



New South Wales Government  
Independent Planning Commission

ipcn.nsw.gov.au

# Pottinger Wind Farm

## SSD-59235464

### Statement of Reasons for Decision

Richard Pearson (Chair)  
Sarah Dinning  
Michael Wright

31 July 2025

# 1. Introduction

1. On 13 May 2025, the NSW Department of Planning, Housing and Infrastructure (**Department**) referred State significant development (**SSD**) application SSD-59235464 (**Application**) from Pottinger Renewables Pty Ltd (**Applicant**), a joint venture between AGL Energy and Someva Renewables, to the NSW Independent Planning Commission (**Commission**) for determination.
2. The Application seeks approval to develop a 1,300 megawatt (**MW**) wind farm near the locality of Booorooban within the Riverina Murray region of NSW (the **Project**) under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**). The Project is located within the Hay Shire and Edward River Local Government Areas (**LGA**).
3. In accordance with section 4.5(a) of the EP&A Act and section 2.7 of the *State Environmental Planning Policy (Planning Systems) 2021* (**SEPP Planning Systems**), the Commission is the consent authority as more than 50 public submissions have been made by way of objection.
4. Andrew Mills, Chair of the Commission, determined that Richard Pearson (Chair), Sarah Dinning and Michael Wright would constitute the Commission Panel for the purpose of exercising its functions with respect to the Application.
5. The Department concluded in its Assessment Report (**AR**) that the site is suitable for the proposed development, the impacts of the Project are acceptable, and that the Application is in the public interest and is approvable, subject to its recommended conditions of consent.

# 2. The Application

6. The Application seeks approval to develop a 1,300MW wind farm, including:
  - up to 247 turbines and associated infrastructure (1,300MW capacity) with a maximum tip height of 280 metres;
  - a centralised battery energy storage system (**BESS**) with a capacity of up to 500MW and 2,000 megawatt-hours (**MWh**);
  - ancillary infrastructure (including substations and transformers, switchyard and collector station connecting to the 'Project EnergyConnect' transmission line, meteorological masts, internal access roads, construction and operational compounds, and construction-related temporary batching plants, laydown areas and accommodation facilities); and
  - roadworks including upgrades to intersections and local roads.
7. The complete description of each component of the Project is set out in [Appendix C – Department's Assessment Report](#).
8. The Project is located within the declared South West Renewable Energy Zone (**SW REZ**), approximately 60 kilometres south of Hay in the locality of Booorooban (**Site**). The Site is approximately 26,000 hectares (**ha**) and is predominantly covered by native vegetation. The disturbance footprint would be approximately 1,069 ha. The Project would be constructed across two locations:
  - locality of Booorooban: construction of the wind farm and associated infrastructure within the Hay Shire and Edward River LGAs; and
  - near Broken Hill: where a road bypass and road upgrades would be constructed.

9. The Project has a capital investment value of approximately \$2 billion and is expected to generate an estimated 900 construction jobs and up to 40 operational jobs. Construction of the Project is proposed to take approximately 55 months.

#### Related applications

10. Critical State significant infrastructure project SSI-9172452, known as 'Project EnergyConnect (NSW–Eastern Section)', is for the development of a 900-kilometre transmission line between Wagga Wagga and substations located within South Australia and Victoria. The new transmission line will intersect the Site and the Project is proposed to connect to the transmission line via a switchyard and collector station. Project EnergyConnect was approved on 2 September 2022 and is currently under construction.

### 3. Public Consultation

11. The Commission has given careful consideration to the matters raised at the Public Meeting and in the written submissions made to the Commission. The submissions reflect a wide range of views.
12. A number of submissions acknowledged the potential for the Project to provide significant employment and economic benefits, including local job creation and revitalisation of regional economies. Some submissions emphasised the opportunity for a 'nature positive' outcome, particularly regarding the protection of threatened species (such as the Plains-wanderer), and the use of local biodiversity offsets. There was broad support for appropriate conditions to manage impacts, including issues relating to waste, road upgrades, community services, accommodation, decommissioning and rehabilitation. Several submissions raised the importance of securing and maintaining a social licence, with calls for transparency, meaningful community engagement and more proactive protection of biodiversity. Hay Shire Council and Edward River Council confirmed their support for the Project, recognising its contribution to long-term economic resilience alongside agriculture.
13. The Commission has also considered submissions which expressed strong objections to the Project, largely on the basis of distrust in renewable energy, perceived lack of consultation, and concerns about environmental and social impacts. Themes included doubt about climate change, opposition to foreign ownership or influence, and frustration about perceived subsidies and planning failures. Specific issues raised included potential PFAS and microplastic contamination, fire risks, the absence of security bonds for decommissioning, and the siting of infrastructure far from electricity consumers. Several submissions described wind energy as unreliable, financially unviable, and harmful to the landscape, local identity, and food security – particularly in the Murrumbidgee Irrigation Area. Others proposed alternatives such as nuclear power or called for wind farms to be built near major cities rather than in regional areas.
14. These matters are outlined in [Appendix A – Public Consultation](#) and have been considered, where relevant to the Commission's functions in relation to this Application, in the Commission's decision-making process.

## 4. Reasons for the Decision

15. Based on its consideration of the material before it, the Commission finds the Application should be approved for the reasons set out in this section of the report. The Commission's considerations are detailed further in the following appendices:
  - [Appendix A – Public Consultation](#); and
  - [Appendix B – Planning Context and Key Issues](#).
16. The Commission has also given consideration to the Department's whole-of-government assessment of the Application, including its recommendation, as part of its determination:
  - [Appendix C – Department's Assessment Report](#).
17. The Project has the capacity to generate 1,300MW of renewable energy, sufficient to power approximately 593,000 homes per year (according to the Department's calculations), and the 500MW (2,000 MWh) BESS would enable energy to be stored for dispatch to the grid, increasing grid stability and energy security. The Commission finds that the Project supports the NSW Government's commitments to transition to clean energy and aligns with the Wind Energy Guideline and other relevant policies. The Commission notes that its role is not to determine government policy in relation to renewable energy, but rather to determine this specific Application on its merits, including whether it meets planning requirements and appropriately addresses its impacts.
18. A whole-of-government assessment has been undertaken for the Project by the Department, including consultation with 20 government agencies and Hay Shire Council, Edward River Council and Broken Hill Council. None of these agencies or councils objected to the Project and indeed the local councils support the Project.
19. The Site is particularly suitable for this Project due to its strong wind resource, sparse population, direct access to the electricity grid and minimal impact on agricultural activities.
20. The Commission finds that impacts on the local community will be limited, with most objections to the EIS coming from people located over 50 kilometres away, including some interstate submissions. Amenity impacts are expected to be minor and are largely limited to the construction phase.
21. Social impacts, including those related to workforce accommodation and access to services such as healthcare, are managed by the applicant's commitment to providing an on-site accommodation camp and health services, as well as the requirement for it to prepare an Accommodation and Employment Strategy. The Commission has also imposed conditions requiring the Applicant to investigate options for using temporary worker accommodation that could later be moved and reused as long-term housing for the local community.
22. The Project is expected to bring substantial economic benefits at the local and regional level, including the creation of around 900 construction jobs and up to 40 operational jobs. The Applicant has committed to a community benefit-sharing arrangement, which includes an annual contribution of up to \$535,500 to both Edward River Council and Hay Shire Council (depending on the final size of the Project), paid over the operational life of the Project.
23. The Project will avoid impacts on threatened ecological communities and includes measures to minimise impacts on endangered and vulnerable species, such as the endangered Plains-wanderer.

