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12 February 2026

Nicholas Kumar
Resource and Energy Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Nicholas

Subject: **Merino Solar Farm (SSD 59155459)**
Request for comments on the Environmental Impact Statement

Thank you for the opportunity for Goulburn Mulwaree Council to provide advice on the Environmental Impact Statement (EIS) for the Merino Solar Farm.

Council has reviewed the EIS however has also received many direct submissions and representations from community members, in particular residents that are located in close proximity or sight distance to the proposed solar farm and battery. The content of these submissions, which will be forwarded to DPHI in forthcoming correspondence, overwhelmingly demonstrates opposition to the project within the community.

Accordingly, please be advised that **Council resolved to formally object to the project at its ordinary meeting held 27 January 2026**.

Public exhibition of the Environmental Impact Statement (EIS) commenced on 14 January 2026. The timing has not been helpful in terms of compiling a complete and thorough submission, noting that:

- Many people, including Council Officers and affected community members have had to manage reviewing the EIS with the holiday period.
- The complexity of the project, which should have been afforded an extended exhibition period for Council, Government agencies and, most importantly, the community to understand the project in its entirety and compile a considered, logical and coherent submission.
- The scheduling of Council's meetings for 2026 which have been influenced by the NSW Office of Local Government's new Code of Meeting Practice provisions relating to public forums, and subsequent lead times for reporting.

As such, this submission will be the first of two (2) being made by Council, noting that an addendum will be provided to DPHI following final consideration of the proposal and additional community insights into the project at the ordinary meeting of Council scheduled for 17 February 2026.

LANDSCAPE, VISUAL ASSESSMENT & APPLICATION OF THE TRANSPORT & INFRASTRUCTURE SEPP

General

The SEARs required a landscape and visual assessment be prepared in accordance with the Large Scale Solar Guideline and the Technical Supplement –Landscape and Visual Assessment. It also required a detailed assessment of the likely visual impacts on current and future residences, key locations, scenically significant vistas and road corridors in the public domain. This was to be accompanied by details of mitigations including a landscape plan with evidence of consultation with affected land owners.

Furthermore, glint and glare was also to be considered as per the above.

The most significant component of the project's impact will be from the proposed 870,000 single axis tracker solar panels (max height 2.9metres). The panels are ground mounted.

SEPP Infrastructure 2021

Clause 2.42 (2) of State Environmental Planning Policy (Transport and Infrastructure) 2021 (*the SEPP*) applies to Goulburn:

Clause 2.42 Determination of development applications for solar or wind electricity generating works on certain land

(1) This section applies to development in a regional city for the purposes of electricity generating works using a solar or wind energy source that is—
(a) State significant development, or
(b) regionally significant development.

(2) Development consent must not be granted unless the consent authority is satisfied that the development—
(a) is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and
(b) is unlikely to have a significant adverse impact on the regional city's—
(i) capacity for growth, or
(j) scenic quality and landscape character.

(3) In determining whether to grant development consent, the consent authority must consider measures proposed to be included in the development to avoid or mitigate conflicts referred to in subsection (2)(a) or adverse impacts referred to in subsection (2)(b).

(4) In this section –
***Regional Cities Map** means the State Environmental Planning Policy (Infrastructure) 2007 Regional Cities Map.*
***Regional city** means an area of land identified as "subject land" on the Regional*

Figure 3-1 of the Landscape Character & Visual Assessment (Figure 1 of this report, below) demonstrates the location of the project in relation to the Goulburn *Regional City* footprint as referenced by Clause 2.42(4) of the State Environmental Planning Policy (Transport and Infrastructure) 2021. As can be seen, the entirety of the northern portion of the project area is located within the mapped area (shown in pink).

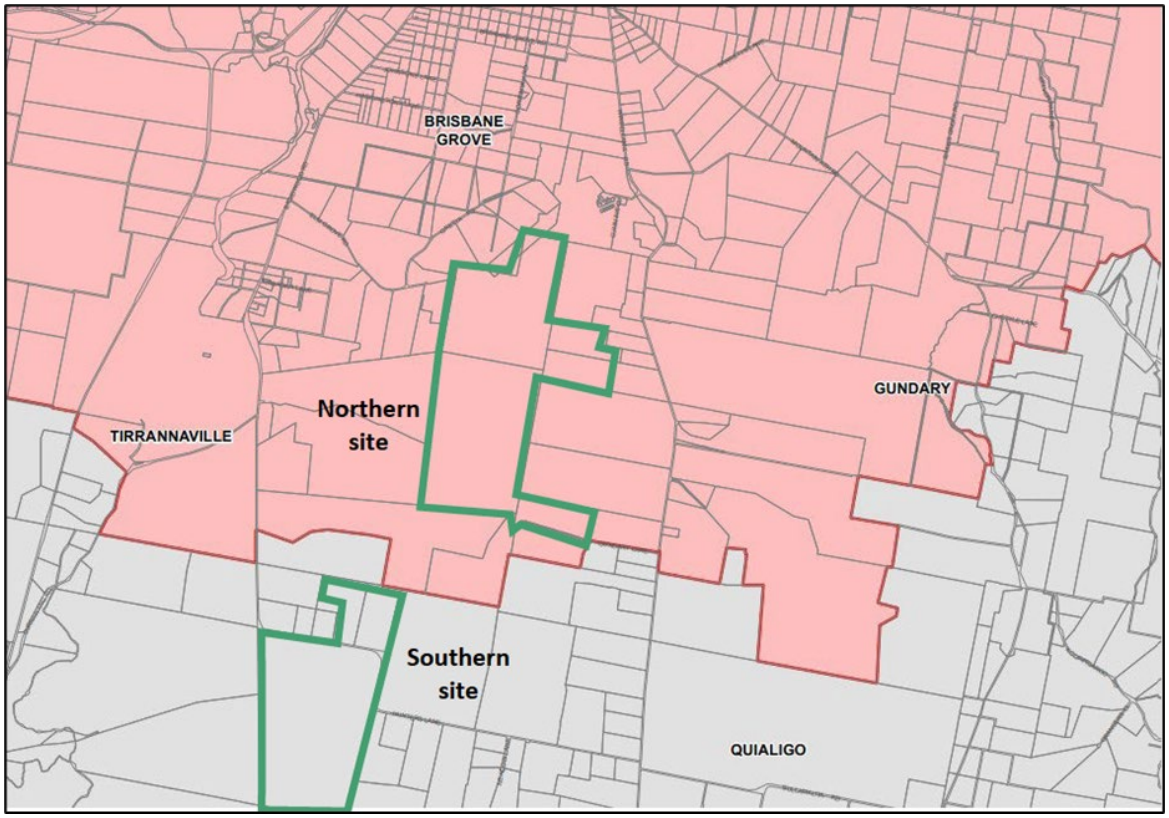

Figure 1: Figure 3-1 as presented within the Landscape Character & Visual Assessment report

Contrary to some commentary relating to the SEPP within the community, the inclusion of the city of Goulburn as a *Regional City* does not automatically preclude the development of a solar or wind farm in the mapped area. Rather, the intention and practical application of the clause is to ensure that the proposed location of a solar or wind farm will not inhibit the capacity for growth or impact upon the scenic quality and landscape character of the area. In order to establish this, both the applicant and the consent authority must be able to clearly demonstrate how this clause has been met.

Section 4.2.2 of the Landscape Character & Visual Assessment provides an accurate assessment of the likely impact upon growth, insofar as limiting the physical footprint for growth and development of the city, which is minimal given the majority of Goulburn's anticipated residential growth will occur in the CBD and the north-western arc between Run-O-Waters and Middle Arm Road (as per Council's *Urban & Fringe Housing Strategy*). However, concerns are held for the likely significant and adverse impact that the proposal will have on the scenic quality and landscape character of the Gundary Plain.

Central to these concerns is the visual prominence of the project from Windellama Road, a key southern entrance to Goulburn. Ongoing improvements to this road, and to Oallen Ford Road further south, have resulted in increased regional traffic along the route during the past decade, primarily travellers moving between the Hume Highway and the South Coast via Nerriga.

As such, the gently undulating Gundary Plain characterised by livestock grazing on open pastures that vary between vibrant green and golden yellow interspersed with dull greens and steel blues of native woodland, is typically the first visual impression of Goulburn that travellers experience upon arrival, or the last impression upon departure.

The aforementioned visual characteristic of the Gundary Plain is visible and provides a focal point from numerous prominent vantage points across the city, including but not limited to the Rocky Hill Memorial Tower (Eastgrove) and a number of residential premises at the top of the Cowper Street/Verner Street Hill. Additionally, the project will fall directly within the view corridors of the CBD, which is forecast to contain significant residential uplift (including the potential for high rise) over the coming decades, noting that the Planning Proposal to support this growth has commenced.

The large-scale presence of solar arrays, characterised by large blocks of black and dark grey (as opposed to the greens and golds) both individually and cumulatively when also considering the proposed Gundary Solar Farm, will undoubtedly interfere with and adversely alter this landscape characteristic. It is therefore considered that clause 2.42(2)(b)(ii) cannot be discharged.

Importantly, Council implores DPHI to familiarise itself with IT Power (Australia) Pty Ltd v Mid-Western Regional Council NSWLEC 1800. As part of her findings on the matter, Commissioner Dixon found that the applicant for the Burrundulla Solar Farm (located on the outskirts of Mudgee) could not demonstrate compliance with the clause 2.42 of the SEPP, and in particular, remained "unsatisfied that the development is unlikely to have a significant adverse impact on the regional city's scenic quality and landscape character". As such, the original refusal of the development application by Mid-Western Regional Council was upheld.

