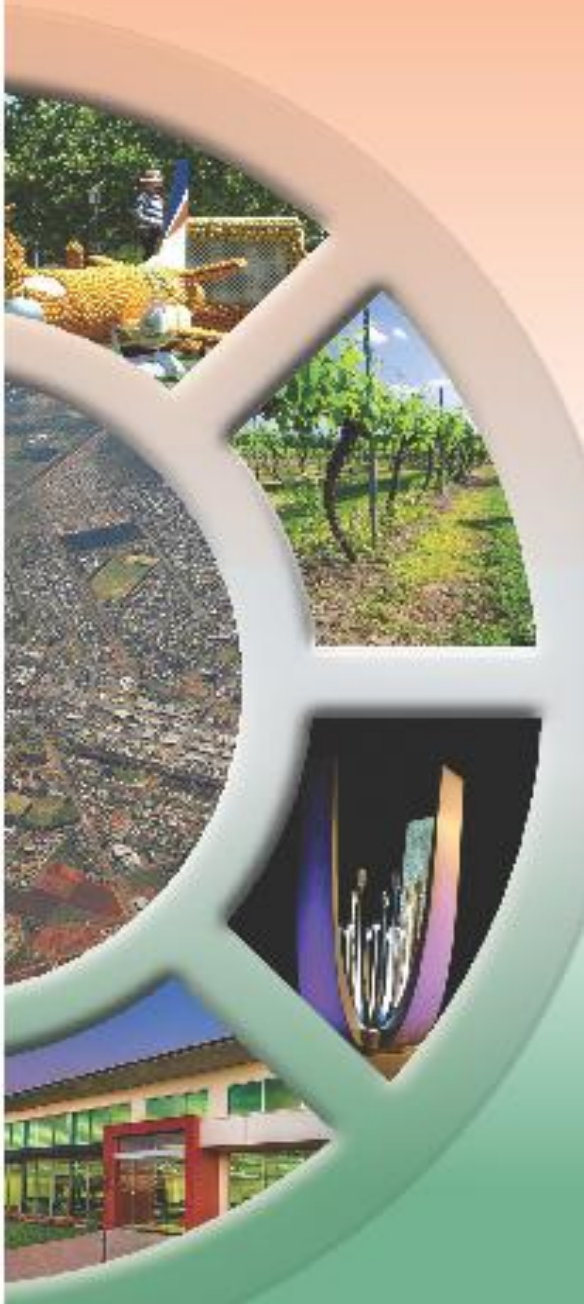
Ordinary Meeting

Tuesday, 28 April 2026

ATTACHMENTS UNDER SEPARATE COVER

CL01 DA 228/2023(4) - Modification to Approved Electricity Generating Works - Solar Farm and Battery Energy Storage System



ATTACHMENTS UNDER SEPARATE COVER

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DA 228/2023(4):AM:AM

SECTION 4.55(2) MODIFICATION OF CONSENT NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

(Section 4.55(2) Environmental Planning & Assessment Act, 1979)

Development Application No.: 228/2023(4)

Applicant(s): Bilbul Renewable Energy Pty Ltd
Level 4
15 Bourke Road
MASCOT NSW 2020

Description of Development: Modification to an Electricity generating facility (4.95 MW Solar Farm & 8 x 2,752MWh Battery Energy Storage System)

Property Description: Lot 363 DP 751743
394 Macedone Road BILBUL

Date of determination: TBA

Development application has been: granted consent *(subject to conditions in Attachment 'B')*

Development consent operates from: 18 July 2024

Development consent lapses on: 18 July 2029

'General terms of approval' given by: no other authorities

It is important that all conditions be carefully read and understood prior to the commencement of the development.

If you are dissatisfied with this decision, Section 8.9 of the Environmental Planning and Assessment Act 1979 provides you the right to appeal to the Land and Environment Court of New South Wales within six (6) months from the date of this notice.