24. The Applicant will be required to minimise environmental impacts from clearing vegetation and disturbing habitats. This includes minimising the removal of native vegetation and key habitats, avoiding damage to trees with hollows and limiting impacts to threatened bird and bat species. This includes avoiding impacts on Plains-wanderer habitat to the greatest extent possible. This requirement is intended to ensure that, should the Project not proceed to its full 247 turbine layout, unnecessary clearing of Plains-wanderer habitat does not occur. In fact the Commission is of the view that it should be an objective to avoid, if feasible, the clearing of any Plains-wanderer habitat in any stage 1 project layout.
25. Potential bird and bat strikes will be managed through mitigation strategies, including ongoing monitoring requirements and measures to avoid or minimise impacts.
26. The Commission acknowledges the concerns raised by Hay Shire Council, Edward River Council and the public regarding road and traffic impacts. To address these concerns, the Commission has imposed strict conditions requiring road upgrades and timing of works, including requirements to minimise disruptions to other road users along the transport route.
27. The Commission is satisfied that the use of oversized and over-mass (**OSOM**) vehicles on the transport route can be properly managed through the required Transport Strategy. This Strategy must assess whether bridges, culverts, stock grids, and other structures can safely handle heavy escorted vehicles during construction and implement mitigations as necessary. It must also include a plan to manage traffic impacts, both opposing and following, along the Barrier Highway and Cobb Highway between Wilcannia and Hay.
28. In addition to OSOM vehicle considerations, the Commission has also addressed general traffic impacts, including local and non-OSOM traffic. It considers that with appropriate road upgrades, ongoing maintenance, and a Traffic Management Plan, the Project's impacts on road capacity, safety or efficiency will be minimised.
29. To ensure these outcomes, the Commission has imposed conditions requiring the Applicant to carry out all necessary road upgrades to the satisfaction of the relevant road authority, complete road condition surveys before and after construction, repair any damage caused by construction traffic, and prepare both the Transport Strategy and Traffic Management Plan in consultation with Transport for NSW and other relevant agencies.
30. Waste must be managed appropriately, with conditions in place to ensure any disposal at Council landfills is carried out in accordance with a Waste Management Plan. This Plan must be prepared in consultation the relevant Council. Additional conditions have also been imposed to manage other potential hazards, including those related to battery storage and fire risk.
31. The Project is subject to clear requirements for decommissioning and rehabilitation at the end of its operational life (for both the development site and the accommodation camp). The operational life of the wind farm can, however, be extended subject to securing appropriate approvals to enable the upgrade of turbines and other infrastructure.
32. The cumulative impacts of the Project in the broader regional context have also been assessed, are considered manageable and do not warrant the refusal of this Application.
33. On balance, the Commission finds that the Project meets legal requirements, is consistent with NSW Government policies and that its approval is in the public interest. The Commission has therefore determined to approve the Project subject to conditions of consent requiring the Applicant to:
  - prevent, minimise and/or offset adverse environmental, social and economic impacts;



- set standards and performance measures for acceptable environmental performance;
  - require regular monitoring and reporting; and
  - provide for the on-going environmental management of the development.
34. The Commission's conditions of consent are detailed at [Appendix D – Instrument of Consent](#).
35. The reasons for the decision are given in this Statement of Reasons for Decision dated 31 July 2025.



Richard Pearson (Chair)  
Member of the Commission



Sarah Dinning  
Member of the Commission



Michael Wright  
Member of the Commission

## Appendix A – Public Consultation

### Public engagement overview

A summary of the Project timeline and key engagement milestones is provided in the table below.

*Appendix A – Table 1: Project and engagement timeline*

Project stage	Date	Number of submissions
Application accepted by the Department	24 May 2024	N/A
Application exhibited by the Department	7 June – 4 July 2024	158 unique written submissions
Application referred to the Commission	13 May 2025	N/A
Commission's Public Meeting	4 – 5 June 2025	33 speakers
Written submissions to the Commission	14 May – 12 June 2025	56 unique written submissions

### The Department's public exhibition of the Project

The Department consulted with relevant Council, government agencies and members of the public during its assessment of the Project. Of the 158 unique public submissions received by the Department, 83 were objections and 75 were in support. The Department notes that the majority of objections (93%) came from people living further than 50km from the project site. Consideration of these submissions by the Department is provided at Chapter 5 of the Department's AR.

### The Commission's public consultation

#### The Commission's meetings

The Commission met with the Department, the Applicant, Edward River Council, Hay Shire Council and Broken Hill Council (refer to *Appendix B – Table 1*).

#### Site inspection and locality tour

The Commission undertook a site inspection and locality tour on 3 June 2025. In accordance with the Commission's *Site Inspection and Locality Tour Guidelines* and *Transparency Policy*, the Commission Panel may exercise its discretion to invite observers to attend a site inspection. In this instance, the Commission Panel chose to invite a representative from Hay Shire Council and a representative from Edward River Council to attend as observers. Officers of both Councils attended the site inspection. Five of the Applicant's representatives also attended.

#### Public meeting

The Commission conducted a two-day public meeting on 4 and 5 June 2025. The public meeting was held in-person at Deniliquin Town Hall (4 June 2025) and Hay Services Club (5 June 2025). The Commission heard from the Applicant, Council, individual members of the public and various community group representatives. In total, 33 people gave submissions to the Commission during the two-day public meeting.

Several key matters were raised at the public meeting. The table below provides a snapshot of what the Commission heard in the words of some speakers.

Appendix A – Table 2: Snapshot of what the Commission heard from the public

Issue	Submission
<b>Cumulative impacts</b>	<i>“(W)e see the problem would not be any individual REZ or transmission project going forward; it will be the cumulative impact and timing of the projects if they all coincide in similar timeframes”</i>
<b>Energy transition</b>	<i>“I think if you care for the people, the land and the planet and future generations, renewables is part of our path forward. We have a responsibility to act. The South West REZ is a great place with great support. And Pottinger is a unique site for wind and will take us forward and protect our future generations.”</i> <i>“We also need to look at the reliability of the entire renewable energy sector. It is not going to be able to do what they tell us it can do. The whole thing is not going to be able to supply Australia with electricity, so therefore we absolutely must get back to coal-fired power, we must get back to possibly looking at nuclear. But at the end of the day, this stuff cannot work.”</i>
<b>Visual impacts</b>	<i>“We always love driving across the Hay iconic plain, its natural beauty and its quintessential start to be Australian outback. Moulamein, all this area, is wonderful. I often bring visitors to Hay and to One Tree, Moulamein, round this area, because this area, in my opinion, will be ruined not only for farming but tourism as well.”</i>
<b>Biodiversity impacts</b>	<i>“Pottinger is going to impact the habitat of two bird species that I’m aware of. I might have a special interest in birds. The Major Mitchell cockatoo, which is vulnerable in New South Wales. The Plains-wanderer, which is endangered in New South Wales. Besides that, the Pottinger wind turbine development is directly in the watershed of the Murray River, and therefore the inevitable erosion would directly impact the Murray River.”</i>
<b>Socio-economic impacts</b>	<i>“I think the opportunity to have these renewables will enhance the community and add some vibrance with ongoing jobs, you know, expressed not just from those 50 but the extra works that are built from that.”</i>

## Written submissions

The public was offered the opportunity to make written submissions to the Commission from 14 May–12 June 2025. The Commission received a total of 56 unique written submissions. Of these submissions, 36 indicated support of the Project, 17 indicated objection, and three provided comment.

## Consideration of submissions

Key matters raised by the public and the Commission’s consideration of these matters is summarised in the table below. This is not an exhaustive report of the submissions considered by the Commission but is reflective of key issues that emerge from those submissions.