Of particular relevance to the refusal of the Burundulla Solar Farm was that it was a small project at only 10MW comprising 25,000 panels. In contrast, the proposed Merino Solar Farm is designed to generate 450MW from 870,000 panels, therefore making the Merino proposal between 35 and 45 times greater in scale compared to the Burundulla proposal. It is therefore considered that if the impact was also upscaled at a similar ratio, the impact on the scenic quality and land character of the Gundary Plain would be much more adverse than what was being proposed in Mudgee.

Community Consultation (preparation of Visual Impact Assessment)
It should be noted that Council has received representations from the community in relation to community consultation. The report notes the participation of some but not all landowners in the preparation of the visual assessment, furthermore, the report notes:

"There were suspicions regarding the accuracy of preliminary bare earth renders and photomontages prepared for private landholders. However, additional information has been provided to these land holders to demonstrate the accurate positioning and height of the panel arrays in the 3D model, and supporting the accuracy of the photomontages that have been prepared."

Round bales with witches' hats were used to indicate the heights of solar panels at the closest point to each participating residence (Figures 2 and 3 below). These were used to generate concept photo montages which were provided to the residents.

Figure 2: Indication of solar panel heights

Figure 3: Indication of solar panel heights

Landscape Character Zones (LCZ)

Three landscape character zones (depicted in Figure 4) were identified in relation to the project, these are named:

- Gundary – undulating rural plans;
- Mulwaree River and Gundary Creek - rural valley; and
- Tirranaville and Gundary – forested hills.

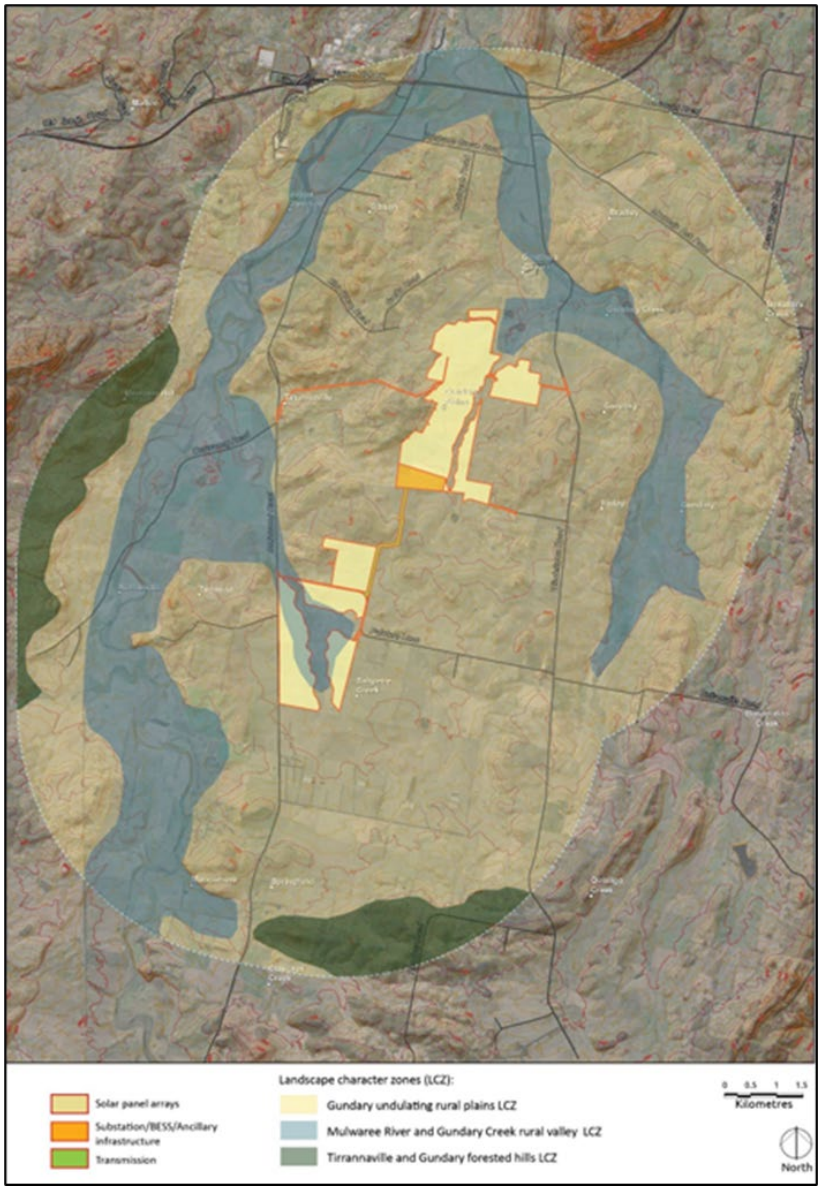

Figure 4 - Figure 4-3 from the Landscape & Visual Assessment report

As can be seen from the above figure, most of the project area falls within the LCZ "Gundary undulating rural plains".

The summary of character impacts is moderate to low refer Figure 5 below:

Location	Landscape sensitivity	Magnitude of change	Landscape character impact
Gundary undulating rural plains LCZ	Low	Moderate	Moderate-low
Mulwaree River and Gundary Creek rural valley LCZ	Low	Low	Low
Tirrannaville and Gundary forested hills LCZ	Moderate	Negligible	Negligible

Figure 5 - Table 4-5 from the Landscape & Visual Assessment report

The report does note a greater scenic character impact assessment during the construction phase.

Visual Impact Assessment

The assessment uses the framework identified in the NSW DPHI *Large Scale Solar Guideline* and the *Technical Supplement – Landscape and Visual Assessment* (refer to Figure 5.1 p. 31) through a 5-stage process. Whilst the need to have a consistent and accepted method of assessing visual impact is required, there are fundamental flaws with the current process, most notably the reliance upon 2-dimensional images to assess criteria that requires 3-dimensional contextualisation.

Key to this is the inability to gauge depth perception, as well as a reliance on a limited field of vision within the 2D images, which in turn desensitises what will actually be experienced by those living in close proximity should the project be approved.

Nevertheless, thirty-one (31) dwellings (22 in the north and 9 in the south) were preliminarily assessed as having a potential moderate or higher visual impact and were subject to a further intermediate assessment. Following an intermediate assessment six dwellings were identified as requiring a further detailed assessment.

These dwellings are locations R30 - R 32 and R82 – R84, the intermediate assessment considers a grid and the number of "cells occupied by the development footprint, taking in distance, slope and displayed as a 180 degree 3D panorama. Some additional dwellings have also been included in the detailed assessment.

The detailed visual impact assessment included photo montages, but these seem to be limited to only a few sites in Appendix D. The photomontage for dwelling R05 and R30 are missing and there are glitches for R32, this is concerning as the R30 – R32 residences appear to be in closer proximity to the project area. As presented the views from R82 – R84 are further away but are better covered in the assessment, noting these sites have a greater number of cells covered in the panorama.

Public Viewpoints

An assessment was made on the impacts from public areas and this concluded that the impacts of the proposal were low. Cumulatively, the impact of the two developments was considered "low" as they are unlikely to be seen at the same time from any public location. The report does note that they will be seen sequentially from vehicles travelling along Windellama Road.

The SEPP assessment response and cumulative impact with Gundary Solar Farm concluded that there would be no impacts to the scenic quality of the city given the scale of the landscape. However, given the scale of both the proposed Gundary and Merino Solar Farms, this is a statement that both Council and the residents of the Gundary Plain typically disagree with.

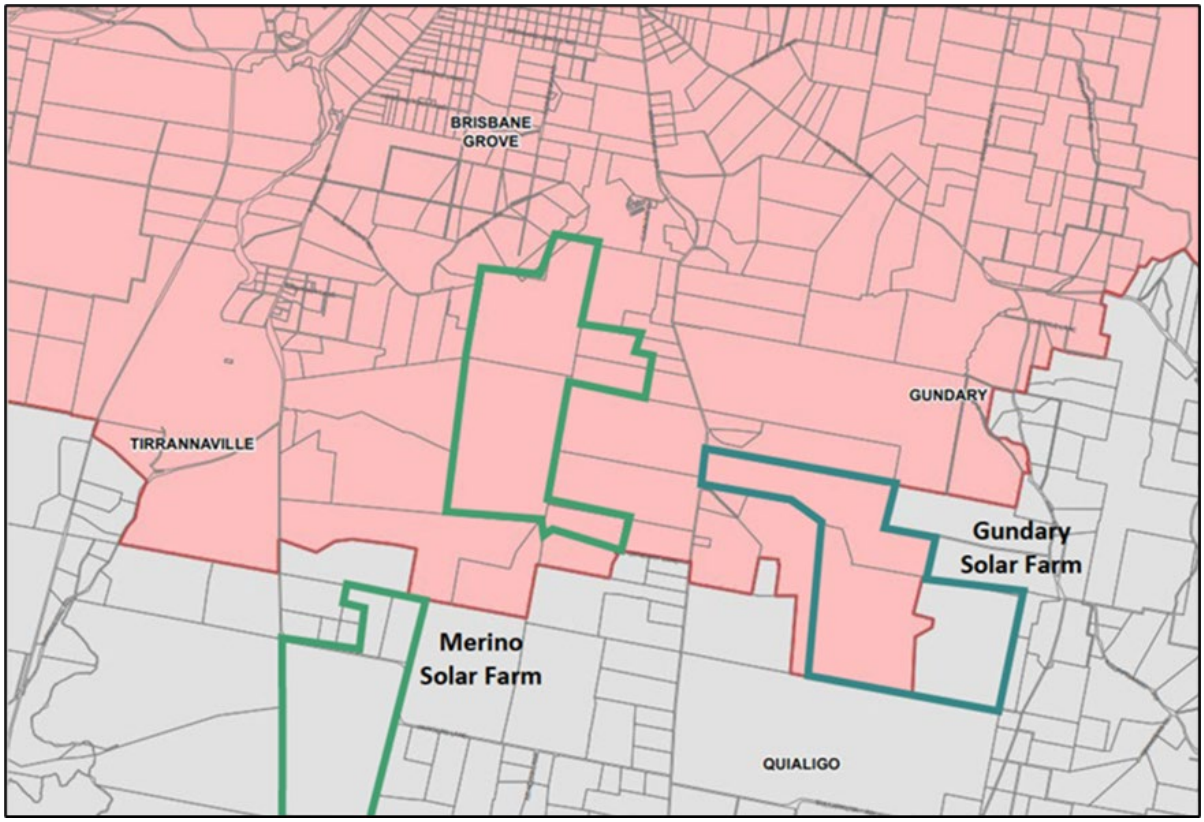

Figure 6 - SEPP assessment map showing proximity of Gundary and Merino Solar Farm sites

