



New South Wales Government
Independent Planning Commission

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Tallawang Solar Farm

SSD 23700028

Statement of Reasons for Decision

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Alison McCabe
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7 October 2025

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1. Introduction

1. On 23 July 2025, the NSW Department of Planning, Housing and Infrastructure (**Department**) referred the State significant development (**SSD**) application SSD-23700028 (**Application**) from Tallawang Solar Hybrid Pty Ltd (**Applicant**) to the NSW Independent Planning Commission (**Commission**) for determination.
2. The Application seeks approval for the Tallawang Solar Farm (the **Project**), located in the Mid-Western Regional local government area (**LGA**), under section 4.38 of the EP&A Act. The Application constitutes SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the *State Environmental Planning Policy (Planning Systems) 2021 (SEPP Planning Systems)*.
3. In accordance with section 4.5(a) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and section 2.7 of the SEPP Planning Systems, the Commission is the consent authority as Mid-Western Regional Council (**MWR Council**) lodged an objection and more than 50 public submissions were made by way of objection.
4. Andrew Mills, Chair of the Commission, determined that Terry Bailey (Chair), Alison McCabe and Shelley Penn AM would constitute the Commission for the purpose of exercising its functions with respect to the Application.
5. The Department concluded in its Assessment Report (**AR**) dated 18 July 2025 that the Project would result in benefits to the State of NSW, the Project is in the public interest and is approvable subject to the recommended conditions of consent.

2. The Application

6. The 'Site' is defined as being within the Project boundary area illustrated in Figure 2 of the Department's AR. The Site is located approximately 8 kilometres (**km**) north-west of Gulgong within the Central West Orana Renewable Energy Zone (**CWO REZ**). The Site is largely cleared agricultural land, the majority of which is currently used for sheep and cattle grazing, as well as some dry land cropping. Under the *Mid-Western Regional Local Environmental Plan 2012 (MWLEP)*, the Site is primarily zoned RU1 Primary Production (**RU1 zone**) with part of the Site is zoned SP2 Infrastructure (Classified Road) (AR para 5).
7. The Application is seeking approval for a 500 megawatt (**MW**) solar farm which includes:
 - approximately 1.1 million solar panels and associated mounting infrastructure;
 - a battery energy storage system (**BESS**) with a capacity of up to 500 MW and storage duration of up to 2 hours;
 - an on-site substation with a connection voltage of up to 330 kilovolts (**kV**);
 - an operational infrastructure area and temporary construction compound;
 - a temporary workers accommodation facility (**TWA**) with a capacity of up to 400 construction staff;
 - transport of material to the Site from the Port of Newcastle, via the Golden Highway and Castlereagh Highway;
 - a Site access point, internal access track and external road and intersection upgrades; and
 - ancillary infrastructure.

8. The Site is approximately 1,300 hectares (**ha**) with a development footprint of approximately 1,016 ha. The Project has a capital investment value of \$1.3 billion and would provide up to 420 construction jobs during peak construction and up to 7 operational jobs. The construction period would be approximately 34 months, inclusive of 8 weeks for constructing the TWA.

3. Material Considered by the Commission

9. In this determination, the Commission has given consideration to the:
- matters raised in public submissions received by the Commission as set out in [Appendix A – Community Consultation Report](#);
 - material and planning framework as set out in [Appendix B – Commission’s Considerations](#); and
 - Department’s whole-of-government assessment as set out in [Appendix C – Department’s Assessment Report](#).

4. Reasons for the Decision

10. The Commission has determined to grant consent to the Application because, on balance, the benefits of the Project outweigh its potential negative impacts. The reasons for granting consent are as follows.
11. The Project would increase renewable energy generation and capacity within NSW and contribute to the State’s transition to a cleaner energy system as coal-fired generators retire. The Project is consistent with the *NSW Climate Change Policy Framework* objective to achieve net zero emissions by 2050 and with a generating capacity of 500 MW, the Project would generate enough electricity to power approximately 212,000 homes. The BESS would enable the Project to store energy for dispatch to the grid outside of daylight hours and/or during peak demand, as well as providing grid stability services and back-up capacity to ensure security of supply.
12. The Project is expected to support approximately 420 jobs during the construction phase and 7 jobs during the operational phase. The Commission has determined that the proposed TWA must be capable of providing accommodation for all construction personnel (up to 420), and has imposed a condition of consent to ensure the requirement is implemented.
13. The Applicant has also reached an in-principle agreement with MWR Council to enter into a voluntary planning agreement (**VPA**) consisting of approximately \$425,000 to be paid annually (adjusted for inflation in accordance with the consumer price index) for the first 35 years of the Project’s operational life. The Project would generate benefits to the local community through expenditure on accommodation and other goods and services in the local economy by workers who reside in the area. There would also be broader benefits to the State through the injection of \$1.3 billion in capital investment into the NSW economy.
14. A comprehensive whole-of-government assessment was undertaken by the Department, involving consultation with 13 government agencies. No objections to the Project were raised by government agencies during this process. The Department also consulted with the future network operator, EnergyCo NSW (**EnergyCo**) which did not raise any concerns. The Commission has given consideration to the agency advice, MWR Council’s objection, Warrumbungle Council’s (**WS Council**) submission and the public submissions received during:
- the Department’s public exhibition period;

- the Commission's public meeting; and
- the Commission's submission period.

15. The Commission has considered the benefits of the Project in light of the key assessment issues and has set out its findings as follows.