Appendix A – Table 3: Key matters raised in submissions

Themes raised in submissions	Commission's consideration
<p><b>Energy Transition</b></p> <ul style="list-style-type: none"> <li>This project represents a significant step forward in the promotion of sustainable energy and environmental responsibility</li> <li>Support for the transition to renewable energy</li> <li>Opposition to the government's position to transition to renewable energy – it is at considerable cost to the community</li> </ul>	<p>The Project is located in the declared SW REZ and would connect directly to the approved EnergyConnect transmission line. The Commission finds the Project aligns with relevant National and State energy policies, which identify the need to diversify the energy generation mix and provide energy security and reliability while reducing carbon emissions.</p>
<p><b>Socio-economic impact</b></p> <p><u>Local economy and community benefit</u></p> <ul style="list-style-type: none"> <li>The Applicant has prioritised building strong relationships with the local community – they have actively sought community input, ensuring that the Project aligns with community values and needs</li> <li>The Applicant plans to establish a Community Benefits Fund which will enhance community well-being and support local infrastructure</li> <li>The Project will negatively impact local income from tourism</li> <li>The Project will support the local economy, creating regional jobs, sourcing local services, and investing in the local community</li> </ul> <p><u>Housing and accommodation</u></p> <ul style="list-style-type: none"> <li>The local community cannot support the additional demands on accommodation, food, and fuel that the construction workers will need</li> <li>Establishment of a self-contained workers camp for the workforce may negatively impact the local community by diverting economic opportunities from local businesses and service providers. The Applicant should consider a hybrid accommodation model</li> <li>There's already a challenge with having enough housing in the area, both now and in the future, and bringing in construction workers will make it worse. The Applicant should look into using existing or permanent housing instead of building a temporary workers' camp</li> </ul> <p><u>Mental health and community resilience</u></p> <ul style="list-style-type: none"> <li>Hay has lost community members to suicide, likely influenced by the ups and downs of farming and limited access to mental health and youth services. Offering more opportunities – like jobs, education, recreation, and services – would really help the community. The proposed development could bring lots of jobs during construction and long-term, stable work, which would make Hay stronger and more resilient</li> </ul>	<p>The Project will have positive social and economic impacts, which will outweigh any predicted adverse impacts of the Project.</p> <p>The Commission has imposed conditions requiring the Applicant to: investigate options for prioritising the employment of local workers for the construction and operation of the development; propose measures to ensure there is sufficient accommodation for the workforce associated with the development; and consider the cumulative impacts associated with other State significant development projects in the area.</p> <p><i>Refer to imposed condition B62.</i></p> <p>The Commission also notes the Applicant has put forward a Voluntary Planning Agreement that has been agreed to by both Hay Shire and Edward River Councils and would be paid into Community Enhancement Funds for each Council.</p> <p><i>Refer to imposed condition A19.</i></p>

<p><b>Biodiversity</b></p> <ul style="list-style-type: none"> <li>• The habitat and survival of the Plains-wanderer will be impacted by the Project</li> <li>• Other mammals, reptiles and birds known to frequent the area such as Stubble Quail, Barn Owls, Blue-winged Parrot, are not adequately considered</li> </ul>	<p>The Commission has imposed conditions to prevent, minimise and/or offset adverse biodiversity impacts. Turbines will be situated to avoid impacts on Plains-wanderer habitat to the greatest extent practicable.</p> <p><i>Refer to imposed conditions B25 to B32.</i></p>
<p><b>Pollution</b></p> <ul style="list-style-type: none"> <li>• The long-term damage to the environment and waterways caused from the microplastics, nano plastics and BPAs shedding from turbine blades requires more research</li> </ul>	<p>Based on the available evidence, including from the Australian Medical Association, there are unlikely to be BPA contamination risks to human health and agricultural production from wind turbine blades. The Commission has imposed strict conditions of consent to manage possible hazards from the Project.</p> <p><i>Refer to imposed conditions B51 to B58.</i></p>
<p><b>Traffic and transport (construction)</b></p> <ul style="list-style-type: none"> <li>• Increased heavy vehicle traffic for the transportation of the wind turbines to the Site will push the capacity of the road network</li> <li>• Transporting the wind turbines from port to the Site will increase road risk for local traffic</li> </ul>	<p>The Commission has imposed operating conditions relating to traffic and transport, including a requirement for the Applicant to prepare a Traffic Management Plan. The Plan will ensure the community is notified about development-related traffic impacts, minimise potential disruption to agricultural traffic and local traffic movements, and avoid cumulative impacts of renewable energy project traffic in the region to the greatest extent practicable.</p> <p>Refer to imposed transport related conditions B37 to B45.</p>
<p><b>Cumulative impacts</b></p> <ul style="list-style-type: none"> <li>• The issue of cumulative impacts needs to be addressed in all strategies and plans in the conditions</li> </ul>	<p>The Commission cannot forecast the cumulative impacts of all future development within the SW REZ, and there are many factors which contribute to whether future development proposals will proceed.</p> <p>The Commission has considered the impacts of this Project, together with existing and approved projects in the SW REZ. With the implementation of the conditions of consent, the contribution to cumulative impacts by this Project are not so significant that they warrant refusal of the Project.</p> <p><i>Refer to conditions that minimise possible cumulative impacts, including traffic (condition B45) and accommodation and employment (condition B62).</i></p>
<p><b>Decommissioning</b></p> <ul style="list-style-type: none"> <li>• Who will ensure the Site is decommissioned with the wind turbines removed at the end of the project's life?</li> </ul>	<p>Within 18 months of the cessation of operations, the Applicant is required to decommission and rehabilitate the Site in accordance with strict conditions.</p>

	<p><i>Refer to imposed conditions B63-B67.</i></p> <p>The Commission notes that compliance functions are primarily the responsibility of the Department which has a dedicated development compliance and enforcement team.</p>
<p><b>Other</b></p> <ul style="list-style-type: none"><li>• There was a lack of consultation when establishing the South West REZ.</li></ul>	<p>The Commission has no policy-making function. The Project is located in a designated Renewable Energy Zone, and therefore the Commission must consider relevant applicable government policy.</p>

## Appendix B – Planning Context and Key Issues

### Material considered by the Commission

Appendix B – Table 1: Material Considered by the Commission

Document	Date
Secretary's Environmental Assessment Requirements ( <b>SEARs</b> )	10 July 2023
Supplementary SEARs (Commonwealth Department of Agriculture, Water and the Environment assessment requirements)	Not dated
Applicant's Environmental Impact Statement and its accompanying appendices ( <b>EIS</b> )	16 May 2024
Government agency advice to the Department	Various
Public submissions made to the Department during exhibition	Various
Applicant's Response to Submissions Report and its accompanying appendices ( <b>RtS</b> )	2 October 2024
Applicant's responses to requests for information and clarifications	Various
Referral letter from the Department	12 May 2025 (received by the IPC 13 May 2025)
Department's Assessment Report and recommended conditions of consent	May 2025 (received by the IPC 13 May 2025)
Comments and presentation material from meetings with: <ul style="list-style-type: none"> <li>• Department</li> <li>• Applicant</li> <li>• Edward River Council</li> <li>• Hay Shire Council</li> <li>• Broken Hill City Council</li> </ul>	26 May 2025 26 May 2025 28 May 2025 28 May 2025 28 May 2025
Observations made at the Site Inspection	3 June 2025
Department's response to the Commission	3 June 2025
All submissions and material presented at the Public Meeting	4 and 5 June 2025
Applicant's response to the Commission	12 June 2025
All written submissions made to the Commission	12 June 2025
Additional referral documents from the Department	20 June 2025
Correspondence from the Applicant regarding conditions	1 July 2025
Department's advice to the Commission regarding the imposition of conditions	14 July 2025 28 July 2025
Concurrence from the NSW Minister for the Environment	28 July 2025
Applicant's letter regarding recommended VPA condition	29 July 2025