For further information regarding this matter please contact Council's Carel Potgieter, Planning & Environment Manager, 1300 176 077, admin@griffith.nsw.gov.au.

JOE RIZZO
DIRECTOR SUSTAINABLE DEVELOPMENT

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Attachment A - General Advice

This Notice of Determination does not remove the applicant's obligation to obtain approvals required by any other legislation.

1. Right of Appeal

   If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 provides you the right to appeal to the Land and Environment Court of New South Wales within six (6) months from the date of this notice.

2. Review of Determination

   If you are dissatisfied with this decision, the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to Review the Determination. The request must be made and determined within six (6) months of the date of this determination. It is advisable to lodge the application for review under Section 8.3 as soon as possible to facilitate the statutory timeframes.

   Please note Clause 244 of the Environmental Planning Assessment Regulation, 2021 which provides that when the determination is a modification of consent, the review request must be lodged within twenty-eight (28) days of that determination.

3. Compliance with Development Consent

   The development and all associated works must be carried out in accordance with this development consent and subsequent construction approvals.

4. Unauthorised Development

   It is an offence to carry out any unauthorised development or building work or to carry out any development or building work that is not in accordance with Council's development consent. An offence under Environmental Planning and Assessment Act 1979 and Regulations is subject to a penalty up to $1,100,000 and $110,000 respectively.

   Council may also serve a notice and an order to require the demolition/removal of unauthorised building work or to require full compliance with Council's development consent. On the spot penalties may be imposed for works which are carried out in breach of this consent, or without consent.

5. National Construction Code and Australian Standards

   This determination does not include an assessment of the proposed works under the National Code of Australia (NCC) and other relevant Standards. All new building work (including alterations and additions) must comply with the NCC and relevant Standards.

Attachment B – Western Regional Planning Panel Reason for Decision

PANEL CONSIDERATION AND DECISION OF THE ORIGINAL APPLICATION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The Panel's determination was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report. The Panel's site visit on 11 July 2024 confirmed the reasons for the granting of consent. In particular, the Panel considers that the significant landscape buffers required around the site appropriately address visual impact concerns, while the conditions imposed regarding noise mitigation measures appropriately address noise impact concerns.

CONDITIONS

The Development Application was approved subject to the revised set conditions attached.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 11 written submissions made during public exhibition, including a submission from the Council. Issues of concern raised in the submissions included the need for a solar farm in this location; visual amenity impacts; adverse impacts on property values; the potential of the solar farm to increase temperatures in the locality; risk of battery-generated fires; the validity of the Land Suitability Report; traffic impacts; construction and operational noise impacts; glint and glare impacts; and dust, stormwater and soil erosion impacts.

The Panel considers that the concerns raised by the community have been adequately addressed in Council's Assessment Report and by the conditions of consent.

Attachment C - Conditions of Consent

Administrative Conditions

The development must be carried out in accordance with the following conditions of consent.

1. Approved Development

Development consent has been granted for the 4.95 megawatt (MW) solar Farm and eight (8) x 2,752 MWh batteries (22MWh) at 394 Macedone Road, Bilbul.

It is advised that the proposed development has been assessed in regards to the provision of State Environmental Planning Policy (Transport and Infrastructure) 2021 and is considered to be an electricity generating works, which is defined as:

electricity generating works *means a building or place used for the following purposes, but does not include a solar energy system—*
(a) making or generating electricity,
(b) electricity storage.