Land use compatibility

16. The Applicant's Land and Soil Capability (**LSC**) assessment concluded that the Site contains no Biophysical Strategic Agricultural Land (**BSAL**). The majority of the Site is mapped as Class 4 (1,093.35 ha) and Class 6 (201.34 ha) land under the *NSW Land and Soil Capability Assessment Scheme*. This is consistent with the *Large-Scale Solar Energy Guideline*'s focus on identifying BSAL and Land Classes 1, 2 and 3 as constraints that should be considered in site selection. The Project's development footprint accounts for less than 0.2% of the LGA's total agricultural land. The combined development footprint with other proposed and/or operational SSD solar farms in the CWO REZ represents a small portion (0.19%) of the land currently used for agricultural output in the CWO REZ.
17. Noting that the Applicant has committed to developing a Sheep Grazing Vegetation Management Plan to implement continued grazing activities on the Project area, the Commission finds that the Project represents an effective and compatible use of land within the region and would not compromise the long-term use of that land for agricultural purposes, subject to conditions of consent.

Visual impact

18. There are 20 non-associated residences within 5 km of the Site that would potentially have views of the Project. A summary of visual impacts to residences is set out in Table 7 of the Department's AR. The closest residence is a receiver identified as VP18, located 600 m east of the proposed solar array. The Project would be visible from surrounding residences and would result in a change to the visual amenity from these locations. However, neither the direct nor cumulative visual impacts on any potentially affected residences would exceed a low-moderate impact rating in accordance with the *Large-Scale Solar Energy Guideline (2022)* and accompanying Technical Supplement - *Landscape and Visual Impact Assessment*.
19. Visual impacts from public viewpoints would overall be low, including for motorists travelling along Castlereagh Highway where a 600 m setback minimises visibility from the highway. The Project would result in a change to the local landscape. While it is not possible to completely blend the solar farm into the landscape, landscape screening proposed by the Applicant would assist in mitigating impacts on visual amenity, particularly when viewed from receivers and the Castlereagh Highway to the south and south-west.
20. The Commission is of the view that additional vegetation screening is required within the Site along the Puggoon Road interface to mitigate visual impacts experienced from Puggoon Road, as well as from receivers and areas located to the east of the Site. The Commission considers that such screening is necessary to address cumulative visual impacts arising from the Project and other renewable energy developments within the surrounding area. Furthermore, the proposed vegetation screening would improve biodiversity outcomes by contributing to habitat connectivity across the landscape.
21. The Commission finds that the Project's visual impacts do not outweigh the considerations supporting the grant of consent to the Project. In reaching this conclusion, the Commission has had regard to the:
- reasonable separation distance between the visible elements of the Project and surrounding receivers;

- topography of the land and its ability to screen some views;
- presence of intervening vegetation on the Site that is to be retained;
- proposed vegetation screening within the Site;
- additional vegetation screening required by the Commission within the Site along the Puggoon Road interface to further mitigate visual impacts and cumulative impacts;
- performance criteria the Applicant is required to meet in establishing and maintaining the vegetation screening;
- use of non-reflecting/colour treated materials for ancillary infrastructure; and
- requirement to rehabilitate the Site following cessation of operations, enabling the land to be returned to a condition and character consistent with its pre-development state.

22. In relation to glint and glare, the Applicant has committed to implementing a backtracking scenario that adjusts and limits panel tilt angles to eliminate glare impacts on nearby road and rail receptors as well as nearby residences. The Commission is satisfied that, subject to the imposed conditions of consent requiring implementation of this mitigation strategy and appropriate visual integration of ancillary infrastructure, the Project would not cause unacceptable glint or glare impacts.

Traffic and transport

23. Most components for the Project would be transported to the Site from the Port of Newcastle via the Golden Highway and Castlereagh Highway. All vehicles associated with the Project would access the Site via the proposed new site access point from the unnamed local road located at the southwest corner of the Site.
24. Construction would be undertaken over a 36-month period, with a peak period of 9 months. The estimated peak daily vehicle movements during construction would be up to 160 heavy vehicles and 70 light vehicles. One day per fortnight, up to 163 light vehicle movements would be required for the designated fortnightly shift change. One heavy vehicle requiring escort per day would be required during construction and be restricted to daytime hours. The Applicant would need to obtain and implement relevant permits under Heavy Vehicle National Law (NSW) for use of heavy vehicles requiring escort on the road network.
25. Operational traffic would be significantly less than construction traffic, and limited to 10 light vehicles per day. The Applicant in its response to the Commission dated 8 September 2025 stated that water cartage during the operational phase (worst-case) would require on average one additional truck per day – this is in addition to the operational traffic set out in the EIS and supplementary material. The Commission is of the view that this can be accommodated by the existing road network without unreasonable impact.
26. In relation to road upgrades, the intersection of Castlereagh Highway and the unnamed local road would be upgraded to accommodate the turning movements of the largest heavy vehicles required by the Project. The Applicant has also committed to preparing road dilapidation surveys, regular inspection regimes and repairing any damage resulting from the construction traffic.
27. Given the above, the Commission is satisfied that, subject to the imposed conditions of consent, the Project would not result in significant impacts on road network capacity, efficiency or safety.

Biodiversity

28. The Commission has considered the potential biodiversity impacts of the Project, including the clearing of native vegetation and the effect on threatened ecological communities and species. While the Project would impact 121.84 ha of Box Gum Woodland, a Critically Endangered Ecological Community and serious and irreversible impact (**SAIL**) entity, the scale of impact is negligible relative to its remaining extent in NSW and is not expected to contribute to its extinction. The Applicant's Amended Biodiversity Development Assessment Report (**Amended BDAR**) comprises a proposed biodiversity offset strategy, including the retirement of species and ecosystem credits, provides an appropriate mechanism to compensate for the Project's residual impacts. The Commission agrees with the Department that the Project's impacts on SAIL entities can be adequately minimised and would not result in serious and irreversible impacts.
29. In its response to questions on notice dated 25 August 2025, MWR Council stated that BioNet has a registered koala sighting within the Site along Puggoon Road. The Applicant, in its response to the Commission, stated that one isolated koala record would not change the methodology or findings of the Amended BDAR. The Commission agrees with the Applicant in its response to the Commission dated 8 September 2025 that one isolated koala record would not change the methodology or findings of the Amended BDAR. The Commission has imposed condition B19(d) which requires the Applicant's Biodiversity Management Plan to include an incidental threatened species finds protocol to identify the avoid and/or minimise options to be implemented if additional threatened species are discovered on Site.
30. For the reasons set out above and in Appendix B, the Commission finds that the biodiversity impacts of the Project, subject to the implementation of the proposed offset strategy and conditions of consent, are acceptable. As set out in paragraph 21, the Commission is also of the view that the additional vegetation screening required by the Commission would improve biodiversity outcomes by enhancing habitat connectivity across the landscape.