## Statutory framework

### Appendix B – Table 2: Planning framework

Strategic context	Commission's consideration
Energy context	<p>The Project is located in the declared SW REZ and would connect directly to the Project EnergyConnect transmission line. The Department has set out the Commonwealth and State energy context in Table 3 of the Department's AR. Key policies include:</p> <ul style="list-style-type: none"> <li>• Australia's Long Term Emissions Reduction Plan (2021) and Nationally Determined Contribution (2022);</li> <li>• Climate Change (Net Zero Future) Act 2023;</li> <li>• Australian Energy Market Operator's 2024 Integrated System Plan (ISP);</li> <li>• Climate Change Policy Framework (2016);</li> <li>• Transmission Infrastructure Strategy (2018);</li> <li>• Electricity Strategy (2019);</li> <li>• Electricity Infrastructure Roadmap (2020), Net Zero Plan Stage 1:2020 – 2030 (2020) and Implementation update (2022); and</li> <li>• Riverina Murray Regional Plan 2041 (2023).</li> </ul> <p>The Department finds that the Project is consistent with these policies and guidelines and the Commission agrees with this finding. The Commission has considered the renewable energy transition as a key issue in <i>Appendix B – Table 3</i> below.</p>
NSW Wind Energy Framework	<p>The <i>NSW Wind Energy Framework</i>, introduced in December 2016, aims to enhance clarity, consistency and transparency in the assessment of wind energy projects. The Department is now implementing a new Energy Policy Framework (finalised in November 2024), which does not apply to the Project, however elements of the <i>Wind Energy Visual Technical Supplement (2024)</i> have been considered in assessing the Project's visual impact against the existing <i>Visual Assessment Bulletin 2016</i>.</p>
Statutory context	Commission's consideration
State Significant Development	<p>The Application is for the purpose of electricity generating works with a capital investment value of more than \$30 million, which is declared as State significant development under section 20 of Schedule 1 of SEPP Planning Systems.</p>
Consent authority	<p>The Application received more than 50 public submissions by way of objection to the Project. In accordance with section 4.5(a) of the EP&amp;A Act and section 2.7 of SEPP Planning Systems, the Commission is the consent authority for the Application.</p>
Objects of the EP&A Act and Ecologically Sustainable Development	<p>The Commission has considered the Objects of the EP&amp;A Act and is satisfied that the Application is consistent with those Objects. The Commission finds that the Project is consistent with ESD principles and would achieve an acceptable balance between environmental, economic and social considerations.</p>
Permissibility	<p>The Site is located on land zoned <i>RU1 Primary Production</i> under the <i>Hay Local Environmental Plan 2011 (Hay LEP)</i> and the <i>Conargo Local Environmental Plan 2013 (Conargo LEP)</i>. Under the Hay LEP 2011 and the Conargo LEP, electricity generating works are not expressly listed as permitted with or without consent in the RU1 zone and are therefore a prohibited land use.</p>

	However, electricity generating works are permissible with consent on any land in a prescribed non-residential zone (including the RU1 zone), under section 2.36 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</i> . Therefore, the Project is permissible with development consent.
Integrated and other approvals	Under section 4.41 of the EP&A Act, several other approvals are integrated into the SSD approval process and are therefore not required to be separately obtained for the Project (AR para 27). Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the Project (AR para 28). The Commission has considered the Department's recommended conditions of consent relating to integrated and other approvals as part of its deliberation process.
Commonwealth matters	According to the Department, on 6 March 2024, a delegate of the Commonwealth Minister for the Australian Government Department of Climate Change, Energy, the Environment and Water ( <b>AG DCCEEW</b> ) determined the Project to be a 'controlled action' under the <i>Environment Protection and Biodiversity Act 1999</i> (EPBC Act) due to likely significant impacts to listed threatened species and communities and listed migratory species. The Commission notes that following the Commission's determination, the matter would be referred to AG DCCEEW for assessment in accordance with the relevant provisions of the EPBC Act.
Concurrence	<p>The <i>Biodiversity Conservation Act 2016 (BC Act)</i> requires that concurrence is sought from the NSW Minister for the Environment for State significant development where consent conditions differ from the credit requirements in a BDAR, and/or allow for post-approval modification or any deferred offsetting arrangements, or the implementation of a Biodiversity Offset Package where not in accordance with the BDAR.</p> <p>The Minister for the Environment provided conditional concurrence on 28 July 2025. The Commission has incorporated the Minister's conditions of concurrence as conditions of development consent. These conditions require the Planning Secretary to consult with the NSW DCCEEW Secretary on any post-development consent biodiversity credit changes. Refer to pages 20-21 below for further detail.</p>
Mandatory considerations	
Commission's consideration	
Relevant environmental planning instruments (EPIs)	<p>Appendix F of the AR identifies relevant EPIs for consideration. The key EPIs (in their present, consolidated form) comprise:</p> <ul style="list-style-type: none"> <li>• SEPP Planning Systems</li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>;</li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>;</li> <li>• <i>State Environmental Planning Policy (Primary Production) 2021</i>;</li> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation)</i>;</li> <li>• Hay LEP; and</li> <li>• Conargo LEP.</li> </ul>
Relevant development control plans (DCPs)	Pursuant to section 2.10 of the SEPP Planning Systems, DCPs do not apply to SSD.



Any planning agreement or draft planning agreement	The Commission notes the Applicant's offer to pay an annual contribution of up to \$535,500 (excl. GST and indexed to CPI) (dependent on the final size of the Project) to each of Hay Shire Council and Edward River Council over the operational life of the Project.
Likely impacts of the development	The likely impacts of the Application have been considered in <i>Appendix B – Table 3</i> below.
Suitability of the Site for development	<p>The Commission has considered the suitability of the Site and finds that the Site is suitable for the following reasons:</p> <ul style="list-style-type: none"> <li>• the Site has suitable wind resources;</li> <li>• the Site will directly access the Project EnergyConnect transmission line (currently under construction);</li> <li>• the Site has access to the regional road network;</li> <li>• the use of the Site as a wind farm is an orderly and economic use and development of land;</li> <li>• adverse impacts on surrounding receivers have been minimised as far as practicable and would be further managed and mitigated by the imposed conditions of consent;</li> <li>• the Project is capable of being decommissioned and the Site can be rehabilitated to a safe and non-polluting landform;</li> <li>• the development of the Site for the purpose of electricity generation will facilitate social and economic benefits for the community and for the State of NSW; and</li> <li>• the development of the Site will assist in meeting Australia's and NSW's target of net zero emissions by 2050.</li> </ul>
The public interest	The Commission has considered the public interest in deciding to grant consent to the Application. In doing so, the Commission has considered the likely impacts of the Application and the relevant ESD principles.

## Key issues

### *Appendix B – Table 3: Key issues considered by the Commission*

Issue	Commission's Findings
Energy transition	<p>The Project has capacity to generate up to 1,300 MW of energy, and the 500 MW / 2,000 MWh BESS would enable energy to be stored for dispatch to the grid, thereby increasing stability and energy security.</p> <p>The Department's AR states (page 15):</p> <p><i>[The project would] save up to 2,277,000 tonnes of greenhouse gas emissions annually. This would assist NSW in achieving the emissions reduction targets legislated by the Climate Change (Net Zero Future) Act 2023, and is consistent with the NSW Climate Change Policy Framework and the Net Zero Plan Stage 1: 2020 2030 objective of achieving net zero emissions by 2050.</i></p> <p>The Commission finds the Project will increase renewable energy generation and capacity and contribute to the State's transition to renewable energy as coal-fired power stations are closed. The Commission finds that the Project is consistent with the relevant renewable energy policies and guidelines, as set out in <i>Appendix B – Table 2</i> above.</p>