The development must be implemented in accordance with Development Application No.228/2023(1) received by Council on 13 November 2023 as modified on 9 January 2025, and as received on 12 February 2026 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing / Plan	Date Received by Council	Prepared or Drawn By
Site Plan (Rev E) 10081-CIV-03-003 Rev B dated 27 January 2026	12 February 2026	MPower
Solar PV Equipment – Central & Typical Inverter Layout (Internal, Side & Top View (Rev A))	13 November 2023	Atlas Renewables
Solar PV Equipment – Typical Battery Container (Front, Side & Top View (Rev A))	13 November 2023	Atlas Renewables
Solar PV Equipment - Security Fence, Landscape and Tracking System Section View (Rev A)	13 November 2023	Atlas Renewables
Solar PV Equipment – Tracking System (Rev A)	13 November 2023	Atlas Renewables
Landscape Plan, Drawing No. 101, Issue B & dated 14/06/2024	20 June 2024	Site Image Pty Ltd
Landscape Details, Drawing No. 501, Issue B & dated 14/06/2024	20 June 2024	Site Image Pty Ltd
Matrix 1 Details, Drawing No. 601, Issue B & dated 14/06/2024	20 June 2024	Site Image Pty Ltd
Matrix 2 Details, Drawing No. 602, Issue B & dated 14/06/2024	20 June 2024	Site Image Pty Ltd
Matrix 3 Details, Drawing No. 603, Issue B & dated 14/06/2024	20 June 2024	Site Image Pty Ltd

Landscape Specification, Project Number SS24-5364, Issue A & dated 14/06/2024	20 June 2024	Site Image Pty Ltd

Document	**Date Received by Council**	**Prepared or Drawn By**
Statement of Environmental Effects	13 November 2023	PSA Consulting
Geotechnical Investigation Report	15 January 2024	Geotechnical Testing Services
SoundIn Bilbul Solar Farm Construction Noise and Vibration Management Plan, Report No. 17240, Version 0.1 & dated 28 May 2024	20 June 2024	Nic Hall
SoundIn Bilbul Solar Farm Noise and Vibration Impact Assessment, Report No. 17240, Version 1.1 & dated 18 January 2024	8 February 2024	Nic Hall
Bilbul Solar Farm, Additional BESS Units - Addendum Noise Assessment	6 March 2026	Nic Hall SoundIn
Solar Glint and Glare Assessment Report	16 October 2023	Atlas Renewables
Traffic Impact Assessment	16 October 2023	Pavey Consulting Services
Land Suitability Report	8 February 2024	Nutrien Ag Solutions
Aboriginal Cultural Heritage Desktop Assessment for a Solar Farm	16 October 2023	Australian Cultural Heritage Management (Victoria) Pty Ltd
Solar Farm and Battery Energy Storage System, December 2023	21 March 2024	Atlas Renewables

If there is any inconsistency between the approved plans and documents referred to above, the conditions shall prevail.

(Modified 9 January 2025 and date TBA)

2. Construction Certificate (Building Works)

In accordance with the provisions of Part 6, Divisions 6.2 and 6.3 of the Environmental Planning and Assessment Act, 1979 a person must not carry out building works, including associated excavation works (as applicable) until such time as:

a. A Construction Certificate has been obtained from either Griffith City Council or an Accredited Certifier holding the appropriate accreditation under the Building Professions Act, 2005;
b. A Principal Certifier has been appointed; and
c. The person with the benefit of the development consent has given at least two (2) days' notice to Griffith City Council and the Principal Certifier of the person's intention to commence the erection of the building.

Note 1: Griffith City Council can issue your Construction Certificate and be appointed as your Principal Certifier for the development to undertake inspections and ensure compliance with development consent and relevant building regulations. For further

details contact Council on 1300 176 077.

Note 2: Should the plans submitted with the Construction Certificate differ substantially from the plans approved as part of the development consent then a Section 4.55 modification of consent will be required to be made to Council.

3. Provision of Services

The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards and relevant authorities' specifications.

4. Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

Note 1: Development consent for the purpose of the erection of a building or the subdivision of land or the carrying out of a work does not lapse if building, engineering or construction work relating to the development is lawfully and physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse.

Note 2: Development consent for the purpose of the use of the land, building or work the subject of the consent does not lapse if it is actually commenced the date on which the consent would otherwise lapse.

