through the submission of a Visual Impact Assessment and Glint and Glare Study concludes that the addition of vegetation screening will mitigate most visual and glare impacts.

- **Glint & Glare**

Comment: A Glint and Glare Assessment was undertaken based on potential visual receptors (road, rail and residences) that concluded that 1 observation point and 8 road routes may receive yellow glare. The yellow glare along the road routes did not exceed 15 minutes in a single day and were limited to small sections of road. The assessment recommended vegetation on the sites eastern and southern boundaries, in addition to vegetation being extended on the western site boundary to the length of the PV01 system (on Lot 74) to mitigate visual impacts of glare in most cases. The report further concluded where yellow glare is experienced, the durations will be short with low traffic expected.

- **Zone objectives and character**

Comment: Renewables are a land use that has been endorsed by the State Government as being an appropriate land use in rural zones. The development is a smaller scale development appropriately sized, is suitable for rural land, its proximity to an urban centre and access to existing electricity infrastructure.

The presence of the solar farm in the landscape can be reversed without permanent impact and returned to its original state at the cessation of the solar farm.

Further, the land use combining renewables and grazing activities re-enforces the land's ability to be used for an agricultural purpose whilst also supporting the objectives of the land zone table.

- **Health**

Comment: The Australian Radiation Protection and Nuclear Safety Agency oversees the emergence of research into health effects of the EMF exposure. There is no established evidence of health effects from exposure to electric and magnetic fields from powerlines, substations, transformers or other electrical sources.

- **Loss of biodiversity & habitat**

Comment: A Biodiversity Inspection Report was submitted to assess biodiversity impacts of the proposed development. The assessment report concluded that the site is dominated by exotic pasture grasses which have little to no value to threatened flora or fauna and is unlikely to displace any rare or threatened species. The report does identify mitigation measures to be adopted to address clearing that would minimise risks to threatened species that may be opportunistically using the site.

- **Loss of agricultural land**

Comment: The scale of agricultural land being utilised for the proposal equates to approximately 66% of the total development site. However, there remains an opportunity for livestock grazing to continue during the operation of the solar farm. The site is not identified as State significant agricultural land, nor is it Biophysical Strategic Agricultural Land. The site will be rehabilitated and returned to agricultural use following decommissioning.

- **Cumulative Impacts**

Comment: The combined scale of agricultural land being utilised for the proposal and the adjoining approved solar farm located off Marshalls Lane equates to 0.03% of the LGA's agricultural land. The overall assessment of the proposal indicates that the solar farm can be adequately operated through suitable conditions of consent.

- **Construction Impacts**

Comment: Construction impacts are temporary in nature and can be managed and mitigated via conditions of consent for matters such as noise, hours of operation, waste, recycling, vegetation protection measures, storage areas, dust management, complaint management and contingency measures through an approved Construction Management Plan. The proposed development anticipates that the construction phase will take approximately 4 months.

- **Roads and Infrastructure**

Comment: Council's Development Engineer has raised no objections with regard to traffic, access or parking, subject to conditions in **Attachment A**.

Reticulated water and sewer is not required for the development. Reserved water supply for fire fighting purposes has been conditioned ensuring access to an onsite supply.

Electricity transmission is critical to the development. The proposal was referred to Essential Energy who has provided requirements and is included in **Attachment A**.

- **Fire Hazard and emergency capacity**

Comment: The proposal requires an APZ (Asset Protection Zone) of 10m for the whole of the site, including water reserved for fire fighting purposes on each of the allotments. The project design also incorporates system fault monitoring, automated fire detection and suppression systems and safety procedures. To further ensure that bushfire risk is being appropriately managed a condition of consent will require a Bushfire Emergency Management and Operations Plan for the development and implemented for the life of the project.

- **Tourism should be promoted encouraging appealing landscapes**

Comment: Noted.

- **Microclimate and heat island effect**

Comment: Large scale solar farm may create or have a heat island effect. Factors influencing the heat effect includes panel material and efficiency, vegetation and distance from the farm. Based on the size of the development and distance to the urban area, it is unlikely that the solar farm will have significant effect on changes in temperature in the locality and urban area of Blayney. The Large Scale Solar Farm Guidelines (whilst not required for this application, however used as a guide) identifies "where a solar energy project is located adjacent to a horticultural or cropping activity, the solar array should be setback from the property boundary by at least 30m to mitigate any heat island effect". Land adjoining the development site is not for horticultural or cropping activity within 30m of the property boundary further reducing risk of known heat island effect.

- **Land use Conflicts**

Comment: The land use for renewables can readily co-exist with surrounding land uses with minimal risk of conflict. Potential risks during construction are considered manageable through the implementation of mitigation measures such as construction management, dust suppression and traffic management.

Whilst it is acknowledged that the development will change the current visual landscape and have some impact, the Visual Impact Assessment and Glint and Glare Study recommend vegetation screening to mitigate such impacts.

- **Site Suitability**

Comment: As a part of the site selection process, the Applicant took into account a number of factors such as zoning restrictions, proximity to the existing electricity network, climatic factors, and suitability of the land. The Applicant has undertaken their own due diligence in choosing appropriate locations for solar development.

- **Disadvantages of solar energy**

Comment: The proposal is consistent with the Australian Government's *Long-Term Emissions Reduction Plan 2021* that aims to achieve net-zero emissions by 2050, in part by seeking to drive down the cost of low emissions energy technologies such as solar.

- **Decommissioning**

Comment: A Decommission Management Plan will be conditioned that includes returning the site to its former agricultural capacity (a baseline soil report will be required prior to construction) and adequate clean-up and disposal of any hazardous waste. A condition of consent is required to address future uncertainty, should the developer/operator no longer be in business in 35+ years time when decommissioning is anticipated, or fail to meet this obligation within a specified time period. Therefore, a condition of consent is proposed that a notation be placed on the land title, or other legal mechanism to ensure that the landowner is held responsible for ensuring that the solar farm is adequately decommissioned.

- **Noise and dust** during construction and potential dust impacts.

Comment: A draft condition will require the implementation of noise and dust mitigation measures as part of a Construction Noise Management Plan and Dust Management Plan to be approved by Council.

Other matters raised in the submissions include the following:

- **Lack of community consultation**

Comment: Council neighbour notified with a radius of 2km from the development site, advertised in the Village Voice and on Councils website. Notification and advertising took place between 14 August and 5 September, 2025. No requests were sought for extensions for submissions. A hard copy of the application and supplementary documents was available at Councils Office.

- **Misleading notification and development details**

Comment: The development site is legally identified as Lots 73 and 84 in DP 750390. A review of both Council's mapping and NSW Spatial Viewer mapping identifies the subject land as having the address of 180 Greghamstown Road, Blayney.

- **Financial compensation**

Comment: This is not a planning matter for consideration under Section 4.15 (of the EP&A Act) Likely Impacts of Development.

- **Loss of property value**

Comment: This is not a planning matter for consideration under Section 4.15 (of the EP&A Act) Likely impacts of the Development.

It's considered that issues raised in submissions related to the construction or operation of the solar farm can be adequately addressed via suitable conditions of consent.

5. CONCLUSION

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

6. RECOMMENDATION

That the Development Application DA No 2025/0061 for an Electricity Generating Facility sub-Solar Farm, BESS and Boundary Adjustment at Lots 74 and 83 DP 750390, 180 Greghamstown Road, Blayney be APPROVED pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979*, subject to the recommended conditions of consent attached to this report at **Attachment A**.

7. ATTACHMENTS

The following attachments are provided:

- **Attachment A:** Conditions of consent