	<p><b>Calculation of power generation</b></p> <p>The Commission notes that the Applicant's EIS and RtS state that the Project would generate sufficient energy to power around 830,000 homes per year, while the Department's AR states that the Project could power around 593,000 homes per year. The Commission sought clarification on this calculation from both the Applicant and the Department.</p> <p>The Applicant, in its letter to the Commission dated 12 June 2025, states that the 1,300 MW installed capacity wind farm would have a predicted annual output of 4,669,000 MWh per year, which equates to the wind turbines operating at a capacity factor of 41% (the capacity factor represents the estimated output of the Project compared to its maximum possible output when operated at full capacity for one year). The Applicant states that this is realistic given the wind resource and configuration of the proposed turbines.</p> <p>The Department, in its letter to the Commission dated 3 June 2025, states that its calculation is based on modelling developed by the data analytics team within the NSW Department of Climate Change, Energy, the Environment and Water (<b>NSW DCCEEW</b>). This modelling applies a capacity factor of 29% to all wind farm projects within the SW REZ and is consistent with analysis undertaken by the Australian Energy Market Operator (AEMO). However, the Department "acknowledges that the capacity factor may vary across individual sites within the SW REZ and even within the project site and notes that the Applicant may be better placed to provide site specific information and capacity factor for the project site".</p> <p>For the avoidance of doubt, the Commission's findings do not turn on whether either the Applicant's or the Department's calculations are to be preferred.</p>
<p><b>Project staging</b></p>	<p>The Project has been granted access rights for a maximum of 832.1 MW to the Project EnergyConnect transmission line by EnergyCo.</p> <p>The Department states (AR, page 16):</p> <p><i>EnergyCo have granted access for the Pottinger Wind Farm (with battery) for a maximum of 832.1 MW. The Applicant may choose to stage the project to meet the current access granted. The Applicant has also advised that additional capacity proposed allows it to:</i></p> <ul style="list-style-type: none"> <li>○ <i>optimise the layout and turbine choice;</i></li> <li>○ <i>absorb project losses by installing more than the proposed access capacity;</i></li> <li>○ <i>maximise the use of the energy storage; and</i></li> <li>○ <i>potentially connect to other transmission lines on site (not part of this application).</i></li> </ul> <p>The Applicant, in its submission to the Commission dated 12 June 2025, states:</p> <p><i>This Access Right is for an initial 831.2 MW of wind energy... is planned as a first phase of development... with the remainder of the capacity planned to be built once additional grid capacity becomes available.</i></p> <p>The Applicant states that additional capacity could become available in the future due to many reasons, including but not limited to (submission dated 12 June 2025, page 2):</p> <ul style="list-style-type: none"> <li>○ <i>Failure of other SW REZ Access Right holders to meet their full capacity obligations to EnergyCo;</i></li> <li>○ <i>Network augmentations or headroom assessments enabling additional capacity on Project EnergyConnect; and/or</i></li> <li>○ <i>Additional capacity becoming available on the proposed VNI West connection line or connection infrastructure that is existing.</i></li> </ul>

	<p>The Commission has considered the Project and its potential impacts in its entirety – that is, the full 1,300MW capacity wind farm sought by the Application. However, the Commission understands that the current access rights granted to the Project limit its capacity to dispatch energy to the electricity network and will likely result in the Applicant constructing the Project in stages.</p> <p>To ensure transparency and effective management in the event the Applicant stages the development, the Commission has imposed conditions of consent requiring the Applicant to prepare a Staging Report. This report must include:</p> <ul style="list-style-type: none"> <li>• a description of how the development will be staged, including the activities to be undertaken in each stage, indicative commencement timelines, and relevant plans such as layout drawings;</li> <li>• an outline of how compliance with conditions will be maintained across and between stages; and</li> <li>• details of how each stage will be designed to minimise environmental impacts to the greatest extent practicable.</li> </ul> <p>The Commission has imposed a condition of consent requiring the Applicant to minimise environmental impacts associated with vegetation clearing and habitat disturbance. Specifically, the Applicant must:</p> <ul style="list-style-type: none"> <li>• minimise the clearing of native vegetation and key habitat;</li> <li>• reduce impacts on hollow-bearing trees; and</li> <li>• limit impacts on threatened bird and bat populations</li> </ul> <p>This includes avoiding impacts on Plains-wanderer habitat to the greatest extent practicable.</p>
<p><b>Traffic and transport</b></p>	<p><b>Transport route</b></p> <p>The Project will involve the delivery of large equipment and materials to the Site by 'oversized and over-mass' (<b>OSOM</b>) vehicles, many of which will require escort, and which will potentially impact the local and regional road network.</p> <p>The proposed transport route will originate from the Port of Adelaide in South Australia and cross the NSW border at Cockburn, travel east along the Barrier Highway, through Broken Hill and Wilcannia, and travel south on the Cobb Highway through Hay, where vehicles would access the Site using Site entrances A to D (AR para 146). Other project related vehicles would also access the Site from the Cobb Highway or from Kidman Way and Four Corners Road.</p> <p>The Applicant, as part of its EIS and Traffic Impact Assessment (<b>TIA</b>), prepared a Route Study (based on worst case vehicle dimensions and component weights) and the proposed transport route was found to be the route with the least constraints.</p> <p>The Department is of the view that the proposed transport route is supportable and has recommended a condition of consent requiring a Transport Strategy to be developed in consultation with TfNSW, Energy Corporation, local Councils and other renewable projects in the SW REZ.</p> <p>The Commission notes that the intent of the Transport Strategy is to manage high risk heavy vehicles requiring escort when travelling along the Barrier and Cobb Highways. The Transport Strategy would set out management measures to demonstrate that high-risk OSOM vehicles can be accommodated on the road network, and include:</p> <ul style="list-style-type: none"> <li>• assessments of bridges, culverts, stock grids and other structures;</li> <li>• strategic designs for rest stop areas and pullover bays in NSW; and</li> <li>• a protocol to manage impacts to opposing and following traffic (AR para 171).</li> </ul>

The Commission notes that the proposed transport route will travel through the Central Darling Shire LGA, including the towns of Wilcannia and Ivanhoe. The Commission sought clarifications from the Department and the Applicant about whether consultation has been undertaken with the Central Darling Shire Council about possible traffic impacts within its LGA.

In its response to the Commission (letter dated 6 June 2025), the Department states that the Project's "OSOM transport route follows the State network through the towns of Wilcannia and Ivanhoe (Barrier Highway and Cobb Highway respectively) and does not propose any road upgrades within the Central Darling Shire LGA. As such, the Department has not had direct correspondence with the Central Darling Shire Council in relation to this project". The Department notes that there may be a need to use the rest stop areas and pullover bays along the Barrier Highway and Cobb Highway within the Central Darling Shire LGA, however "these areas would be entirely located within the road reserve and Transport for NSW (TfNSW) is the relevant roads authority".

The Applicant, in its response to the Commission (letter dated 12 June 2025) states that, in accordance with the recommended conditions of consent, it would develop a Transport Strategy and a Transport Management Plan, and "consultation will occur with all LGAs along the route as part of the development of these plans".

Regarding the proposed transport route within South Australia, the Commission sought advice from the Department on whether coordination or consultation with relevant South Australian agencies was required, given that the route for escorted heavy vehicles is proposed to originate from the Port of Adelaide.

The Department advised that, as a NSW Government agency, it is only authorised to consider planning and development activities occurring within NSW. Accordingly, it cannot recommend conditions of consent for activities outside NSW jurisdiction.

The Department states that:

*The Applicant is responsible for undertaking any required coordination or consultation with agencies in other states, including the South Australian Government to ensure South Australian transport and road requirements are met. Further certainty around this aspect cannot be provided as part of the consent.*

*The Applicant has advised they are in ongoing discussions with the Department for Infrastructure and Transport of South Australia on the transport route from the Port of Adelaide. (Department's response to Commission's condition changes – Attachment A, dated 14 July 2025)*

### **Traffic impacts**

The Commission heard concerns raised by the local councils and the community about Project-related traffic impacts, and particularly OSOM vehicles slowing down traffic movements from existing industries and agricultural operations, as well as local traffic.

During its meeting with the Commission on 28 May 2025, Edward River Council raised its concern about transportation being slowed down by OSOM vehicles, stating that livestock "can't travel at 40 k's and be on the road for an extra couple of hours".

In its submission to the Commission, Edward River Council raised concerns about potential impacts on existing road infrastructure (such as stock grids) as well as disruptions to agricultural enterprises and other operations that rely on roads along the proposed transport route.