The following table summarises the conclusions:

Scenic quality factor	Changes due to Merino Solar Farm project
Landform	Minor reshaping of the landform required for the development of the solar arrays, access tracks, battery and substations
Vegetation	The projects are located on existing predominantly cleared land and will not materially affect the vegetation cover.
Waterbodies	The Merino Solar Farm avoids creeks and riparian areas.
Social and cultural	The Merino Solar Farm does not impact on any areas of social and cultural value directly or indirectly through views.
Human presence	The project would result in an increased human presence in the landscape

Figure 7: Summary of Conclusions table

This section of the report is relatively brief and does not include photo montages or more detailed assessments as provided for residences and public viewpoints. Further detail is warranted in this regard if the applicant is to sufficiently demonstrate compliance with Clause 2.42(2)(b)(ii) of the SEPP in relation to scenic quality and landscape character.

Glare

The report summarises there is a low glare impact on nineteen (19) dwellings and that there was some glare risk from Gretta Road, Elm Grove Road and Painters Lane. This risk is more likely to occur during the construction phase.

Consideration of Flood Impact on Panel Height
It is noted that the recommendations contained within Part 6.0 of the Flood Assessment Report include a statement that recommends a 500mm freeboard for the 1% AEP flood level (commonly known as the 1 in 100 flood event). This would result in the lower edge frames of the solar arrays being clear of the 1% AEP flood level plus an additional 500mm.

It is unclear as to whether this will increase the height of some panels within the project, and if so, where?

Furthermore, if panels are required to be raised, was this factored into any of the visual assessment. Again, this is unclear, and it is considered important that this be addressed prior to any determination being made.

Conclusion
The submitted assessment appears to contain some technical errors with the photomontages in Appendix D for Dwelling R05, R30 (missing) in the detailed assessment and in R32 with the montage. Given the relatively short exhibition timeframe, it is quite difficult to fully review this document with the time/resources available but note this is part of a greater issue relating to DPHIs assessment processes rather than an omission or error on the applicant's part. To this end, it is felt appropriate that the hay bales and witches hats are present when representatives of DPHI undertake their site inspection in order to gain a full appreciation and perspective of the visual impact. Furthermore, not all property owners participated and yet there may still be an impact to be assessed. It is recommended that:

- The Merino Solar Farm - Landscape and Visual Assessment, prepared by Iris Visual Planning and Design dated September 2025 be reissued correcting technical errors in information provided in Appendix D.
- Given the sensitivity of public sentiment around visual impact and low level of participation in the process by landholders (which undermines the submitted assessment), NSW DPHI undertake a full peer review of the visual impact assessment including full participation of all affected landholders.
- Greater consideration in the assessment and evidence provided on potential adverse impacts in relation to the current and future visual setting of Goulburn as per the requirements of SEPP Infrastructure.

COMMUNITY CONCERN

The proposed development has caused significant concern in the local community, in particular with residents that reside in the area immediately around and adjacent to the proposal. Since the inception of the project, Councillors and Council Officers have met and heard from a significant number of affected community members to gain an appreciation of the likely impacts of the proposed development. This has included:

- Informal meetings held at the residences of affected community members;
- Receipt of letters and emails from affected community members; and
- Formal Public Forums held at the Goulburn Mulwaree Council Civic Centre on 20 January and 10 February 2026.

The overwhelming majority of feedback received is that the project will have a negative and excessive impact in the locality. These impacts include:

- Impact on mental health;
- Property devaluation;
- Increased risk of fire, and increased risk to land, property and air quality in the event of a fire;
- Likely contamination of land and waters over the life of the project;
- Flawed and biased visual impact assessment;
- A lack of detail relating to decommissioning and remediation;
- Transport routes for mass loads;
- The cumulative impact of multiple solar farms in the locality; and
- Land use conflict.

Copies of community submissions will be attached to Council's second submission (with the consent of the correspondent) following final consideration of the matter at the ordinary meeting of Council scheduled for 17 February 2026.

ACCOMMODATION AND EMPLOYMENT STRATEGY

The overview offered in the Accommodation and Employment Strategy (AES) accurately states that Goulburn Mulwaree remains a tight labour market and there is high participation, low unemployment, and steady job demand. The strategy also confirms a structurally constrained rental market and limited capacity of short-term accommodation to accommodate large or sustained workforce inflows without affecting availability for tourism and other uses. Unfortunately, the AES understates some of the impacts on our LGA and misses a lot of key information.

Accommodation

Goulburn Mulwaree has a strong visitor economy that is reliant on an available short-term accommodation market. The documented response by providers who indicated no interest in offering accommodation is telling of the current levels of demand. This level of demand has been sustained since the conclusion of the Covid-19 pandemic.

The table provided at 5.1 listing relevant events is not exhaustive and should be expanded to include significant events on the calendar during the construction period. Such events include the 100 year anniversary of the first motor car grand prix being held in January 2027; IOGKF Gasshuku Taekwondo international event in November 2026, and ongoing state and national events hosted by Hockey NSW, Hockey Australia, Swimming NSW and Swimming Australia.

Consideration must also be given to the NSW Police Academy Attestation Parades which are held at regular intervals throughout the calendar year.

The information contained in the AES is, unfortunately, incomplete and does not fully acknowledge the true scale of pressure that our accommodation sector is going to experience over coming years.

The ongoing reputational damage that would be caused by travellers not being able to secure accommodation would be long lasting. Should there be a requirement to access short-term accommodation during the construction period, Council would view a mix of short-term commercial accommodation and AirBNB style accommodation more favourably than being solely reliant on commercial accommodation such as hotels and motels.

If accommodation is to be sourced from outside of the LGA, consideration should be given to transport to the site and the potential impacts on increased road traffic and parking implications.

In Table 5.2 the Wattle Creek BESS and Solar Farm projects have been omitted from the cumulative impacts assessment. This project is looking to accommodate workers in Goulburn Mulwaree with a total construction workforce of 352. There is also the Boro Solar Farm and BESS with construction workforce of 150 and a 2028 construction timeframe.

In addition. there are three (3) projects in the Taralga locality which will require accommodation and resourcing from Goulburn Mulwaree, even though the projects are located in the Upper Lachlan LGA:

- Hanworth BESS - construction workforce 150
- Swallow Tail BESS - construction workforce 120
- Bannaby BESS - construction workforce 150

The Blind Creek Solar project in Bungendore (Queanbeyan Palerang LGA) is approved and under construction with an estimated construction workforce of 150. Once again, this project leans into the accommodation and transport resources of the Goulburn Mulwaree LGA and therefore has a cumulative impact that has not been adequately considered or assessed.

Finally, the HumeLink project should also be included in the cumulative impacts assessment as workers are currently being accommodated in Goulburn. This will increase the cumulative impact on employment numbers by 168 at its peak.

Inclusion of all of the above projects increases the estimated 1,300 workers at peak to something that is over 2,500.

Employment

There is significant competition for labour within the construction, engineering and trades industries from large scale employers within the Goulburn Mulwaree LGA. There are four SSD-scale extractive industries, and several large-scale manufacturing industries that employ in excess of 200 people each. This is in addition to Goulburn Mulwaree Council's own civil and construction workforce of approximately 55 people.

It is also worth noting that whilst there are high numbers of construction businesses and employees in the region, these are needed to fulfil housing targets as detailed in the Goulburn Mulwaree Council Urban Fringe Housing Strategy, as well as more broadly the targets being set by the NSW Government.

It has been suggested to previous projects and included in the recommendations by the HumeLink project, that the establishment of a dedicated accommodation coordinator role to coordinate bookings, maintain accommodation registers and liaise with providers should be being allowed for by proponents of projects of this scale. An amendment to the Social Impact Assessment and Accommodation and Employment Strategy that incorporated this approach would be a positive outcome.

There are some discrepancies with the Social Impact Assessment around the operational workforce numbers. The AES indicated the employment of 10-12 FTE and 50 casual staff during the operational period, whilst the Social Impact Statement (SIA) states 4 FTE and 50 casual roles for the same.