Fire risk

31. The Commission acknowledges that although the Site is not mapped as bushfire prone land, the Applicant has undertaken a bushfire assessment in accordance with *Planning for Bushfire Protection 2019*. According to this assessment, the proposed solar farm infrastructure and TWA would not increase the likelihood or severity of bushfire events and the risk of ignition from onsite activities can be effectively minimised.
32. The Commission sought a response from the Applicant regarding concerns raised at the Public Meeting about fire incidents at other renewable energy projects, including at the Beryl Solar Farm, and the potential fire risks associated with the Tallawang Solar Farm. In its response dated 8 September 2025, the Applicant advised that these incidents have informed the following design aspects of the Project:
- increased Asset Protection Zones (**APZ**);
 - greater separation between vegetation and infrastructure;
 - an increased number of fenced areas to reduce fuel loads; and
 - an upgrade to the firefighting water tank capacity from 40 kL to 100 kL.
33. The Applicant also stated that the following additional fire risk mitigation measures have been considered in response to the fire at Beryl Solar Farm:
- the use of high-quality, thoroughly tested equipment;
 - utilising underground cabling where practicable to reduce equipment failure related to fire risks;

- adopting a preventative and early detection approach focused on monitoring, mitigating and managing potential equipment failure before they occur;
- using thermal imaging to identify reliability issues, including via drones; and
- implementing a rigorous vegetation management plan to minimise fuel load and fire risks.

34. The Commission is satisfied that the fire risks associated with the Project can be suitably managed through the adoption of a dispersed battery storage system, the incorporation of key design features and mitigation measures set out above, and the implementation of standard fire management procedures including the recommendations made by Fire and Rescue NSW (**FRNSW**) and the Rural Fire Service (**RFS**). The Commission has imposed conditions requiring the Applicant to prepare a Fire Safety Study in consultation with FRNSW and an Emergency Plan in consultation with FRNSW and RFS.

Decommissioning and rehabilitation

35. With the implementation of objective-based conditions and monitoring requirements, the Commission is satisfied the Project is capable of being appropriately decommissioned and the Site rehabilitated. Additionally, the Commission has imposed a condition requiring the Applicant to prepare a Decommissioning and Rehabilitation Management Plan, to be prepared within 3 years of commencement of operation and updated throughout the life of the Project. This is to ensure the Applicant considers best practice and up to date information relating to recycling technology and waste management.

Cumulative impacts

36. In forming its view on the cumulative impacts of the Project and other renewable energy developments in the region, the Commission has had regard to a range of material. This includes the Department's Assessment Report, the Applicant's Cumulative Impact Assessments, MWR Council's *Managing the Impacts of State Significant Development* report, WS Council's submission to the Commission, public submissions made to the Commission and the CWO REZ Transmission Project (SSI-48323210) Cumulative Impact Assessment, assessment report and project approval.
37. In relation to cumulative biodiversity impacts, while the Commission notes that the Project does not include works associated with the CWO REZ Transmission Project, it has considered the relationship between the two proposals, including how approval of the transmission infrastructure interacts with this Project, including in relation to the retained vegetation.
38. The Commission acknowledges WS Council's concerns regarding the consistency of the Application with the Secretary's Environmental Assessment Requirements (**SEARs**) and that the Applicant's cumulative impact assessment has been undertaken at a project level only and has not given consideration to a strategic REZ-wide cumulative impact assessment.
39. In response to WS Council's concerns, the Commission finds that the Application is consistent with the SEARs. The EIS has adequately considered cumulative impacts of nearby developments, and the Department's Assessment Report confirms that the CIA was undertaken in line with the relevant guidelines. The Commission is satisfied that the requirements of the SEARs have been met for the purposes of this determination. While the Commission does not agree with WS Council that a strategic, REZ-wide cumulative impact study must have been completed prior to the determination of this Application, the Commission strongly encourages the completion of this work. Although broader strategic assessments may provide additional context, their absence does not preclude the Commission from making this determination.

40. MWR Council in its meeting with the Commission raised concerns regarding the strain that large construction workforces place on regional healthcare services. In particular, the Commission notes MWR Council's request for the inclusion of a prescribing nurse or general practitioner to support the health care needs of workers accommodated on-site. In response, the Commission has imposed a condition of consent requiring the Applicant to ensure are made to arrangements to provide health services for the TWA, including but not limited to the provision of an on-site prescribing nurse and/or access to a general practitioner via telehealth services. These arrangements must be detailed in the Accommodation Camp Management Plan and implemented for the duration of the construction period.
41. The Commission has undertaken a more detailed consideration of cumulative impacts in Appendix B. As set out in paragraph 21, the Commission is also of the view that the additional vegetation screening required by the Commission is necessary to address cumulative visual impacts arising from the Project and other renewable developments within the surrounding area.
42. For the reasons set out above, the Commission finds that the Project has been designed to minimise environmental, social and economic impacts and that the cumulative impacts of the Application have been appropriately assessed and addressed. In addition, the conditions of consent require the preparation of a number of management plans in consultation with relevant local Councils and government agencies. This framework provides opportunities for cumulative impacts arising from other renewable energy projects in the region to be coordinated, monitored and effectively managed.