5. Damage to Council property

If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

6. Existing Services

The applicant must check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

7. Tree Preservation

The applicant is advised that the land is subject to Council's Tree Policy and the requirements of that policy are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Parks and Gardens Department.

8. Clearing of Vegetation

Vegetation shall not be burned on the site. All vegetation that is approved to be cleared to allow the development shall be either relocated, chipped and/or mulched and removed from the site for disposal at an approved waste recycling or management depot.

9. National Construction Code

All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.

All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the Plumbing Code of Australia.

10. Aboriginal Heritage

If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

1. Not further harm the object.
2. Immediately cease all work at the particular location.
3. Secure the area so as to avoid further harm to the Aboriginal object.
4. Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location.
5. Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment.

In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department contacted of Planning, Industry and Environment.

11. Other Cultural Heritage

Should any cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the National Parks and Wildlife Act 1974. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note: Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

12. Traffic Impact

The mitigation measures recommended in the Traffic Impact Assessment by Pavey Consulting Services (dated 26 September 2023) are to be employed and maintained for the duration of the project.

13. Battery system Specifications

The design of the battery storage system is to adhere to technical specifications prepared by Sungrow (dated 8 February 2024) and are to be operated and maintained for the duration of the project accordingly.

Prior to the issue of a Construction Certificate for Building Works

Prior to commencing construction work, you will need a Construction Certificate for building works issued by Griffith City Council or an Accredited Certifier. Before a Construction Certificate can be issued, compliance with the following conditions is to be demonstrated.

14. Section 7.12 Development Contributions

In accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted Section 94A Contributions Plan 2010 (Amendment 2013). A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be **$68,001.04** (**1%** of $6,800,104.08 being the proposed cost of carrying out the development). In accordance with Council's Section 94A Contributions Plan 2010 (Amended 2013) the total payment amount will be indexed by the Consumer Price Index (All Groups Index for Sydney as published by the Australian Bureau of Statistics), applicable at the date of payment.

The contribution is to be paid **prior to the issue of the Construction Certificate**.

15. Long Service Levy

Prior to the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

16. Erosion and Sediment Control

Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004). Details are to be submitted to the satisfaction of the Principal Certifier **prior to the issue of the Construction Certificate**.

17. Pollution Control Plan

Prior to the issue of Construction Certificate, the applicant shall submit to Griffith City Council and the Principal Certifier a Pollution Control Plan. The Pollution Control Plan shall provide the following details:

a) Soil erosion and sediment control measures that are designed in accordance with Managing Urban Stormwater – Soils and Construction, Volume I (Landcom 2004). The measures shall include:
   i. Preventing solid waste, sediment, sand, soil, clay or stones from the site entering the stormwater drainage system. Only clean rain water will be permitted to discharge into the stormwater drainage system.
   ii. Preventing vehicles from tracking materials onto the road which may enter stormwater drainage.
   iii. Plans showing the location of sedimentation control fencing and details of any temporary driveways.

iv. Methods for the entire construction period and up until such times as an application is made for an Occupation/Compliance/Subdivision Certificate.

b) Means of dust suppression measures to be implemented during dry and/or windy weather conditions.

c) A waste management plan addressing all waste collection and disposal issues associated with waste generated by the development during the construction process. In terms of disposal of waste, all material is to be disposed of at a licenced waste management facility. No material shall be burnt onsite.

18. S138 Roads Act

Prior to the issue of a Construction Certificate, a Section 138 Roads Act application, including payment of fees, shall be lodged with Griffith City Council, as the Roads Authority for any works required within a public road. These works may include but are not limited to:

(a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)

(b) Road opening for utilities and stormwater (including stormwater connection to Council Infrastructure).

(c) Road Occupancy or road closures

All works shall be carried out with the Roads Act approval, the development consent including the stamped plans and Griffith City Council specifications. Compliance with Council's Pipes Across and Along Roads (WO-CP-503) Policy will be required prior to commencement of works within the road reserve.