The Commission is satisfied that these concerns can be appropriately managed through the requirement for a Transport Strategy. This Strategy must:

- assess the capacity of bridges, culverts, stock grids, and other structures to accommodate heavy vehicles requiring escort, ensuring they are suitable for use during construction;
- identify road upgrade requirements and provide a protocol to repair any damage caused by construction traffic; and
- include a protocol to manage impacts on opposing and following traffic along the Barrier Highway and Cobb Highway between Wilcannia and Hay when utilising high-risk escorted heavy vehicles.

With these measures in place, the Commission considers that disruption to existing agricultural and other industries during the construction of the project will be minimal.

In addition, the Commission has imposed a new condition that requires the Transport Strategy to include a protocol to manage impacts to opposing and following traffic on the Barrier Highway and the Cobb Highway, particularly traffic relating to agricultural transportation and other industries.

Regarding overall traffic impacts, including those on local roads and non-OSOM traffic, the Department considers that, with appropriate road upgrades, ongoing maintenance, and the implementation of a Traffic Management Plan, the Project would not result in unacceptable impacts on the capacity, efficiency, or safety of the road network.

The Commission notes that the Traffic Management Plan is intended to function as a comprehensive strategy for managing local road use and non-OSOM traffic movements. The Traffic Management Plan must be prepared in consultation with Transport for NSW and the relevant Councils, and include provisions for:

- temporary traffic controls;
- notifying the local community about development-related traffic impacts;
- minimising potential for conflicts with rail services, stock movements, school bus routes and other road users;
- responding to any emergency repair or maintenance requirements during construction and/or decommissioning;
- a traffic management system for managing over-dimensional vehicles; and
- a drivers code of conduct that addresses fatigue management and includes procedures to ensure that drivers adhere to the designated transport routes and speed limits and implement safe driving practices.

The Commission agrees with the Department's view that the Project would not result in unacceptable impacts on the road network and has imposed the Department's recommended conditions, and notes that TfNSW has reviewed and supports the conditions as recommended.

### **Road upgrades and maintenance**

The Applicant proposes to undertake a number of road and intersection upgrades within NSW to accommodate construction traffic (refer to detail provided at AR section 6.4.4).

The Applicant provided a pinch point analysis which included swept paths for the widest and longest vehicles proposed at key intersections along the route (AR para 165). The Department supports the proposed road upgrades and has recommended conditions requiring the Applicant to undertake all necessary upgrades to the satisfaction of the roads authority, to undertake dilapidation surveys of relevant local roads and repair any damage resulting from construction traffic, and to prepare a Transport Strategy and a Traffic Management Plan for the development in consultation with TfNSW and other relevant agencies.

	<p>The Department notes that TfNSW raised concerns about the potential impacts of certain proposed road upgrades on intersection functionality and the safety of local road users. In response, the Department specified the timing of road upgrades (as outlined in Table 1 of Appendix 5 of its recommended conditions), taking into account both the operational needs of the Project and the constructability of the upgrades.</p> <p>The Commission has imposed conditions requiring the Applicant to implement the road upgrades outlined in Table 1 of Appendix 5 of the consent, unless otherwise agreed by the Planning Secretary. These upgrades must meet, at a minimum, the standards set out in the Austroads Guide to Road Design and be completed in accordance with the relevant timing requirements, to the satisfaction of the relevant road authority. In the event of a dispute regarding the scope or implementation of the road upgrades, either party may refer the matter to the Planning Secretary for resolution.</p> <p>Additionally, the road upgrades identified in the Transport Strategy must be delivered in line with the assigned responsibilities and timing requirements, to the satisfaction of the relevant road authority. The final standard of any upgraded road, upon completion of construction, must be agreed with the relevant road authority during the development of the Transport Strategy.</p> <p>The Commission has also imposed a condition that requires the Transport Strategy to assess the capacity of bridges, culverts, stock grids and other structures that may be impacted by heavy vehicles to ensure that such structures can accommodate OSOM vehicles.</p> <p><b>Cumulative impacts within the SW REZ</b></p> <p>The Department states that cumulative traffic impacts with other wind farms in the SW REZ have been considered through its assessment process (AR para 159). The assessment included “The Plains Wind Farm and Yanco Delta Wind Farm projects, which would generate the highest levels of additional traffic along the Cobb Highway and Kidman Way”. The Department states that “all intersections on the Cobb Highway with local roads in the vicinity of the project would continue to operate at a level of service A (LOS A), with the exception of the right turn from the Cobb Highway (south approach) onto Jerilderie Road which is anticipated to operate at LOS B during the morning peak hour, however the delay would be minimal. These impacts would be temporary, limited to construction stage only and remain within acceptable operating standards” (AR para 159).</p> <p>The Commission agrees with the Department’s analysis and has imposed the Department’s recommended condition of consent requiring the Applicant to consult with TfNSW, Energy Corporation, relevant councils and other State significant renewable energy projects in the SW REZ to consider cumulative impacts during the preparation of the Transport Strategy.</p>
<b>Biodiversity</b>	<p>The Site is around 26,000 ha and is mostly covered by native vegetation (approximately 23,300 ha or 90%), including wooded areas, wetlands and grazed grasslands and shrublands with areas of riparian woodland associated with creek lines. The disturbance footprint would be approximately 1,069 ha with approximately 1,022 ha of native vegetation to be cleared (AR para 70).</p> <p>Clearing of native vegetation would cause direct and indirect impacts to threatened flora and fauna species and communities, while operation of the wind turbines has the potential to impact flight paths of birds and bats from changes in air pressure (barotrauma) or collision with turbines (bird and bat strike) (AR para 72).</p> <p>Section 6.3 of the Department’s AR describes the biodiversity of the Site in detail.</p>



The Department states (AR para 74) that the Conservation Programs, Heritage and Regulation Group within NSW DCCEE (CPHR) initially raised concerns about the application of the Biodiversity Assessment Methodology (BAM) in the preparation of the Project's Biodiversity Development Assessment Report (BDAR) – in particular, targeted threatened species surveys, requirements for bird and bat utilisation surveys (BBUS), and the avoidance of impacts to species subject to serious and irreversible impacts (SAIL).

Overall, the Department considers that the concerns raised by CPHR have been resolved, either through provision of additional information, including revisions to the project layout to further minimise the impacts, or development of consent conditions, and that the BDAR adequately assesses the potential biodiversity impacts of the project in accordance with the BAM.

The Commission notes that the Minister for the Environment provided concurrence subject to conditions. The Commission has included the Minister's conditions as conditions of development consent.

The Commission has considered the potential impact of the Project on the critically endangered Plains-wanderer, listed under the EPBC Act. This is particularly relevant given that the Project will result in the clearing of approximately 2.67 hectares of mapped important habitat for the species. Although the Applicant has committed to conserving an additional 13 ha of Plains-wanderer habitat to help offset this impact, the Commission considers it necessary that habitat disturbance is minimised wherever possible.

The Commission has imposed a condition requiring the Applicant to minimise environmental impacts associated with vegetation clearing and habitat disturbance. Specifically, the Applicant must:

- minimise the clearing of native vegetation and key habitat;
- reduce impacts on hollow-bearing trees; and
- limit impacts on threatened bird and bat populations.

This includes avoiding impacts on Plains-wanderer habitat to the greatest extent practicable. This requirement is intended to ensure that, should the Project not proceed to its full 247 turbine layout, unnecessary clearing of Plains-wanderer habitat does not occur.

#### **Biodiversity offsets**

The Department has recommended conditions of consent that require the retirement of the number and class of biodiversity offset credits detailed in the final BDAR, but allow the Applicant to reduce the total biodiversity credit liability post approval by:

- further avoiding impacts to biodiversity values as a result of detailed design works and micro siting wind turbines and ancillary infrastructure; and
- undertaking additional ecological surveys for species that were assumed present (AR, page 9).