Waste

43. The Commission is satisfied that waste produced in association with the development is capable of being effectively managed, subject to formal arrangements being finalised prior to construction commencing. The Commission has imposed condition B45 which requires the Applicant to prepare a Waste Management Plan in consultation with MWR Council and EnergyCo. The Applicant must also minimise and manage waste generated during the decommissioning process and set out these measures as part of the Decommissioning and Rehabilitation Management plan required by condition B48.

Other issues

44. The Commission considered other issues including Aboriginal cultural heritage, historic heritage, erosion and sediment control, water, dust, noise and vibration, hazards and risk, land value and insurance. The Commission agrees with the Department's assessment of these matters and is satisfied that these impacts are capable of being managed through the imposed conditions of consent and do not outweigh the public interest served by granting consent to the Application.

5. Determination

45. The Commission finds that the Application meets legal requirements, is consistent with NSW Government policies and is in the public interest. The Commission has therefore determined to approve the Application subject to the conditions of consent in [Appendix D – Instrument 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;
 - prepare management plans in consultation with Councils and government agencies;
 - require regular monitoring and reporting; and
 - provide for the on-going environmental management of the development.
46. The Commission's reasons for the Decision are given in the Statement of Reasons for Decision dated 7 October 2025.



Terry Bailey (Chair)
Member of the Commission



Alison McCabe
Member of the Commission



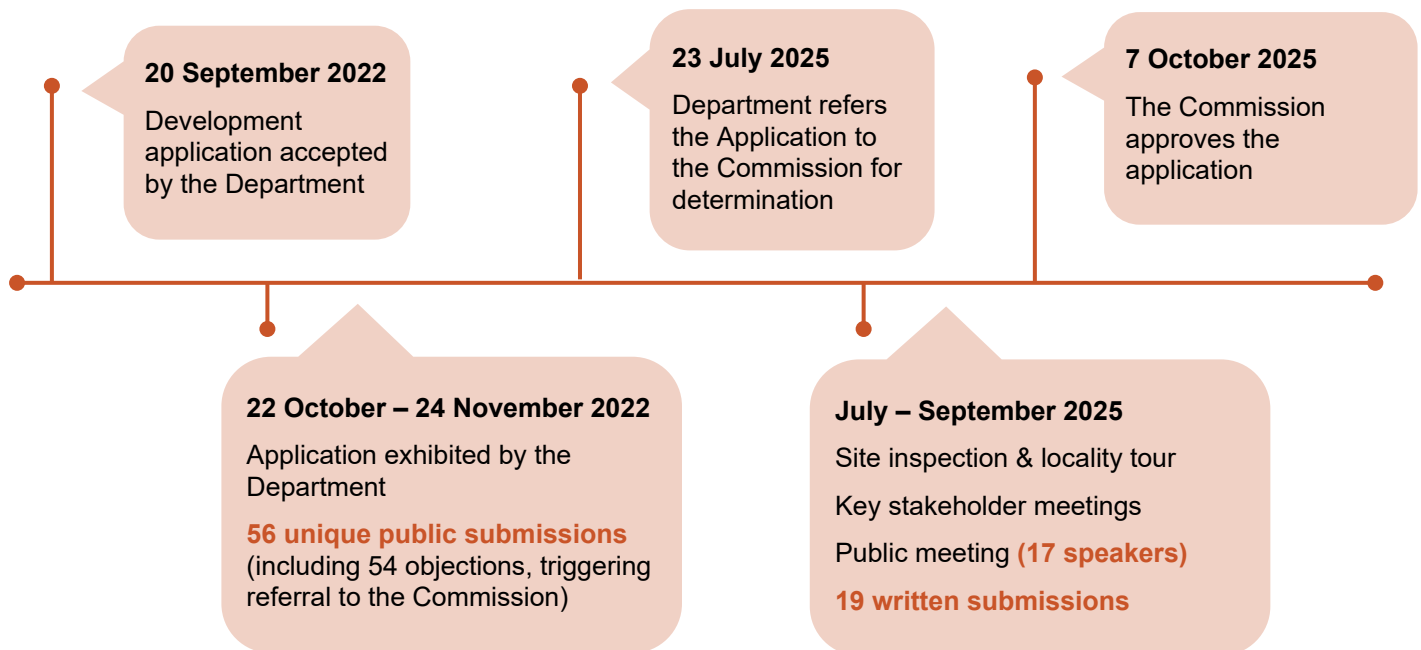
Shelley Penn AM
Member of the Commission

Appendix A – Community Consultation Report

Public consultation overview

A summary of the SSD application timeline and key engagement milestones is outlined below.

Appendix A – Figure 1: Engagement timeline



Department's public exhibition of the Project

During its assessment of the Project, the Department exhibited the Application and received 56 unique submissions, comprised of 54 objections and two in support. The Department also consulted with key government agencies and Mid-Western Regional Council. Chapter 4 of the Department's Assessment Report outlines how these submissions were considered in its assessment.

The Commission's public consultation

Meetings

The Commission held meetings with the Department, the Applicant, Mid-Western Regional Council, and Warrumbungle Shire Council, on the dates shown in *Appendix B – Material Considered by the Commission*. Transcripts from these meetings were made publicly available on the Commission's website.