Education and Training
The suggestion of developing a coordinated regional workforce pipeline in collaboration with other projects in conjunction with TAFE is to be commended. TAFE have previously shared there were no renewables-specific training courses available and limited trade-based courses, with the closest electrical course being in Moss Vale, approximately 50 minutes from Goulburn by car. The representatives shared that TAFE is willing to work with developers on these types of large-scale projects to forecast demand for training courses to be prepared for future opportunities in the region.

While Council strongly supports this measure, we are of the opinion that this does not form part of the Community Benefit Sharing as suggested in the Social Impact Assessment wording.

Instead, this should take the form of a partnership with TAFE or the Department of Education, to deliver accredited training, apprenticeships, and career pathways, rather than donations to the institutions or sponsorships. This model has proved successful in the Central-West Orana Renewable Energy Zone with a partnership between Energy Co and the Department of Education. There is no reason as to why that model could not be successfully replicated here.

Local Procurement
The SIA states an EPC contractor is anticipated to be employed as a lead contractor during Project construction and that some local businesses in Goulburn and other regional centres would likely be able to supply some of these goods and services and/or subcontract to the EPC.

Reporting and monitoring of these arrangements will be key to ensuring that local enterprises are engaged by the prime contractor. Currently the reporting requirements are insufficient to ensure these arrangements are prioritised and are able to be demonstrated.

Other Impacts
Any influx of additional workers into Goulburn may increase demand on ancillary services such as health care and community services. This is particularly prevalent in the sourcing of medical services, presentation at hospitals and requirement of ambulance services. In addition, it was raised with previous proponents the impact of additional workforce demands on the NBN and mobile telephone networks. This potential pressure on essential infrastructure is also noted in the SIA.

AGRICULTURAL USE

General
The following comments are made in relation to the Agricultural Impact Assessment (AIA) prepared by Aspire Agri Pty Ltd dated 12 August 2025. It is noted that the Secretary's Environmental Assessment Requirements (SEARs) required that the EIS address certain matters in relation to the agricultural impacts of the proposed development. These requirements include addressing the land including soil, flooding, cumulative impacts, Crown lands and travelling stock routes and compatibility with existing land uses in accordance with the Solar Guideline. The Solar Guideline also specifies consideration of mitigation strategies. Under the Solar Guideline a Level 2 assessment is required where solar energy projects are proposed on moderate capability land, being land verified as Land and Soil Capacity (LSC) Class 4.

State mapping indicates that the site is generally located on Class 4 (LSC) land although some sections of the project area along Saltpetre Creek are identified as Class 5 (moderate – low capability), noting that this is broadscale mapping and not intended for assessing individual properties.

It is noted that the site is not located on land, which is identified as State Significant Agricultural Land or Biophysical Strategic Agricultural Land, nor in the vicinity of land identified as such. The land is also not identified as Important Agricultural Land by the State.

The project area is 985.93ha and the project footprint is 767.6ha with an estimated project life/operational phase of 35 years.

In terms of agriculture, the most highly impacted areas are within the site itself. It should be noted that areas excluded from the project footprint will typically also not be suitable for traditional agricultural practices given that these areas are dominated by watercourses and are mapped as lower classes of soil capability.

Soils

Soils form an important consideration in relation to land capability and relative value in relation to other areas. Further testing of soils has identified some sections of Class 6 soils (low capability); refer to Figure 8 below.

Table 18: Summary of verified LSC classification in the Project area based

LSC Class (based on RCC 2025)	Project area		Development footprint	
	Area		Area	
	(ha)	(% total)	(ha)	(% total)
1 - Extremely high capability	0.00	0.00%	0.00	0.00%
2 - very high capability	0.00	0.00%	0.00	0.00%
3 - high capability	0.00	0.00%	0.00	0.00%
4 - Moderate capability	0.00	0.00%	0.00	0.00%
5 - Moderate–low capability	788.93	82.11%	717.37	95.75%
6 - Low capability	171.87	17.89%	31.81	4.25%
Total	**960.80**	**100.00%**	**749.18**	**100.00%**

Figure 8: Table 18 from the AIA

The outcome of the soil testing and further LSC categorisation in the project area is:

- a lower overall land and soil capability than indicated by broadscale LSC mapping (DPIE 2021c); and
- a number of potentially significant soil-landscape factors that need to be addressed in planning, construction, operation and decommissioning of the Project. These include erosion hazard, soil structural decline, soil acidification, water logging and dryland salinity.

The development also includes a proposed subdivision where one of the two lots is compliant with the 100ha Minimum Lot Size for this area as specified by the Goulburn Mulwaree Local Environmental Plan 2009, but the other lot to the north is proposed to be between 4-6 hectares. It is noted that the project has an operational life of 35 years, however the subdivision would be permanent and would create a fragmented parcel of land which at that size is unlikely to be suitable for a future agricultural use. This would be contrary to the zone objectives; therefore, it is recommended that the land be leased rather than subdivided.

Existing land uses

The area is dominated by improved pastures for grazing cattle or sheep, which is reflected in Figure 4 of the assessment, with intermittent areas of winter cropping.

There is quite a thorough assessment of the contribution of the site to cattle/sheep grazing in the locality and region. Noting that sheep grazing under the panels is purportedly a part of the project. The following table provides a point of comparison as to how this property contributes to agriculture in the LGA.

Table 22: Estimated annual agricultural productivity of the Goulburn Mulwaree LGA compared to Project area

Agricultural production 2021	Region (GM LGA) Units	Project Area Units	Project Area % of Region
Area of holding - total area (ha)	9,180	767	8
Dairy cattle - total (no.)	212	-	-
Meat cattle - total (no.)	1,441	176	12
Sheep and lambs - total (no.)	9,833	1,125	11
Broadacre crops - total area (ha)	260	157	61
Agricultural production - total gross value ($m)	**3.10**	0.25	8
Crops - total gross value ($m)	**0.30**	0.11	36
Livestock slaughtered and other disposals - total gross value ($	**1.60**	0.14	9

Figure 9: Table 22 from the AIA

Whilst the overall production of agriculture from the property will be reduced, on its own, this project probably would not have a sizeable impact on agricultural production (if solar grazing does occur). The report on p.92 (Section 8.4.3) states:

"It is expected that the cumulative effects on livestock production and support services will be relatively low to moderate under the 'worst case' scenario presented in this AIA, that is no grazing in the development footprint.

If solar grazing is incorporated in the both the Merino and Gundary Solar Farm projects during the operating phases, the impacts will be largely removed and are likely to be not discernible within the Goulburn Mulwaree LGA and broader surrounding region."

However, the assessment notes that the intention is that most of the development footprint will be used for grazing livestock but that further project planning, design and construction adaptations will be required to accommodate this intention. Furthermore on p.74 the report states:

"It is unclear if the Project will incorporate grazing under the solar panels. It is recommended that a planned approach to incorporating grazing of sheep under the solar panels (aka 'solar grazing') is taken by the Applicant. This will allow an integrated approach to vegetation management and weed control in the Project area."

It was noted that pasture improvement will be difficult to undertake once the panels are in situ. A pasture improvement and weed control program is therefore recommended to be undertaken prior to the construction phase to ensure appropriate pasture is in place.

Landholders consulted also noted that if sheep grazing is to be a part of the project, then the design of the development area will need to incorporate this. This report recommends several matters be addressed to ensure that this is appropriately designed from the outset (s.7.10.8 -p.86 – 87 – copied into the conclusion).

Loss of cropping area is another consideration given there is some cropping in the locality. The impacts on cropping are greater than that to grazing given the small areas of land cropped in the LGA (p.93):

"Within the GMC, there is limited crop production, due to limited areas with capability of sustaining regular crop production. The total crop area within the GMC was 2,614 hectares in 2021, representing approximately 2% of the total agricultural area (ABS 2025b). The total area of crop production in the Project area is around 150 to 200 hectares annually, representing 6 to 8% of total crop area in GMC. The impact of loss of crop production from the Project area along with additional areas associated with the Gundary Solar Farm is likely to be notable in terms of potential flow on effects to the local business supply crop inputs (goods and services). The impacts are most likely to be most notable in professional services (agronomy) and contracting related to crop production. Whereas for the supply of inputs (goods), such as crop protection chemicals and fertilisers, the cross over between crop and pasture production where many are used in both enterprises, will reduce the impacts."

Travelling stock reserves
There are no travelling stock reserves (stock routes) in the project area.

Other considerations include biosecurity
Consultation with landholders in the project area noted some issues in the locality being:

- General decline in pasture carrying capacity due to invasion of pastures with grass weeds, especially African lovegrass (Eragrostis curvula).
- Spread of blackberry (Rubus fruticosus) in planted tree lines.

The project does provide a general risk in relation to biosecurity, but a number of standard mitigation measure are identified which if implemented should result in an acceptable level of risk.

Conclusions

- The proposed subdivision is inconsistent with the zone objectives as it is permanently creating an undersized lot which will exist beyond the operational project period (30 years). This is clearly fragmentation of rural land and the land in the smaller lot will not be of a productive area.
- The land is not State Significant, BSAL or Important Agricultural land, therefore, in relation to overall State production, it wouldn't be significant. Furthermore, assessment of soil types identifies a predominance of Class 5 soils (not class 4) and some Class 6 areas along the creek lines.
- Agricultural impact and cumulative impacts are largely related to the loss of land in the development footprint. The dominant land use is grazing (sheep and cattle) but there are areas used for winter cropping in the locality. In relation to loss of cropping land, the impact is more significant with a loss of 6-8% of cropping land in the LGA. To offset the reduction of agricultural land the project is heavily reliant on sheep grazing under the panels. However, the report makes it clear that this has not been conclusively determined and that further consideration of factoring in solar grazing needs to be incorporated through each phase of the project.