The Department states that this approach to conditions is intended to provide an incentive to the Applicant to reduce the biodiversity impact of the Project reflecting the avoid, minimise and offset hierarchy set out as the purpose of the BC Act.

	<p>The BC Act requires that concurrence is sought from the NSW Minister for the Environment for State significant development where consent conditions differ from the credit requirements in a BDAR, and/or allow for post-approval modification or any deferred offsetting arrangements, or the implementation of a Biodiversity Offset Package where not in accordance with the BDAR. Accordingly, concurrence was sought from the Minister for the Environment by the Department on 15 July 2025, with concurrence provided on 28 July 2025. The Minister for the Environment provided concurrence subject to conditions. The Commission has included the Minister's conditions as conditions of development consent. These conditions require the Planning Secretary to consult with the NSW DCCEEW Secretary on any post-development consent biodiversity credit changes.</p> <p>The Commission finds the Project's biodiversity offsets to have been correctly determined. Biodiversity credits must be retired by the Applicant pursuant to the NSW Biodiversity Offset Scheme (<b>BOS</b>) to ensure the Project's residual biodiversity impacts are appropriately offset and this is reinforced via the Commission's conditions of development consent.</p>
<p><b>Socio-economic</b></p>	<p>The Project is expected to generate around 900 construction jobs and provide up to 40 operational jobs, thereby providing a significant boost to local employment.</p> <p>The Applicant would be required to prepare and implement an Accommodation and Employment Strategy to investigate options for prioritising the employment of local workers for the construction and operation of the Project.</p> <p>The Applicant has committed to benefit sharing to the community via the following mechanisms:</p> <ul style="list-style-type: none"> <li>• community benefits of \$893 per MW generation capacity installed with a 50% split between each Council, per year for the duration of the project and;</li> <li>• an additional \$158 per MW has been agreed to be allocated to a dedicated First Nations Fund.</li> </ul> <p>The Voluntary Planning Agreement (<b>VPA</b>) that has been agreed between the Applicant and Hay Shire Council and Edward River Council would be paid into a separate Community Enhancement Fund for each Council, and administered by the Applicant in partnership with the relevant Council. The Department notes that the VPA equates to "an annual contribution of up to \$535,500 (excl. GST and indexed to CPI) (dependent on the final size of the Project) to Edward River Council and Hay Shire Council, totalling \$1,070,000 annually, over the operational life of development" (AR page 54).</p> <p>The Commission has imposed a condition requiring the Applicant to enter into a VPA with each Council in accordance with Division 7.1 of Part 7 of the EP&amp;A Act, and the general terms outlined in Appendix 3 of the consent, or other such terms that may be offered by the Applicant and agreed to by Council.</p> <p>Regarding amenity impacts, the Department considers that landscape character, amenity, health and wellbeing impacts can be appropriately managed with the implementation of the Applicant's commitments and the Department's recommended conditions (AR page 54).</p> <p>The Department notes that there are very few non-associated residences in proximity to the Project, with only two located within 5.5 km of the nearest proposed turbine, with one of which is within 3.75 km. The Applicant has undertaken detailed dwelling assessments and provided visual representations, including photomontages and wireframes, for these residences.</p> <p>The Commission agrees with the Department's assessment and is satisfied that the Project is appropriate for the Site and would not result in significant visual impacts on surrounding non-associated residences.</p>

	<p>The Project will generate renewable energy to power up to 593,000 homes per year (according to the Department's calculations) and help NSW meet its net zero targets while reducing greenhouse gas emissions by over 2.2 million tonnes per year. The Commission finds that the Project's contribution to energy security and emissions reductions will deliver positive social outcomes.</p> <p>The Commission therefore agrees with the Department's view that the social and economic benefits of the Project outweigh any negative social and economic impacts, and as such approval of the Project is in the public interest.</p>
<b>Accommodation</b>	<p>The Project includes the provision of an on-site temporary workers accommodation camp to accommodate up to 430 workers. The accommodation camp is intended to manage potential impacts to housing and short-term accommodation availability in the region from workers on the Project.</p> <p>The facility would be designed and maintained in accordance with an Accommodation Camp Management Plan (AR page 54), including the provision of health and medical services. The Department has recommended conditions of consent to this effect.</p> <p>The Department has also recommended operating conditions relating to the accommodation camp and requirements to consider the accommodation camp in the preparation of an Emergency Plan.</p> <p>The Commission heard concerns from the local councils and the public about housing and accommodation and the perceived missed opportunity to provide long-term or 'legacy' housing as part of the Project. The Commission considers that the accommodation camp could be designed and constructed in a way that facilitates the housing being relocated into the local centres and repurposed as permanent housing in the future. The Commission has therefore imposed a condition requiring the Applicant to investigate options to achieve such an outcome.</p> <p>The Commission has also imposed strict decommissioning and rehabilitation requirements for the accommodation camp at the end of the Project life.</p> <p>The Commission notes that, where applicable, the Applicant would also be required to obtain section 68 approvals under the <i>Local Government Act 1993</i> from the relevant Council.</p>
<b>Cumulative impacts</b>	<p>The Commission heard concerns about the potential for cumulative impacts from multiple renewable energy projects within the SW REZ, which are at various stages of planning and development. According to the Department's AR, there are ten State significant renewable energy projects within 25 km of the Site, including three proposed wind farm projects located adjacent to the Site that are currently under assessment (AR para 12). The adjacent wind farms currently under assessment by the Department include the Bullawah Wind Farm to the northeast, The Plains Wind Farm to the north-west and Booroorban (Saltbush) Wind Farm to the west.</p> <p>The Department acknowledges that the Project has the potential to contribute to cumulative impacts in the region. It considered cumulative impacts throughout its assessment of each of the potential impacts associated with the Project, including impacts on traffic, roads, biodiversity, visual amenity and the landscape character and scenic quality of the region. The Department notes that the Project has been located and designed to minimise potential impacts, including locating turbines and associated infrastructure to avoid threatened native vegetation, and very few non-associated residences are in proximity to the Site, and therefore amenity impacts from the Project are relatively low (AR, page 15).</p> <p>The Commission agrees with the Department that the Site is suitable for the proposed development and that amenity impacts from the Project are relatively low. The Commission has also considered cumulative impacts throughout its assessment of each of the potential impacts associated with the Project.</p>

	<p>The impacts of this Project – together with other existing and approved projects in the SW REZ – will not overwhelm regional infrastructure, and appropriate upgrades and augmentations are, or will be, undertaken to minimise or ameliorate impacts, in accordance with the conditions of consent imposed by the Commission. There are no other cumulative impacts, including visual impacts and impacts to biodiversity, that would warrant refusal of the Application. The Commission therefore finds that cumulative impacts are manageable and do not warrant refusal of this Application.</p> <p>The Commission notes that the Pottinger Wind Farm Project is in an early cohort of projects that are seeking planning approval within the SW REZ. The Commission has considered the key cumulative impacts of the Project and other existing or approved renewable energy developments within its proximity, and notes that any future renewable energy development proposals within the SW REZ would be required to do the same.</p>
<b>Waste</b>	<p>The Department's AR states that the Project would not generate significant volumes of waste during construction. The limited waste would mainly be classified as "general waste, sanitary and liquid waste from site compounds and the temporary workforce accommodation and hazardous wastes such as oils, hydraulic fluids and other wastes associated with construction plant and equipment" (AR page 56). The Commission notes that the Applicant has committed to segregate, manage, reuse, recycle and safely dispose of all wastes at appropriately licenced facilities.</p> <p>During the operation of the Project there would be negligible amounts of waste, except for repair and maintenance activities (AR page 56).</p> <p>The Commission notes the comments made by Edward River Council in its submission (dated 12 June 2025) that its existing landfill sites are small rural sites that are not suitable for disposal of waste from the development and that the main disposal site at Deniliquin is near end of life in terms of available space, and therefore the volume of waste that Council would be able to receive and manage from the development is limited. Council requested that a Waste Management Plan (<b>WMP</b>) be prepared prior to the commencement of construction, and arrangements made with the relevant Council/s and/or waste services. The Commission has therefore imposed a condition requiring the Applicant to prepare a WMP.</p> <p>The Commission agrees with the Department and finds that the waste generated by the Project during construction and operation can be managed by the imposed conditions of consent.</p> <p>In addition, the Applicant will be required to prepare a Decommissioning and Rehabilitation Plan that includes measures that would be implemented to minimise and manage the waste generated by the decommissioning of the development. This is discussed below on page 25.</p>
<b>Water</b>	<p>The Commission understands that approximately 623 megalitres (<b>ML</b>) of water will be required for construction, over a period of approximately 38 months. Water will be used for dust suppression, concrete production, vehicle and equipment washdown, and amenities. Additionally, 24 ML of potable water per year would be required over the construction period (AR page 48). Water demands during operation are expected to be minimal, with water required for vehicle washdown, equipment and plant, vegetation management, site amenities and fire protection (AR page 48).</p> <p>The Department's AR (page 48) states that the Applicant proposes to obtain the water required for construction and operation from multiple sources, including:</p> <ul style="list-style-type: none"> <li>• existing irrigation and groundwater from licenced bores, under agreement with the host landowner;</li> <li>• extraction from the Coleambally Irrigation Co-operative Limited (CICL) Scheme;</li> <li>• harvested runoff from farm dams;</li> </ul>