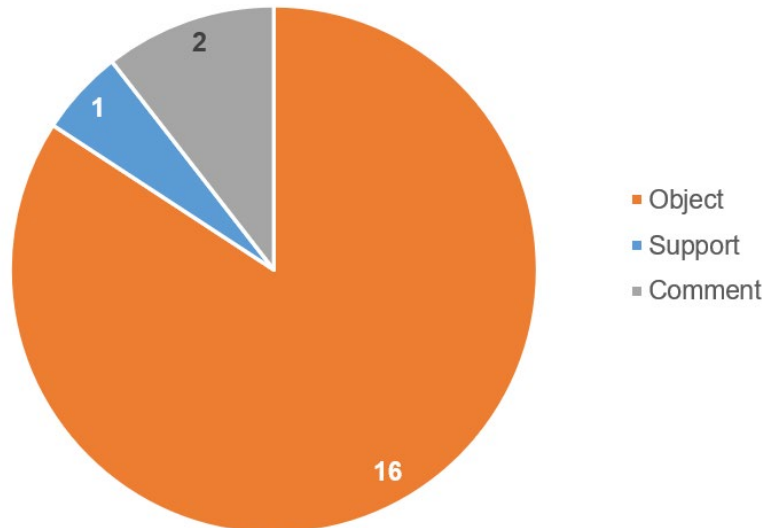
Site inspection and locality tour

The Commission carried out a site inspection and locality tour on 27 and 28 August 2025. Notes from this visit, including photographs and location details, were made publicly available on the Commission's website.

Written submissions

The Commission invited written submissions from the public between 24 July and 4 September 2025 and received 19 unique submissions, including a comment from WS Council (see *Appendix A – Figure 2*).

Appendix A – Figure 2: Breakdown of written submissions



Public meeting

The Commission held a public meeting on 28 August 2025 at the Gulgong Memorial Hall. At the meeting, the Panel heard from the Applicant as well as 16 members of the community.

Appendix A – Figure 3: Tallawang Solar Farm public meeting, held in Gulgong



Consideration of submissions

The Commission appreciates the time and effort the community put into their submissions. Submissions, whether shared verbally at the public meeting or provided in writing, were reviewed carefully by the Commission. Although submissions are just one of the materials that the Commission considers, they play a key role in the Commission's decision-making process.

The Commission acknowledges that a number of submissions raised broader concerns relating to other renewable energy projects, renewable energy policy more generally and geopolitical matters. In accordance with its statutory role, the Commission has undertaken a detailed evaluation of the specific impacts associated with the Project the subject of this Application. Consideration has been given to all submissions that raised concerns about project-specific matters, and these have informed the Commission's findings and conclusions throughout this Statement of Reasons.

Table 1 below reflects the major themes of submissions and provides a summary of the main concerns people raised and how the Commission has considered them in its decision. To view all submissions, please see the submissions tab on the Commission's website:

<https://www.ipcn.nsw.gov.au/cases/tallawang-solar-farm>

Appendix A – Table 1: Key matters raised in submissions

Themes raised in submissions from the community	Commission's consideration
Visual impacts - The 5m high solar panels will be visible and prominent to many Gulgong residents - The solar farm impacts on the tranquillity and relatively undisturbed vistas of the rural landscape and will impact the quality of life of anyone who can see it - The solar panels will impact neighbouring properties with glint and glare - The mature trees along Puggoon Road do not screen the site sufficiently - One resident that adjoins the Project Site notes that there is approximately 3.5kms of shared frontage and requests additional setbacks to the solar panels and the provision of mature vegetation screening	The Project will result in a change to the local landscape. While it is not possible to blend the solar farm into the landscape, landscape screening proposed by the Applicant and required by the Commission would assist in mitigating impacts on visual amenity, particularly when viewed from receivers and the Castlereagh Highway to the south and south-west. The Commission is of the view that additional vegetation screening is required within the Site along the Puggoon Road interface to mitigate visual impacts experienced from Puggoon Road, as well as from receivers and areas located to the east of the Site. The Commission finds that the Project would not exceed a low-moderate visual impact rating and that the residual visual impacts after mitigation are acceptable. <i>Refer to conditions B10 - B12</i>
Land use compatibility - The solar farm is proposed on good quality agricultural land and the loss of this agricultural land to a solar farm represents a permanent disruption to viable agricultural operations - The solar farm will occupy land that has low agricultural value and that is difficult to farm at times due to clay soils and swampy areas	The Site does not contain BSAL and the majority of the Site is mapped as Class 4 (1,093.35 ha) and Class 6 (201.34 ha) land consistent with the <i>Large-Scale Solar Energy Guideline's</i> in avoiding Class 1, 2 and 3 land. The Project would not compromise the long-term use of the land for agricultural purposes and is capable of being decommissioned and the Site appropriately rehabilitated. The Commission has imposed the requirement for the Applicant to prepare a Sheep Grazing Vegetation Management Plan to implement continued grazing activities on the Site. <i>Refer to condition B13</i>

Fire risk

- There is a history of grass and bushfires around Gulgong, including a fire at nearby Beryl solar farm in 2023
- Solar farms pose increased fire risks to nearby properties – neighbouring residents are facing issues with public liability insurance due to the fire risks of solar farms

The Commission is satisfied that the fire risks can be suitably managed through the design aspects and measures committed to by the Applicant in addition to the implementation of standard fire management procedures and recommendations made by FRNSW and the RFS.

The Commission has imposed conditions requiring the Applicant to prepare a Fire Safety Study in consultation with FRNSW and an Emergency Plan in consultation with FRNSW and RFS.

Refer to conditions B35 – B38 and condition B40

Cumulative impacts

- Cumulative visual impacts will result from multiple solar farms within the vicinity of the site
- Assessment of cumulative impacts needs to address both the strategic level impacts and the project level impacts
- One submitter notes the cumulative visual impacts of renewable energy projects they can see from their house, including Stubbo solar and BESS, two wind turbines and the proposed Tallawang solar farm

The Commission acknowledges that broader, REZ-wide cumulative impact studies can provide valuable strategic context for decision-making. While such assessments are encouraged and considered beneficial, their absence does not preclude the Commission from making this determination.

The Commission is satisfied that the broader cumulative environmental, social and economic impacts have been considered. The Project includes measures to mitigate the cumulative impacts, for example, the Applicant is required to provide vegetation screening to reduce visual impacts to surrounding areas. In addition, the conditions of consent require the preparation of a number of management plans in consultation with relevant Councils and government agencies.