Council officers concur with the recommendations which are located in p.86 – 87 of the AIA:

- Detailed Project construction design in consultation with the intended 'Solar Grazing Manager 'including:
    - *Internal subdivision fencing to provide for effective grazing management and livestock access to water, movement, safe containment, and security.*
    - *Layout of solar panels to facilitate movement of sheep, light vehicles and machinery for vegetation and pasture management (e.g. slashing, spraying and fertiliser spreading).*
    - *A livestock water system, based on reticulation (tanks, pipes, and troughs), to support grazing management appropriate to the Project area.*
    - *The height of the solar panels sufficient to reduce risks of sheep becoming entangled in mechanisms and accessing wiring.*
    - *All wiring within reach of sheep to be protected from chewing and designed to minimise/avoid risk of entanglement.*
- Establishment of appropriate improved pasture species prior to the installation of solar panels, with appropriate soil amelioration and nutrition and weed control requirements having been addressed prior.
- Pastures are recommended to include a mixture of grasses and legumes, with a predominance of perennials. Specialist agronomic advice should be sought from suitability qualified advisor(s) with experience with pastures (establishment and management) in the local area. Careful selection of pasture species with view to the persistence under solar grazing, ability to maintain ground cover, likely biomass production and growth height (considering fire risk and implications for solar operations) will be critical.
- Integrate solar grazing operations with the Ground Cover Management Plan (GMP) and general biosecurity management for the Project area.
- Use of non-shedding breeds of sheep, due to lower propensity to rub on solar infrastructure.
- Shearing of sheep every six months, rather than twelve months (as is normal industry practice), to reduce wool length and risks with wool becoming caught in solar infrastructure.
- Mustering sheep at mid-day when panels are horizontal, allowing maximum visibility and movement of sheep under panels. Alternatively, coordination with the asset manager to arrange horizontal orientation of the panels in areas to be mustered at other times.

BUSHFIRE

Having regard to the scale and nature of the proposal, the following matters require further consideration to ensure consistency with Planning for Bush Fire Protection 2019 (PBP 2019) and to demonstrate that the proposal can be practically and lawfully implemented over its full operational life.

Development Scale

The EIS identifies a maximum development footprint of approximately 767 hectares, being all land potentially disturbed during construction and operation of the Merino Solar Farm. The scale of the footprint has significant implications with respect to Asset Protection Zones (APZs), access arrangements, water supply provision, and ongoing vegetation management obligations under PBP 2019. Council does not believe that PBP 2019 has been fully addressed in the current suite of documentation.

Asset Protection Zones (APZ)

APZ Location Across Multiple Landholdings

The proposal comprises multiple lots leased from seven separate private landowners. Section 8.3.5 of PBP 2019 requires an APZ with a minimum width of 10 metres to be provided for structures and associated buildings and to be maintained to an Inner Protection Area (IPA) standard for the life of the development, noting that the solar arrays are classified under the National Construction Code (NCC) as Class 10b structures and therefore trigger the APZ requirements.

However, as acknowledged in PBP 2019 Section 3.2.5, the use of adjoining land to form part of an APZ is not encouraged, with the accepted solution being that APZs are located wholly within the allotment boundaries. Given that the project extends across multiple allotments, the proposed APZs will extend across multiple allotments / land parcels and ownership boundaries.

The Report does not demonstrate:

- How APZs will be legally established and maintained across multiple landholdings.
- How a single entity will practically enforce APZ maintenance standards as required under PBP 2019; or
- How compliance will be ensured over the life of the development where vegetation management responsibilities may rest with different landowners.

Further clarification is required to demonstrate that APZs can be legally and practically maintained in accordance with PBP 2019 Section 3.2.5 and Appendix 4 of PBP 2019.

Extent of Inner Protection Area (IPA)

Based on the statements contained within the Bushfire Assessment Report, a 10 metre APZ "*to commence from the perimeter of the outermost assets outwards"* is proposed. Therefore, the land beneath the solar panel arrays (being the assets to be protected) could remain as unmaintained grassland. This outcome is not considered to comply with the intent or outcomes of PBP 2019, which seeks to provide a defendable space for firefighters and an effective buffer between vegetation and structures.

By way of example, a solar array located centrally within an allotment may be up to approximately 500 metres from the perimeter 10 metre APZ, resulting in continuous grassland fuel loads in excess of 500 metres in all directions.

Under this scenario, the fuel hazard beneath and surrounding the solar arrays remains effectively unmanaged, significantly increasing exposure of the structures to flame contact, radiant heat and ember attack during a bush fire event.

Given that solar arrays are classified as structures, the area beneath and around the arrays should be managed to an Inner Protection Area standard, rather than relying solely on a narrow perimeter APZ that does not provide effective protection to the assets themselves.

In this context, the nominated 10 metre APZ is considered to significantly underrepresent the extent of vegetation management required to achieve compliance with Appendix 4 of PBP 2019, which includes requirements such as:

- Grass being maintained to a maximum height of 100 mm; and
- Removal of leaves, bark, and other combustible vegetation debris including grass clippings.

When applied to a development footprint of 767 hectares, this results in an extensive area required to be continuously managed to IPA standards for the life of the project. In this regard, the Bushfire Assessment Report does not:

- Quantify the total area that would require IPA-level maintenance;
- Consider the feasibility or practicality of maintaining grass and fuel loads beneath solar arrays to IPA standards;
- Address workforce, access, operational constraints, or the fire safety risks associated with ongoing vegetation management under and around the arrays; or
- Demonstrate that the management regime can be realistically implemented during all seasonal conditions.

Water Supply

The Bushfire Assessment indicates that static water supply will be provided via two water tanks located near the Battery Energy Storage System (BESS). However:

- Tank capacities and materials are not specified;
- No justification is provided to demonstrate that the proposed supply is commensurate with the scale and hazard of the development; and
- The location of water supply at a single location does not demonstrate readily accessible water supply provisions to service firefighting operations distributed across the 767-hectare site.

A detailed Water Supply Plan is required demonstrating compliance with PBP 2019, including tank/water supply sizing, distribution, access, and the ability to service all structures across the development footprint.

Access

PBP 2019 requires that a compliant road system be provided to enable firefighter access to structures and evacuation where required. As solar arrays are classified as structures, they require compliant access arrangements.

The Bushfire Assessment acknowledges that the internal road network has not yet been finalised. However, compliance with PBP 2019 will require:

- A substantial internal road network providing access to all structures.
- Roads constructed to provide all-weather access for firefighting appliances; and
- Inclusion of turning heads, passing bays, and appropriate pavement design and grades to accommodate firefighting appliances (up to 23 tonnes).

Without this information, the proposal cannot be demonstrated to comply with PBP 2019 access requirements.

Hazardous Industry – PBP 2019 Section 8.3.9

Section 8.3.9 of PBP 2019 identifies certain developments, including power-generating works, as potentially hazardous due to:

- Their ability to ignite bush fire; and/or
- Their vulnerability to bush fire impacts.

The Bushfire Assessment Report does not explicitly assess the proposal against Section 8.3.9, nor does it indicate whether consultation has occurred with NSW Rural Fire Service (RFS) regarding the classification of the development.

Further consideration is required to determine:

- Whether a Performance Based Solution is necessary; and/or
- Whether a Bush Fire Design Brief is required in consultation with NSW RFS.

Conclusion
In its current form, the Bushfire Assessment Report does not adequately demonstrate that the proposed Merino Solar Farm can comply with the intent and requirements of Planning for Bush Fire Protection 2019, particularly having regard to the scale of the development and its location across multiple landholdings.

Further detailed assessment and clarification are required with respect to:

- APZ establishment and legal maintenance across multiple parcels;
- The true extent and feasibility of IPA-level vegetation management;
- Water supply capacity, distribution, and access;
- A finalised, compliant internal access road network to all structures;
- Consideration of PBP 2019 - Section 8.3.9 Hazardous Industry provisions in consultation with NSW RFS.

FLOOD RISK

The project is located upstream and beyond the modelled riverine flood area in the Goulburn Flood Risk Management Study and Plan 2022. However, the predictive overland flow modelling by GRC Hydro does extend a small distance further to the south as is shown in the diagram below (where the red areas are south of the blue indicating riverine flooding in the FRMS).

