

Gracie Jackel
Environmental Assessment Officer
Department of Planning Housing and Infrastructure
Parramatta

C/o Major Projects Portal

Sunshine Estate BESS - SSD-92914712 - SEARs

Dear Gracie

Thank you for the opportunity to provide advice on the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Sunshine Estate BESS.

The NSW Department of Primary Industries and Regional Development – Agriculture and Biosecurity (the Department) collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

The Department has reviewed the Scoping Report and the draft SEARs for how they have considered and addressed the potential impact of the proposed development on agricultural land and agricultural production in the locality.

The Department notes that the proposal is seeking approval for the development, construction, operation and decommissioning of this circa 120MW/480MWh Battery Energy Storage System (BESS) at 1337 Wine Country Drive, Rothbury. The BESS would be sited immediately adjacent to the nearby 132kV Rothbury substation on land zoned RU2 Rural Landscape.

In particular, it is noted that the site is high capability L&SC Class 3 which is considered important agricultural land based on its ability to sustain intensive agricultural activities, and additionally is located within land mapped as Strategic Agricultural Land (SAL) – Viticulture. It is also noted that the Scoping Report states the proposed SE BESS footprint will be subdivided to create a new freehold lot, and that the development is “generally in alignment with the objectives of RU2 zoned land under the Cessnock LEP.”

The Department advises that the draft SEARs' focus on assessment of impact on agricultural resources and agricultural production on the site and in the vicinity, and on completion of a Land Use Conflict Risk Assessment is supported. However, the Department requests the following additional requirements:

- Specific assessment of how/why a non-agricultural development can be considered in “generally in alignment with the objectives of RU2 zoned land under the Cessnock LEP” and

specific justification for such a development on high capability Class 3 / Strategic Agricultural Land (SAL) – Viticulture lands.

- any future decommissioning should involve the removal of all above and below ground infrastructure so the land can be returned to primary production activities.
- assessment of agricultural biosecurity impacts.
- any subdivision below the MLS does not result in any new dwelling eligibilities and
- any proposal for temporary worker accommodation is assessed by a LUCRA that considers the impacts of ongoing agriculture and existing land uses on the workers in the facility.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me at landuse.ag@dpird.nsw.gov.au

Sincerely

L Parker

Lilian Parker
A/Manager Agricultural Land Use Planning
Esigned 13 September 2025