Property values

- Tallawang solar farm (as well as other renewable energy developments within the area) will impact the rural outlook these properties enjoy – the solar and wind farms devalue the neighbouring properties

The Commission agrees with the Department that the Project would not result in significant or widespread reduction in land values in areas surrounding the Site. The impacts of projects on individual property values is not generally a relevant consideration under the EP&A Act, unless the Project would have significant and widespread economic impacts on the locality. In this instance the impact does not warrant refusal of the Application.

Decommissioning and rehabilitation

- At the end of the Project's life the solar panels will need to be disposed of – this will impact the environment and the burden may fall on the local community
- Similar to the mining industry, a rehabilitation bond should be required to be paid to the government. This would protect the landholder from the liability of removing and disposing of the solar farm if the owner is no longer able to in the future

In the development of the renewable energy planning framework the NSW Government has considered the need for decommissioning bonds and has not established a mechanism for them. The cost and responsibility of decommissioning are ultimately matters for the developer and the landowner to decide in their commercial negotiations.

The Commission acknowledges that rehabilitation bonds are required for mining projects. However, there is no similar policy framework or statutory power for the Commission to impose a requirement for rehabilitation bonds for renewable projects.

The Applicant is required to prepare a Decommissioning and Rehabilitation Management Plan under the conditions of this consent.

Refer to condition B48

Air quality, noise

- Increased traffic can lead to high emissions, dust generation and noise generation

The Project has been designed and conditioned to ensure compliance with relevant environmental standards, including the NSW Noise Policy for Industry, and incorporates mitigation measures such as dust suppression, noise management protocols, and restricted construction hours.

The Commission acknowledges that while there are noise and air quality impacts associated with the Project, these would not result in significant harm to the environment or surrounding residents and are capable of being appropriately mitigated through the imposed conditions.

The Commission is satisfied that, subject to the implementation of the recommended conditions of consent, these impacts can be effectively managed and would not result in significant harm to the environment or surrounding receivers.

Refer to conditions B20 – B26

Pollution

- Leaching from photovoltaic solar panels may release toxic substances into the environment when the panels are damaged or disposed of

The Commission acknowledges community concerns regarding potential pollution from solar panels, including the leaching of heavy metals. The Department's assessment concluded that the panels pose a low contamination risk under normal operating conditions and that appropriate mitigation measures are in place.

The Commission notes that the NSW Environment Protection Authority did not raise any concerns regarding pollution risk. Subject to the recommended conditions of consent, the Commission is satisfied that the risk of pollution leaching is minimal and can be effectively managed.

Water and erosion

- The increase in run off due to the solar panels could increase soil erosion on neighbouring farms

The Commission acknowledges the high assessed risk of soil erosion hazard due to the presence of sodic and dispersive soils. However, the Commission is satisfied that the soil erosion risk can be managed and minimised to an acceptable level with appropriate drainage and sediment control practices during construction and operation.

Refer to conditions B29 – B32

Appendix B – Commission’s Considerations

Material considered by the Commission

Appendix B – Table 1: Material considered by the Commission

Document	Date
Secretary’s Environmental Assessment Requirements (SEARs) and the supplementary SEARs	26 November 2021
Applicant’s Environmental Impact Statement and its accompanying appendices	11 August 2022
Government agency advice to the Department	
Public submissions made to the Department during exhibition	
Applicant’s Response to Submissions Report, accompanying appendices and amended expert reports	7 May 2024
Applicant’s responses to the Department	
CWO REZ Transmission Project Assessment Report and Project Approval	26 June 2024
Department’s Assessment Report and recommended conditions of consent	18 July 2025
Comments and presentation material from meetings with:	
• Applicant	8 August 2025
• MWR Council	8 August 2025
• WS Council	8 August 2025
• Department	8 August 2025
WS Council submission to the Commission	12 August 2025
Observations made at the Site Inspection	27 & 28 August 2025
Representations during the Public Meeting	28 August 2025
The following responses to the Commission:	
• Applicant’s response to questions on notice	22 August 2025
• MWR Council’s response to questions on notice	25 August 2025
• Department’s response to questions on notice	27 August 2025
• Applicant’s response to request for further information	8 September 2025
• Applicant’s response to request for further information	17 September 2025
All written submissions made to the Commission up until	4 September 2025
Department’s advice to the Commission regarding the imposition of conditions	3 October 2025

Planning framework

Appendix B – Table 2: Strategic and Statutory context

Strategic context	Commission's consideration
Energy context	The Project is located in the declared CWO REZ and has access rights to connect directly to the CWO REZ Transmission Project. The Department has set out the Commonwealth and State energy context in Table 3 of the Department's AR. The Commission agrees with the Department that the Project aligns with these policies in guidelines. The Commission has considered the renewable energy transition as a key issue in section 4 above.
NSW Solar Guideline	The Commission finds that the Project is consistent with the principles of the NSW <i>Large-Scale Solar Energy Guideline</i> . The Project aligns with the Guideline's strategic intent to support renewable energy development, reduce reliance on fossil fuels, and deliver economic benefits to regional communities.
Statutory context	Commission's consideration
State significant development	The project is classified as SSD under section 4.36 of the EP&A Act. This is because it triggers the criteria in clause 20 of Schedule 1 of SEPP Planning Systems, as it is development for the purpose of electricity generating works with a capital investment value of more than \$30 million.
Consent authority	Under section 4.5(a) of the EP&A Act and clause 1(b) of section 2.7 of SEPP Planning Systems, the Commission is the consent authority for the development as the Project received more than 50 unique public submissions by way of objection and MWR Council objected during the exhibition period.
Permissibility	The development site is zoned primarily as RU1 Primary Production, with a small portion also zoned SP2 Infrastructure (Classified Road) under the MWLEP. The Project is permissible with consent as electricity generating works are permissible with consent on any land in a prescribed non-residential zone, including RU1 and SP2 zones, under clause 2.36 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP Transport and Infrastructure)</i> .
Objects of the EP&A Act and Ecologically Sustainable Development	The Commission has considered the Objects of the EP&A Act and is satisfied that the Application is consistent with those Objects. The Commission finds the Project is consistent with the ESD principles and would achieve an acceptable balance between environmental, economic and social considerations.
Other approvals and authorisations	Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and therefore are not required to be separately obtained for the Project. 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. 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	On 27 April 2022, the Project was determined to be a 'Controlled Action' by the Commonwealth Department of Climate Change, Energy, the Environment and Water for the controlling provision of listed threatened communities and species.
Mandatory considerations	Commission's consideration
Relevant environmental planning instruments (EPIs)	Appendix I of the AR identifies relevant EPIs for consideration. The key EPIs (in their present, consolidated form) considered by the Commission include: SEPP Planning Systems;