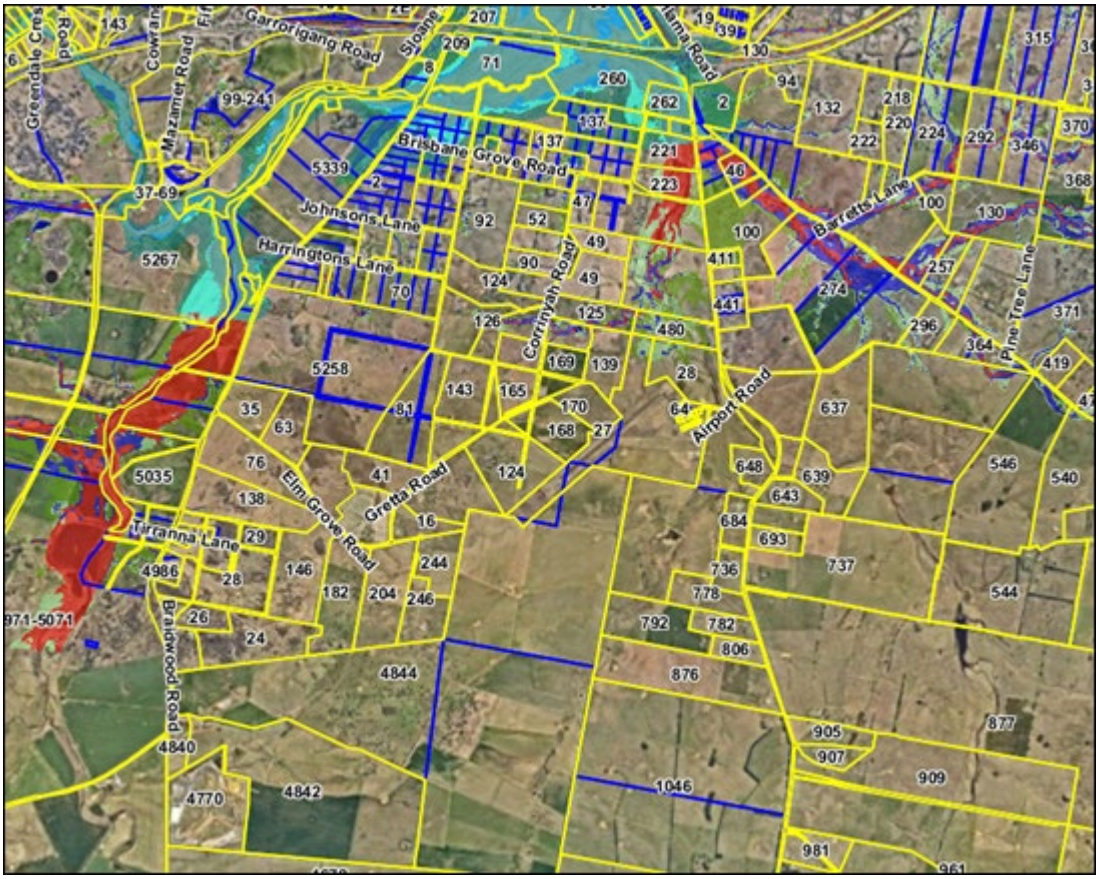

Figure 10: Extract from GMC flood model

In relation to site access, Braidwood Road is cut at the bridge prior to the 1%AEP and Windellama Road around the Brisbane Grove intersection and near the airport more frequently again. The site is not considered a "sensitive use" in relation to flood evacuation and isolation, so flood issues would mainly relate in this instance to potential risk to the infrastructure itself or impacts post development on flood behaviour.

The submitted flood modelling identifies predevelopment flooding which is consistent with the predictive overland flow modelling by GRC Hydro for Council but provides more detail in relation to the water courses/drainage lines between Braidwood Road and Windellama Road. It should be noted that the model development has used similar methodology to the approach used for the Goulburn FRMSP 2022. The predevelopment modelling indicates that flooding is generally contained within existing defined riparian areas until a PMF event. However, a modelled increased rainfall of 20% (i.e. the required increase applied in relation to climate change) will see flood waters expanding from the defined riparian areas over the site.

Plans indicating the location of panels generally show that they are avoiding the more defined creek lines and the areas of more significant flow/depth/velocity.

Post development flood mapping indicates little post development change to predevelopment levels. A small area shown in pink (Figure 11) demonstrates a 0 – 10mm increase which is negligible and contained within the subject site. In other words, there appears to be no downstream or off-site impact.

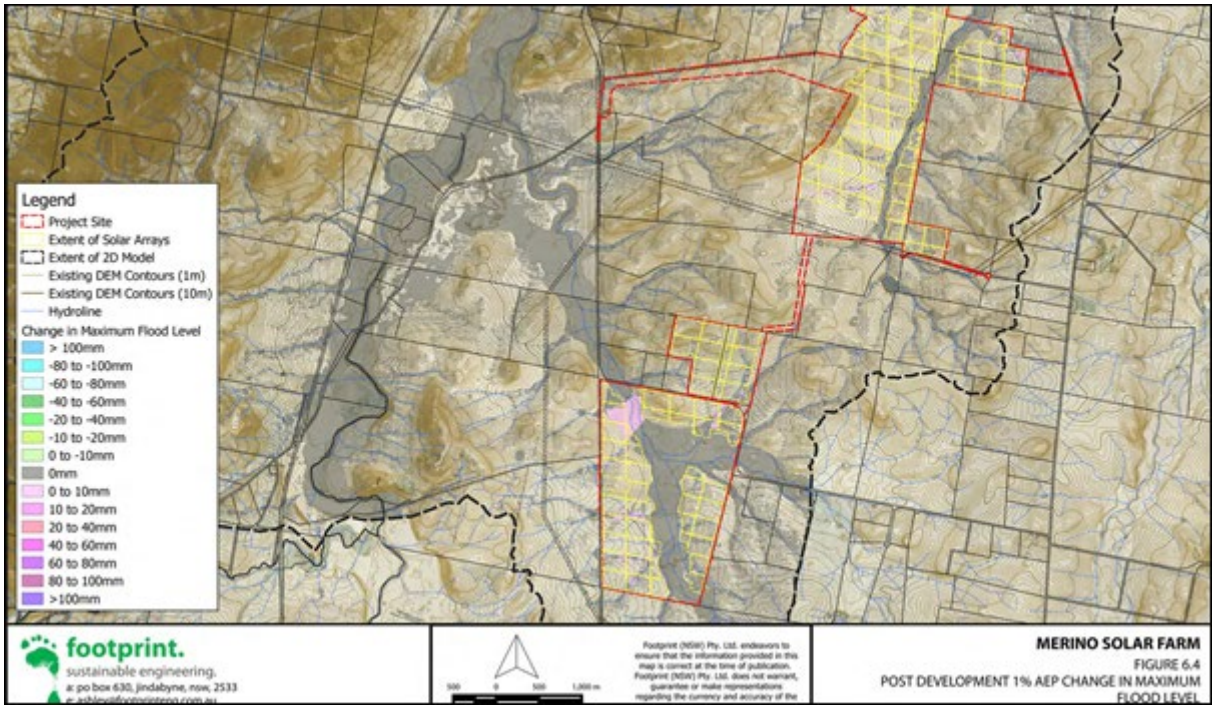

Figure 11: Post development flood modelling

It is worth noting that the post development velocities are generally reduced by 0.25 to 0.25m/s. Based on the above, predevelopment and post development flooding is substantially the same except for the overall reduction in velocity. A reduction in velocity is a positive result in relation to sediment and erosion impacts.

Section 6 of the flood assessment provides several recommendations which are consistent with the controls Council would typically apply through DCP Appendix J (the flood policy). The recommendations provided in the assessment are appropriate for the proposed development.

BIODIVERSITY

The Biodiversity Assessment Method specifies that the biodiversity hierarchy of *avoid - minimise – mitigate* should be applied when designing projects that may impact on biodiversity values. The EIS report states that the project has been strategically designed to avoid and/or minimise impacts on biodiversity where practicable.

References in the EIS in relation to the retention of trees within the Development Footprint are confusing and contradictory. Figure 3.1 Development Footprint (page 37) and Figure 3.2 Indicative Site Layout (page 38 - extract below) both suggest that the major planted shelter belt running north to south in the southern site is to be removed.

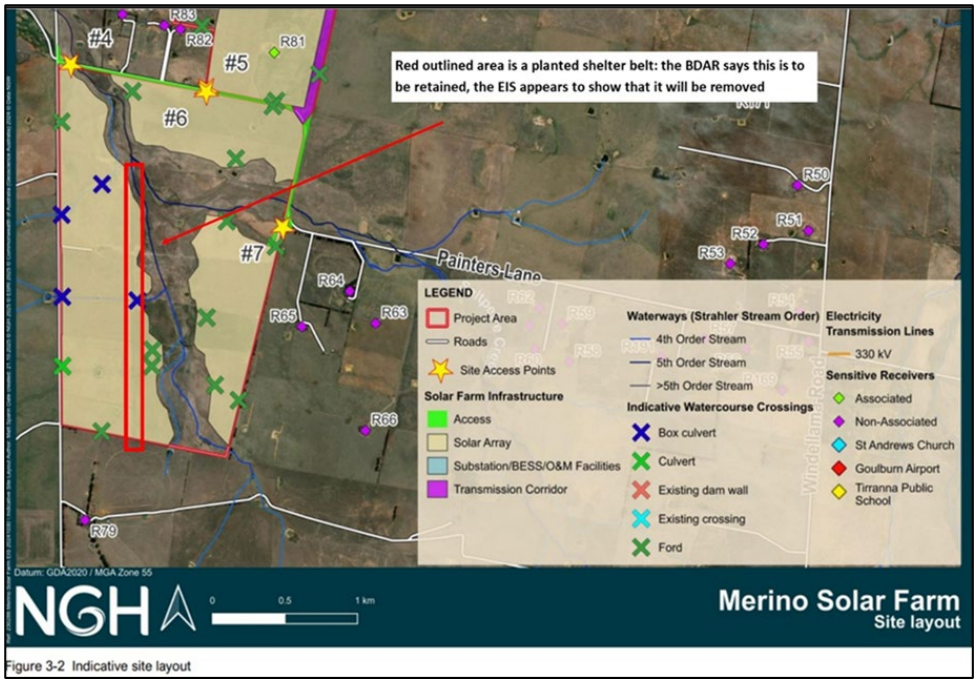

Figure 12: Figure 3-2 from the Biodiversity Report

However, on page 142 of the EIS (Vegetation Clearing):

"The project would result in direct impacts on 64ha of native vegetation. The majority of this vegetation is poor to low condition and has low biodiversity value due to historically and current agricultural pressures with limited connectivity to other native patches. The clearing would involve the removal of nonthreatened native plants. ***No trees would be removed."***

Also, on page 147 of the EIS (Habitat of threatened entities in non-native vegetation):

"The Development Footprint also contains some scattered mature linear plantings/windbreaks of nonindigenous native shelter belts around paddock edges and/or plantings of exotic mature Pinus radiata (Radiata Pine) and/or Cupressus sp. (Cypress Pine). ***A recommendation to retain these linear plantings where possible is included."***

There has also been almost no attempt to mitigate impacts by considering measures to restore, enhance or create habitat. The total area of combined lots involved in this project comprises approximately 1,548.4 hectares in total of which 770 hectares is identified as the Development Footprint.