	<ul style="list-style-type: none"> <li>• reuse of treated wastewater from the Site office and temporary accommodation facilities (water would be treated at an onsite wastewater treatment system) for non-potable uses; and</li> <li>• potable water carted from town supply.</li> </ul> <p>The Applicant may also utilise other water sources licensed under the <i>Water Management Act 2000</i>, including groundwater purchased from associated or adjacent landowners, water purchased from Council, and by purchasing and transporting water to the Site by tanker.</p> <p>The Department notes that the Applicant confirmed the Project is unlikely to intercept an aquifer given the depth to the groundwater table is between 18 to 25 metres and the depth of Project infrastructure is up to 5 metres (AR page 49).</p> <p>Nevertheless, the Commission has imposed a condition requiring the Applicant to investigate whether the development would constitute aquifer interference based on the findings of groundwater characterisation to be undertaken, and if interaction with groundwater is expected to occur, the Applicant must prepare and submit a hydrogeological assessment under the NSW Aquifer Interference Policy 2012 and obtain any necessary aquifer interference approvals.</p> <p>The Department, NSW DCCEEW Water Group (<b>Water Group</b>), and WaterNSW are satisfied that the Project's water use is unlikely to have any significant impact on water supply and demand in the region, subject to the Applicant obtaining relevant approvals and licences, and adhering to the requirements of relevant water sharing plans.</p> <p>Given the diversity of proposed water sources and the increasing uncertainty around water availability due to climate change, the Commission considers it necessary to ensure water security throughout the life of the Project. Although the Department, Water Group, and WaterNSW are satisfied that the Project's water use is unlikely to significantly impact regional supply, Hay Shire Council raised concerns about water availability and potential competition with agricultural and domestic uses:</p> <p style="padding-left: 40px;"><i>On water, we ask that developers limit reliance on open market purchases, especially during low allocation years. Access to affordable water is essential for our primary producers. Council supports a coordinated approach to monitoring cumulative water use across the REZ – Cr Carol Oatway, Hay Shire Council, Public Meeting Day 2 transcript, page 63.</i></p> <p>The Commission has imposed a condition requiring the Applicant to prepare a Water Sourcing Plan in consultation with the Water Group and relevant local Council. This plan must demonstrate how water will be sourced sustainably, account for seasonal variability and long-term climate risks, and ensure that the Project does not adversely affect local water users.</p>
<b>Hazards</b>	<p>The Commission heard concerns about possible pollution and environmental hazards caused by the Project.</p> <p>The Commission agrees with the Department that:</p> <ul style="list-style-type: none"> <li>• bushfire risks can be suitably controlled through the implementation of standard fire management plans and procedures;</li> <li>• impacts from electric and magnetic fields (<b>EMF</b>) are unlikely because the setback distances between Project components that could generate EMF and any residential dwellings are significant (in excess of 1 km), and the Applicant's assessment of EMF levels found levels would be significantly lower than internationally acceptable level for human health;</li> <li>• contamination risks are acceptable, and can be appropriately managed with the implementation of the standard mitigation measures; and</li> <li>• the Project is unlikely to pose significant blade throw risk to the community given the distance of the turbines from occupied dwellings and roads.</li> </ul>

	<p>The Commission has imposed conditions to manage possible hazards caused by the Project, including operating conditions relating to the wind farm, battery storage and accommodation camp, and requirements to prepare an Emergency Plan in consultation with relevant agencies and a Fire Safety Study that meets the requirements of Fire and Rescue NSW.</p>
<b>Decommissioning and rehabilitation</b>	<p>Decommissioning and rehabilitation concerns are a common issue for renewable energy developments, specifically around defining who would be responsible for removing turbine infrastructure, and the capacity of the Site to be returned to pre-development conditions. The Commission heard similar concerns at the Project's public meeting.</p> <p>In addition to the Department's recommended conditions of consent which specify objectives for decommissioning and rehabilitation, the Commission has imposed further conditions requiring the Applicant to prepare a comprehensive Decommissioning and Rehabilitation Management Plan. The Plan must be prepared within 3 years of commencement of operation and reviewed after 15 years into operation and within 2 years prior to decommissioning of the Project. Early preparation and periodic review of this Plan will ensure consideration is given to more contemporary rehabilitation practices, advancements in recycling technology and innovations in waste management initiatives. Additionally, this approach will mean the Plan is updated to reflect any rehabilitation efforts undertaken over the life of the Project.</p> <p>The Application demonstrates that the Project (including the accommodation workforce camp), can be decommissioned and the Site appropriately rehabilitated. It is also noted that future infrastructure upgrades could extend the Project's operation beyond its approximate 30-year lifespan.</p> <p>The Commission has imposed further conditions requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>• decommission and rehabilitate the accommodation camp within 12 months of commencing operation of the Project;</li> <li>• undertake progressive rehabilitation following disturbance; and</li> <li>• decommission and rehabilitate the Site within 18 months of cessation of operations in compliance with the rehabilitation objectives set out in the consent.</li> </ul>
<b>Other issues</b>	<p>The Commission agrees with the Department's assessment of all other issues, including visual impact (AR section 6.5), lighting, noise and vibration, heritage, land use compatibility, flooding, aviation safety, radiocommunication and air quality at Table 11 of the AR. Subject to the imposed conditions relevant to each of these issues the Commission is satisfied the impacts are minimal and capable of being appropriately monitored and managed.</p>



## Appendix C – Department's Assessment Report

Link: [Department of Planning, Housing and Infrastructure's Assessment Report, dated May 2025](#)

## Appendix D – Instrument of Consent

Link: [Pottinger Wind Farm Instrument of Consent, dated 31 July 2025](#)



**New South Wales Government**  
Independent Planning Commission

Web: [ipcn.nsw.gov.au](http://ipcn.nsw.gov.au)

Phone: (02) 9383 2100

Email: [ipcn@ipcn.nsw.gov.au](mailto:ipcn@ipcn.nsw.gov.au)

Mail: Level 15 135 King Street Sydney NSW 2001

**Disclaimer**

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

The Independent Planning Commission NSW advises that the maps included in the report are intended to give visual support to the discussion presented within the report. Hence information presented on the maps should be seen as indicative, rather than definite or accurate. The State of New South Wales will not accept responsibility for anything, or the consequences of anything, done or omitted to be done in reliance upon the mapped information.

ABN 38 755 709 681