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- SEPP Transport and Infrastructure;
 - *State Environmental Planning Policy (Resilience and Hazards) 2021*; and
 - *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

There are provisions under the MWLEP which the Commission must consider before granting consent. The Commission's consideration of these provisions is set out below:

Clause 6.3 Earthworks

The Commission finds that the Application is consistent with clause 6.3 for the following reasons:

- drainage and soil stability risks can be managed through a Soil and Water Management Plan and adherence to *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004);
- the Site can be appropriately rehabilitated and returned to agricultural use following decommissioning;
- the land is classified as Class 4 and Class 6, and excavation will be limited and managed to prevent erosion and sediment transfer;
- amenity impacts on adjoining properties have been considered in Section 4 of this Statement of Reasons;
- conditions have been imposed to manage Aboriginal and historic heritage, including a Heritage Management Plan and procedures for unexpected finds;
- the site contains ephemeral watercourses but is not located within a drinking water catchment or other environmentally sensitive area. A minimum 40-metre setback to these watercourses has been applied in accordance with relevant guidelines to protect water quality and riparian function.. Flood risks have been addressed through siting and emergency planning;
- the Commission is satisfied that appropriate measures have been proposed to avoid, minimise and mitigate the impacts of the development and has imposed conditions to ensure their implementation.

Clause 6.9 Essential services

The Commission finds that the Application is consistent with clause 6.9 for the following reasons:

- the Applicant has secured access to water through Ulan Water and other sources, including farm dams and licensed bores, with a water sourcing strategy in place;
- electricity for the TWA will be provided via on-site solar and diesel generation, with potential connection to the local distribution network;
- sewage will be managed via an on-site advanced treatment system or disposal to a licensed facility, subject to Council approval;
- a Soil and Water Management Plan will be implemented to manage stormwater and erosion risks, consistent with best practice guidelines; and
- the site has direct access to the Castlereagh Highway.

Clause 6.11 Temporary workers' accommodation

The Commission finds that the Application is consistent with clause 6.11 for the following reasons:

	- the development is not related to a mine and is located within 5 kilometres of the solar infrastructure where construction workers will be employed; - the TWA is required due to the scale of the Project and its rural location of the site, which has limited existing accommodation capacity; - the TWA is temporary and will not prejudice future development of the land. The site will be rehabilitated following decommissioning, and the land can be returned to agricultural use; - adequate arrangements have been made for water supply through Ulan Water and other sources. Sewage will be managed via an on-site advanced treatment system or disposal to a licensed facility, subject to Council approval; and - the Applicant has committed to restoring the land to its pre-development condition, once the TWA is no longer in use.
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 Applicant has reached an in-principle agreement with Mid-Western Regional Council to enter into a VPA consisting of a payment of approximately \$425,000 paid annually and adjusted for consumer price index for the first 35 years of the Project's operational life.
Likely impacts of the development	The Commission has given consideration to the likely impacts of the development and has set out its reasons for decision in section 4 of the Statement of Reasons for Decision.
Suitability of the Site for development	The Site is suitable for the following reasons: - it is located within the CWO REZ; - it has suitable access to solar resources; - its use for the purpose of electricity generation is an orderly and economic use of land; - it has access to the transmission network; - it can be readily accessed from the State and regional road network; - it avoids high-value agricultural land whilst not precluding the use of the land for agriculture (sheep grazing) during operation; - the development of the site will facilitate social and economic benefits for the community and the State of NSW; and - impacts on surrounding land uses have been minimised as far as practicable and would be further managed and mitigated by the imposed conditions of consent.
The public interest	The Commission has considered the public interest in deciding to grant conditional consent to the Application. In doing so, the Commission has evaluated the likely impacts of the Application and considered the ESD principles. The Commission has concluded that approval of the Project merits the grant of consent, subject to conditions.

Additional matters

The Commission has set out its reasons for decision in section 4 of this Statement of Reasons. Further information regarding the Commission's consideration of matters relating to biodiversity and cumulative impacts is set out below.

Biodiversity

The amended Project has the potential to impact biodiversity through the clearing of 181.17 ha of native vegetation and 828.21 ha of Category 1 - exempt land being land classified under the *Local Land Services Act 2013* as entirely cleared of native vegetation (AR para 91). The Project would affect the following Plant Community Types (**PCT**); PCT 81 - Western Grey Box cypress pine shrub grass shrub tall woodland in the Brigalow Belt South Bioregion (58.4 ha), PCT 281 - Rough-Barked Apple – Red Gum – Yellow Box woodland (121.85 ha) and PCT 318 - Mugga Ironbark - Tumbledown Red Gum Red Box Black Cypress Pine open forest (0.92 ha). As part of a conservative approach established in consultation with Conservation Programs, Heritage and Regulation (**CPHR**), Southern Myotis (*Myotis macropus*) has been assumed present in PCT 281 and Bluegrass (*Dicanthium setosum*) has been assumed present in additional 0.9 ha of PCT 81 where the Castlereagh Highway upgrades are proposed.