It is therefore disappointing that the proponent has not taken the opportunity to undertake some active planning for the provision of revegetation across pockets of the remainder of the site which would:

- Assist with meeting requirements to minimise and mitigate impacts on biodiversity;
- Assist with compensating for the proposed removal of 64 hectares of native vegetation;
- Create additional habitat and enhance biodiversity values of the project site, potentially even greatly increasing local biodiversity values beyond those already present, therefore creating a net positive outcome;
- Provide broader landscape connectivity for native fauna and flora species;
- Enhance aesthetic and visual amenity values of the area; and
- Provide screening of the site to minimize adverse impacts of the project on neighbouring properties and road users.

This matter will require a complex assessment by DPHI, however in the meantime Council requests that the applicant provide further details to address the issues raised above.

TRANSPORT AND TRAFFIC ASSESSMENT

Council is concerned with the potential cumulative impact of transport along Braidwood Road and Windellama Road associated with approved or proposed SSD projects south of Goulburn (Merino Solar Farm, Gundary Solar Farm, Boro Solar Farm, Blind Creek Solar Farm) regarding traffic safety and road dilapidation.

Council's preferred OSOM & B-Double transport route through Goulburn from the Hume Highway is via the southern Hume Highway interchange, Hume Street, Garrorigang Road, Sloane Street and Braidwood Road, this being a designated B-Double route. The designated B-Double route from the northern Hume Highway interchange via Sydney Road through the Goulburn CBD is not supported.

The proposed North Project Area access route along Bungonia Road and Windellama Road is not a designated B-Double route and all heavy transport vehicles will require an NHVR permit to be obtained for this route.

Council notes that Braidwood Road is a Classified State Road for which TfNSW is the Road Authority and that the road is a designated B-Double route but nevertheless Council recommends that:

1. The use of the Braidwood Road / Painters Lane intersection as the primary means of access to the proposed South Project area be subject to upgrade of the intersection to provide BAR/BAL turn lanes to enhance traffic safety from all directions, with the BAL left turn lane on the approach to Painters Lane from the north in Braidwood Road (being an extended lane to facilitate B-Double movement) and provision of Truck warning signs on the intersection approaches in Braidwood Road. The design should also investigate the need for school bus bays adjacent the intersection. All work would need to be completed prior to heavy haulage commencing along Painters Lane.
2. The proposed emergency access from the North Project Area is considered acceptable subject to its concurrence by TfNSW.

Should the project receive consent, it is recommended that conditions be applied requiring the Applicant, in consultation with Council, to:

1. Undertake an independent dilapidation survey to assess the existing condition of the full length of Painters Lane prior to construction, upgrading or decommissioning works; and
2. Repair and/or make good any development related damage to Painters Lane identified by the dilapidation surveys during construction, upgrading or decommissioning works in consultation with Council.

In the event of consent being granted, and prior to commencing any heavy vehicle road haulage, a S138 (Roads Act 1993) application with accompanying design plans must be lodged with Council in its capacity as the Road Authority for the following road upgrades:

1. Painters Lane from Braidwood Road to the proposed Site Access 7 as a 7.0m wide bitumen sealed carriageway, with 1.0m wide shoulders provided with a 500mm primer seal adjacent the edge of the travel lane.
2. Painters Lane from Site Access 7 to Meadow Lane as a 6.0m wide bitumen sealed carriageway with 1.0m wide gravel shoulders.
3. Windellama Road for the proposed Site Access 1 as a CHR bitumen sealed right turn bay for south bound traffic with a bitumen sealed Rural Property Access at the site entry, with the access gate setback to allow a B-Double to stand away from the travel lane or the access being provided with a grid.

Any pavement upgrade works must be undertaken prior to commencement of delivery of heavy haulage components. A primer seal shall be provided to the upgraded road length prior to commencement of heavy haulage and a two-coat bitumen seal shall be provided after the completion of heavy haulage and prior to commencement of operation of the development.

Prior to commencing any heavy vehicle road haulage, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Planning Secretary. This plan must include:

1. details of the transport route to be used for all development-related traffic;
2. details of the road upgrade works required by Condition 3 above;
3. details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
    a. details of the dilapidation surveys required along the nominated access route
    b. ensuring compliance with the nominated access route;
    c. monitor the compliance of vehicles using the access route;
    d. temporary traffic controls, including detours and signage;
    e. scheduling the arrival and departure of heavy vehicles from the site to avoid the PM peak hour where practicable;
    f. notifying the local community about development-related traffic impacts;
    g. procedures for receiving and addressing complaints from the community about development related traffic;
    h. minimising potential cumulative traffic impacts with other projects in the area;
    i. minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network;
    j. minimising dirt tracked onto the public road network from development-related traffic;
    k. details of the employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service;

l. encouraging car-pooling or ride sharing by employees;
m. scheduling of haulage vehicle movements to minimise convoy length or platoons;
n. responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;
o. responding to any emergency repair or maintenance requirements; and
p. a traffic management system for managing heavy vehicles requiring escort;

4. a driver's code of conduct that addresses:
   a. driver fatigue;
   b. procedures to ensure that drivers adhere to the designated transport routes and speed limits; and
   c. procedures to ensure that drivers implement safe driving practices;
5. a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan; and
6. provisions for reporting to TfNSW of vehicles using the access route, every 3 months during construction.

In order to optimise public safety, no heavy haulage may occur on a nominated heavy vehicle haulage road during morning and afternoon school bus travel times.

A road maintenance contribution shall be paid to Council for heavy haulage of solar panels and similar product along Bungonia Road and Windellama Road. Payment shall be made in accordance with Type (c) development as defined in Section 1.3.2 of the Goulburn Mulwaree Local Infrastructure Contributions Plan 2021.

Should the project receive consent, Council would support the use of a shuttle bus to transfer of construction employees in order to reduce traffic volumes.

DEVELOPMENT CONTRIBUTIONS & COMMUNITY BENEFITS

Numerous mentions of Community Benefits Scheme and Benefits Sharing appear throughout the EIS and Appendices. The main section that formally outlines the proposed Planning Agreement and Community Benefits Scheme is section 2.5 pages 31-33, comprising one and a half pages. The information provided at item 2.5 has informed the following comments.

The EIS states that the Merino Solar Farm Community Benefits Scheme is consistent with the *NSW Benefit-Sharing Guideline - Guidance for large-scale renewable energy projects 2024* and modelled off $850 per megawatt per annum for solar development.

The proposed Community Benefits Scheme funds are to be divided between the following-

- A Neighbourhood Benefit Fund, to share the benefits with those located closest to the Project;
- A Voluntary Planning Agreement contribution directly to Council;
- A community group contribution.
  - The chosen group is 'The Goulburn Group', which is a community action group with a focus on fostering and promoting sustainable living in the Goulburn region. The yearly payments would be used by the Group to fund their existing or future initiative.
- A soil restoration research project.

- This project, undertaken by the Cooperative Research Centres Program, aims to research into Agrisolar practices and demonstrate how energy production, commercial food products and Indigenous knowledge can blended on the same land.
- Specific research would be undertaken to focus on the improvement and remediation of sodic and dispersive soils. In addition, the growing of Indigenous Food as part of the Agrisolar initiative will also be explored.
- The project aims to improve local resilience to extreme weather events, and beneficial outcomes of research would be extended to other landholders and the wider community though Local Land Services communications and Landcare networks.

To fund the above, the proponent proposes to contribute annual payments of $382,500 broken down into the following apportionments as set out in the EIS documentation with an additional column provided to show the total value of the proposed benefit over the 35-year project life

Investment	Description	Contribution Type	Contribution (%)	Annual Payment (+CPI)	Total over 35-years
Neighbourhood Benefit Fund	Annual payments paid directly to most impacted neighbours	Annual Payment	41.8%	$160,000	$5,600,000
VPA contribution to Goulburn Mulwaree Council	Annual payment to council	Annual Payment	46.4%	$177,500	$6,212,500
Community Group contribution	Annual payment to local Goulburn community group to fund initiatives	Annual Payment	5.2%	$20,000	$700,000
Soil improvement on project land & Indigenous Food Growing	Research Project - Improve soil quality of sodic and dispersive soils in Goulburn	Annual Payment	6.5%	$25,000	$875,000
		TOTAL	**99.9%**	**$382,500**	**$13,387,500**

Figure 13: Overview of Community Benefit Scheme amounts

Discussion

The Benefits-Sharing Guideline provide a statewide benchmark and framework position on monetary contributions for renewable energy projects, to ensure a minimum level of consistency is applied. The EIS does not appear to have provided any text to demonstrate how the requirements of the Benefits-Sharing Guideline have been met, other than to identify the $850 per megawatt per annum for solar development. However, there is other criteria when proposing a benefits sharing package that must be considered.

While the Benefits-Sharing Guideline does state a $850 per megawatt for solar, this rate applies to the 2024/25 financial year. The Benefits-Sharing Guideline states the rate is to be adjusted for changes in the Consumer Price Index for each subsequent financial year; however, the submitted EIS has not properly accounted for this. Therefore, indexing the amount to the current 2025/26 financial year would increase the rate to $866.50 per megawatt for solar. While the EIS is partially correct, the presentation of the monetary rate for solar is not accurate and misleading.

The Benefit-Sharing Guideline states the benefit sharing rate is to be based on installed capacity. The Community Benefits Scheme amount proposed is based on a 450MW_{ac} capacity X $850 = $382,500. This is amount is incorrect and not in accordance with the Benefit-Sharing Guideline.

The stated 450MW_{ac} is the output capacity proposed. Solar panels are rated in Direct Current ($_{dc}$). To achieve an output of 450MW_{ac} a higher value of installed solar panels measured in MW_{dc} will be required.

While it is not for this report to suggest what that value is, applying an estimated 1.25 multiplying conversion factor would provide a more realistic value on the required installed MW_{dc} capacity to achieve the required 450MW_{ac} output. Consequently, the installed capacity is more likely to be around 562.5MW_{dc} (450 x 1.25).

Therefore, taking into consideration the two matters raised above the present value of the Community Benefits Scheme would be $866.50 x 562.5 = $487,740.25 or $17,059,218.75 over the 35-year project life.

As indicated above, the Community Benefits Scheme proposes to distribute the funds across four streams. These are described in the EIS table above under the investment column.

Neighbourhood Benefit Fund

There is limited commentary on what this distribution stream is intended to fund, other than to make annual payments to the most impacted neighbours. However, the proposed benefit of $160,000 per year will consume 41.8% of the total annual Community Benefits Scheme amount. The Benefit-Sharing Guideline is clear that benefits that seek to mitigate impacts on individual landowners are excluded from any Community Benefits Scheme. Consequently, the Neighbourhood Benefit component of the Fund cannot be supported.

VPA Contribution to Goulburn Mulwaree Council

This distribution stream proposes to make annual payments totalling $177,500 to the Council, equating to 46.4% of the total Community Benefits Scheme yearly amount. While there is limited information on where the funds might be directed towards, the Benefit-Sharing Guideline does place some restriction on what can be funded. For instance, the funds cannot be used to fund works or services of any kind that should be delivered by the Council in the ordinary course of business (i.e. the ordinary day to day operations of the Council).

Importantly, the Benefit-Sharing Guideline identifies that the Council should administer no less than 85% of the total benefit-sharing value. The proposed allocation of 46.4% is significantly below the 85% minimum amount. Consequently, this VPA Contribution funding stream cannot be supported in its current form.

Community Group Contribution
This distribution stream is specifically targeted at one community group, that being The Goulburn Group. Whilst The Goulburn Group are a reputable community organisation with a clear objective towards achieving community betterment, no reasoning or rationale has been provided as to their selection or why there are not others include in the Community Benefits Scheme. In this instance, the Goulburn Group is set to receive $20,000 each year for 35-years.

Unfortunately, the proposed allocation cannot be supported as there is no transparency offered up as to why one local community group should receive 5.2% of the Community Benefits Scheme funding when there are likely to be numerous other community groups to be considered for funding options. The process of selecting one group other all others does not appear to be equitable.

For clarity, this report does not seek to exclude The Goulburn Group from the receipt of any form of community benefit. Rather, Council requires an explanation from the applicant as to why other community groups are absent.

A soil restoration research project
While there is no intention to discredit the value of this research, it is hard to understand why it should form part of the Community Benefits Scheme. In simple terms, the Community Benefits Scheme appears to be funding a research program to mitigate impacts caused by the development being proposed and to research how Agri-Solar uses can occur. Unfortunately, this appears to be something the renewable energy industry (especially solar generators) collectively need to collaborate together on and fund. The proposed funding stream is therefore unable to be supported.

To date the Council has not received what it would consider to be a complete Letter of Offer to enter into a Planning Agreement in relation to Benefits Sharing via a Community Benefits Scheme. The next step for the applicant, if indeed serious about progressing this proposal, would be to lodge a detailed Letter of Offer to enter into a Planning Agreement with Goulburn Mulwaree Council for consideration. Any Letter of Offer would need to be made in accordance with Council's Planning Agreement, Land and Asset Dedication Policy. It goes without saying that such a letter must, as a minimum, demonstrate how the requirements of the Benefit-Sharing Guideline have been met.

It would not be unreasonable for the Community Benefits Scheme to comprise three funding streams in line with the following approximate breakdowns:

- Council allocation for larger scale community-based projects – 85%
- Funding for local community groups – 10%
- Open fund – 5%

The distribution of funds would fall to the Council to manage in accordance with the terms of Community Benefits Scheme and Planning Agreement.

It is noted the proposed total Community Benefits Scheme amount of $17,059,218.75 over the 35-year project life equates to only 1.42% of the Estimated Development Cost ($1,200,993,448). Therefore, Council draws the conclusion that such a small value does not appear justifiable for a project of this magnitude which will have far reaching impacts on the locality as well as the wider community, given the cumulative impacts of this proposal among the myriad of other SSD-scale renewable projects currently being planned in the region.

While the Benefit-Sharing Guideline excludes the Battery Energy Storage System (BESS) from being considered, it is unlikely the Benefit-Sharing Guideline envisaged projects of this size and value ($1,200,993,448) and further, multiple projects of a comparable size being built in very close proximity to each other.

In this instance, the BESS would attract a contribution of $275,240.83 per year or $9,633,429.19 over the 35-year project life. The proponent may wish to consider including the BESS component in any formal offer as a gesture that demonstrates a willingness to work to the communities needs as opposed to simply meeting the minimum standards required to obtain project approval.

Furthermore, it is understood that Yass Valley Council has raised similar concerns and has a draft policy position currently under development with the community that seeks to increase the base contribution rate by 25%. These are considerations that Council are considering in light of the cumulative impacts being experienced of numerous projects under consideration across the Goulburn Mulwaree LGA and wider Southern Tablelands region.

However, in any event, for the purposes of this project, the proposed Community Benefits Scheme offer is woefully undervalued when compared with the project's overall value, the cumulative impacts that will occur with multiple farms built in proximity and its location along a main entrance corridor into Goulburn. Therefore, the proponent would need to carefully consider the total Community Benefits Scheme value in the Letter of Offer to be provided.

WASTE

The EIS for the proposal outlines waste management measures across the construction, operational, and decommissioning phases. Goulburn Waste Management Centre is the only Council-owned facility available to accept waste from this project. Council's commercial waste collection service does not collect recyclable materials. The minimisation of waste and maximisation of recycling are critical to avoid placing undue pressure on Council's landfill facilities.

Council wishes to raise its concern regarding the waste impacts associated with this project and the significant cumulative waste impact of renewable energy developments in the LGA. In this regard, further detail is requested in order for the applicant to demonstrate that thorough waste minimisation processes are in place both during construction and the operational phase.

DECOMMISSIONING

Details of the decommissioning of the solar farm and battery energy storage system are extremely vague and at best, appear to "kick the can down the road" until at least the procurement stage of the project prior to making any substantial commitment. Council contends that complete line of sight is required in relation to decommissioning to ensure:

- That the land will be restored to its pre-developed state, including the removal of all non-required underground cabling and infrastructure;
- Clarity with regard to recycling and repurposing of materials;
- Confidence from within the community that the developer (or subsequent owners/operators) will be responsible for decommissioning and restorative works, and that these responsibilities won't fall to Government or the community.

In light of this it requested that further consideration and detail be provided for review and completeness prior to a determination being made.

CONCLUSION

Having regard to the matters outlined in this report, Council maintains its objection to the proposed Merino Solar Farm and associated Battery Energy Storage System in its current form. While Council acknowledges the important role that renewable energy plays in meeting State and national climate and energy objectives, this must not occur at the expense of local communities, landscape character, agricultural productivity, or the orderly and sustainable growth of regional cities.

The Environmental Impact Statement does not adequately address the scale, intensity and cumulative impacts of the proposal, particularly in relation to community amenity, landscape and visual impacts on the Gundary Plain and southern approach to Goulburn, bushfire risk, agricultural land fragmentation, infrastructure capacity, workforce accommodation pressures, and the equitable delivery of community benefits. In several key areas, the assessment is either incomplete, technically flawed, or reliant on assumptions that have not been sufficiently substantiated.

Council is also not satisfied that the proposal demonstrates compliance with Clause 2.42 of State Environmental Planning Policy (Transport and Infrastructure) 2021, nor that it adequately responds to the Secretary's Environmental Assessment Requirements or the NSW Benefit-Sharing Guideline. The proposed Community Benefits Scheme, in particular, is considered inconsistent with State policy and materially undervalued relative to the scale, cost and long-term impacts of the project.

Accordingly, Council requests that the Department of Planning, Housing and Infrastructure give significant weight to the concerns raised in this submission and the submissions of affected community members. Should the proposal continue to be considered, Council strongly urges that substantial amendments, further independent review, and meaningful re-engagement with the community be required before any determination is made.

If you require any further information, I can be contacted on (02) 4823 4480.

Yours sincerely

Scott Martin
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