The Project would impact up to 121.84 ha of Box Gum woodland Critically Endangered Ecological Community (**CEEC**) which is a serious and irreversible impact (**SAIL**) entity. The Department undertook an assessment of the Project against the principles prescribed in section 6.7 of the *Biodiversity Conservation Regulation 2017* (see AR section 5.3.4). The Threatened Species Scientific Committee (**TSSC**) estimate that the current extent of Box Gum Woodland would now be approximately 234,694 ha when combined with estimated annual losses since 2006. Recent information provided by Dr Colin Driscoll in relation to the Moolarben Coal Project estimated there is approximately 7,103,743 ha of Box Gum Woodland in NSW. Based on these figures the Project would represent an impact of 0.052% or 0.0017% of the total remaining area in NSW, respectively. The Commission is of the view that an impact within this range is unlikely to contribute to the extinction of Box Gum Woodland. The Commission agrees with the Department that the Project's impact SAIL entities can be adequately minimised through the required offsets and would not result in serious and irreversible impacts.

The Applicant has committed to a biodiversity offset strategy that compensates for the unavoidable loss of ecological values as a result of the Project consisting of the retirement of 90 species credits and 403 ecosystem credits (AR para 120).

Cumulative impacts

In forming its view on the cumulative impacts of the Project and other renewable energy developments in the region, the Commission has had regard to a range of material. This includes the Department's Assessment Report, the Applicant's Cumulative Impact Assessments, MWR Council's *Managing the Impacts of State Significant Development* report, WS Council's submission to the Commission, public submissions made to the Commission and the CWO REZ Transmission Project (SSI-48323210) Cumulative Impact Assessment, assessment report and project approval.

The Application has considered the potential cumulative impacts with other nearby renewable energy projects. The Applicant identified 11 projects that may contribute to cumulative impacts of the project including Barneys Reef Wind Farm, Bellambi Heights BESS, Beryl Solar Farm, Beryl BESS, CWO REZ transmission project, Mayfair Solar Farm, Mavis Solar Farm, Birriwa Solar Farm, Stubbo Solar Farm, Spicers Creek Wind Farm and Valley of the Winds Wind Farm. The Department noted that of these projects, only Beryl Solar, Stubbo Solar and Valley of the Winds Wind Farm had been exhibited at the time of lodgement of the Tallawang Solar Farm EIS and considered in line with the *NSW Large Scale Solar Guidelines* and the *NSW Cumulative Impact Assessment Guidelines for State Significant Projects*.

The inclusion of an on-site TWA facility, the proposed upgrades to the Castlereagh Highway intersection and the commitment to establish a carpool initiative for construction staff would significantly reduce potential cumulative traffic impacts. The Commission is satisfied there would be no material cumulative traffic impacts on the State or local road network as a result of the Project, subject to conditions of consent. The Commission has imposed a condition requiring the preparing of a Traffic Management Plan which would assist in the scheduling of construction activities and deliveries to prevent overlap with traffic movements for other projects.

The Commission has considered the cumulative construction noise and vibration impacts associated with nearby projects, including the CWO REZ Transmission Project and Bellambi Heights BESS. The Department's assessment indicates that any exceedances of noise criteria would be temporary and manageable through scheduling, notification protocols, and mitigation measures. The Commission is satisfied that cumulative noise impacts during construction and operation would be limited and acceptable, subject to conditions of consent.

The Commission acknowledges that some non-associated residences and public viewpoints are likely to experience cumulative views of multiple renewable energy projects, including the CWO REZ Transmission Project. The Commission notes that the proposed solar infrastructure is low-lying, and that visual impacts would be effectively minimised through a combination of existing and proposed vegetation screening, favourable topography, and backtracking technology. When considered alongside existing and approved renewable energy developments, the Project would contribute to a noticeable change in the local landscape. While the cumulative visual impact of renewable developments will alter the local landscape, this change is consistent with the Government's strategic direction and is not considered contrary to the public interest. Within the context of a designated REZ, such transformation is both anticipated and reasonable. The Commission is satisfied the Project aligns with legislated climate and energy transition objectives and that cumulative visual impacts have been appropriately considered and are acceptable in the context of a designated REZ.

The Project has been designed to avoid and minimise impacts on high-quality vegetation and habitat, and that residual biodiversity impacts would be offset in accordance with the NSW Biodiversity Offset Scheme. The Project would not result in significant cumulative biodiversity impacts. While the Commission notes that the Project does not include works associated with the CWO REZ Transmission Project, it has considered the relationship between the two proposals, including how approval of the transmission infrastructure interacts with this Project, including in relation to the retained vegetation.

The Commission has determined that the proposed TWA must be capable of providing accommodation for all construction personnel (up to 420) and has imposed a condition of consent to ensure the requirement is implemented. The Commission considers that the provision of TWA is beneficial in mitigating cumulative impacts on the local housing market and social services. By accommodating the construction workforce on-site, the TWA reduces pressure on existing residential supply and essential community infrastructure. In response to concerns raised by MWR Council, the Commission has imposed a condition of consent requiring the Applicant to ensure that arrangements are made to provide health services for the TWA.

The cumulative loss of agricultural land across the region remains negligible, representing less than 0.2% of the total agricultural land in the CWO REZ. The Project would not result in significant cumulative impacts on agricultural productivity given the Project does not preclude the use of the land for agriculture (sheep grazing) and the land can be returned to agricultural use following decommissioning.

The Commission agrees with the Department's assessment of cumulative impacts in section 5.6 of the AR and is satisfied that the Project has been designed to minimise opportunities for cumulative environmental, social or economic impacts.

Appendix C – Department’s Assessment Report

[Link to Department’s Assessment Report, dated July 2025](#)

Appendix D – Instrument of Consent

[Link to Instrument of Consent, dated 7 October 2025](#)



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