Note 1: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

Note 2: The application is to be made prior to the issue of the Construction Certificate but does not have to be approved by the Roads Authority prior to the issue of that certificate.

19. Accessway Plan

Prior to the issue of a Construction Certificate, a detailed design/plans are to be submitted showing the provision of an all-weather access between the property boundary and the road carriageway off Macedone Road. The accessway is to be constructed with 200mm of compacted road building gravel and shall include a concrete culvert with concrete headwalls and guideposts. The accessway is to be constructed in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards

20. On-site Access Gate

An on-site access gate to be situated at the north western corner of the site approximately 40 metres east of Macedone Road must be installed to provide ample storage space for a 19m B-double vehicle in the event where the gate is closed at the time of delivery. The proposed gate must be set back a minimum of 40 metres from the edge of Macedone Road and that access to the gate from Macedone Road must remain unrestricted.

21. Stormwater Drainage

Adequate arrangements are to be made for the disposal of stormwater. Stormwater

runoff shall not be permitted to flow over the property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. Detailed design drawings for the proposed stormwater drainage system are to be submitted to Council for approval in accordance with Council's Engineering Guidelines – Subdivision and Development Standards **prior to the issue of a Construction Certificate**.

22. Turning path diagrams to justify suitable access tapers

Prior to the issue of a Construction Certificate, an amended accessway plan with turning path diagrams is to be submitted to Council to justify suitable tapers connecting to the road carriageway to accommodate 19m B-double vehicle and a light vehicle for the proposed accessway off Macedone Road. This is to justify the width of the proposed access and the tapers at the connection point of the access to the Macedone Road carriageway. Turning path diagrams are to be in accordance with Austroads Design Vehicles and Turning Path Templates Guide 2013.

23. Carparking Dimensions

Prior to the issue of a Construction Certificate, amended dimensioned geometric plans of the proposed carparking spaces are to be submitted showing widths and lengths of parking spaces and aisle widths.

Detailed design drawings for the carparking areas are to comply with Council's Engineering Guidelines - Subdivisions and Development Standards, Austroads Guidelines and Council's Development Control Plan No. 20: Off-street Parking Policy.

24. Site Landscaping

(deleted and reinserted as condition No 57B on date TBA)

24A. Preliminary Hazard Analysis

Prior to the issue of any Construction Certificate, the Applicant is to prepare and submit to the satisfaction of Council a Preliminary Hazard Analysis (PHA) for the development.

The Preliminary Hazard Analysis must:

a) be prepared by a suitably qualified and experienced independent specialist in hazard and risk assessment;
b) identify and assess all credible hazards associated with the construction and operation of the development, including but not limited to fire, explosion, thermal events, hazardous materials, and failure scenarios;
c) assess the likelihood and consequences of identified hazards having regard to surrounding land uses, site context and sensitive receptors;
d) demonstrate that hazards and associated risks are capable of being managed to an acceptable level, consistent with the principle of risks being As Low As Reasonably Practicable (ALARP);
e) recommend mitigation, design, separation distances, operational controls and emergency response measures necessary to minimise identified risks; and
f) confirm that the development can be constructed and operated without unacceptable risks to public safety, property or the environment.

The development must be carried out in accordance with the recommendations of the approved Preliminary Hazard Analysis to the extent relevant to construction and operation.

(inserted on date TBA)

Prior to Commencement of Works

The following conditions need to be met prior to the commencement of works. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

25. Notification of Commencement

Prior to commencing work the person having the benefit of the consent has:
(a) given at least 2 days' notice to the council, and the principal certifier if not the council, of the person's intention to commence the erection of the building, and
(b) if not carrying out the work as an owner-builder, has:
  i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
  ii. notified the principal certifying authority of any such appointment, and
  iii. unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.

26. Erection of Signs

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
a) showing the name, address and telephone number of the principal certifying authority for the work, and
b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A).

27. Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by a suitably qualified professional detailing the proposed traffic control and traffic management arrangements during the construction of the development. The Construction Management Plan is to be submitted to Council for approval and is to address, but not be limited to, the following:
a) the management of traffic during construction;
  i. All vehicular access to the site be via the approved access route via Rankins Springs Road, Rossetto Road (west) and Macedone Road

ii. Maximum size of vehicle is a 19 meter B-double
iii. Any proposed precautionary measures such as signage to warn road users such as motorists about the construction activities for the project
iv. Heavy vehicle access to be by way of a right turn from Rankins Springs Road into Rossetto Road. A Period Permit from the National Heavy Vehicle Regulator must be sought to enable temporary access for 19m B-Doubles during the equipment delivery phase via Rossetto Road, (west) / Macedone Road.
v. Heavy vehicles departing from the site will be restricted to left turn movement from Rossetto Road onto Rankins Springs Road
vi. Deliveries will be scheduled to avoid heavy vehicles arriving and departing the site between 8am–9am, and, 4:30pm–5:30pm due to traffic volumes on Rankins Springs Road being at the peak during those respective times.

b) the management of loading and unloading of construction materials on site
c) material stockpiling/storage;
d) identify parking for construction worker vehicles;
e) dust mitigation measures; and
f) complaint management and contingency measures; and

The construction and traffic management measures specified in the approved Construction Management Plan shall be implemented for duration of construction.

28. Sedimentation and Erosion Controls

Effective dust, noise, sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum):
a) the installation of a sediment fence with returned ends across the low side of the works; and
b) a temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

The control measures are to be installed prior to the commencement of site works and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

29. Pollution Control

Prior to the commencement of works all measures identified in the approved Pollution Control Plan shall be implemented.

30. Protection of adjoining areas

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:
a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
b) could cause damage to adjoining lands by falling objects, or
c) involve the enclosure of a public place or part of a public place.

31. Erection of Signs

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
a) showing the name, address and telephone number of the principal certifying

authority for the work, and

b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

This clause does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the technical provisions of the State's building laws.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A).

32. Waste Management Plan

A waste management plan for the work must be prepared before work commences on the site. The waste management plan must:

a) identify all waste (including excavation, demolition and construction waste material) that will be generated by the work on the site, and

b) identify the quantity of waste material, in tonnes and cubic metres, to be:
   i. reused on-site, and
   ii. recycled on-site and off-site, and
   iii. disposed of off-site, and

c) if waste material is to be reused or recycled on-site - specify how the waste material will be reused or recycled on-site, and

d) if waste material is to be disposed of or recycled off-site - specify the contractor who will be transporting the material and the waste facility or recycling outlet to which the material will be taken.

33. Traffic Management Plan

A Traffic Management Plan (TMP) with all supporting documentation, including all relevant Traffic Guidance Schemes (TGS), is to be submitted to Council for approval prior to the commencement of work within Council's road reserve. The TMP must comply with the requirements of Transport for New South Wales' Traffic Control at Work Sites Technical Manual (TCAWS Manual), Standards Australia's Manual of uniform traffic control devices, Part 3: Traffic control for works on roads (AS1742.3), and Austroads' Guide to Temporary Traffic Management (AGTTM). The TMP must be prepared by a person/s with a 'Prepare a Work Zone Traffic Management Plan' qualification. Strict compliance to the TMP is to be maintained throughout the duration of the works. All inspections of the TMP and collection of records must comply with the requirements of the TCAWS Manual.

34. Truck warning signs

Prior to the Commencement of Work truck warning signs are to be installed on Rankins Springs Road on the approach to the intersection with Rossetto Road as per the Construction Traffic Management Plan for the duration of the construction period.

35. Off-Street Parking

Prior to the Commencement of Work Twenty (20) parking spaces each of dimensions 2.6 metres x 5.5 metres in accordance with Council's Development Control Plan No.20 Off- street Parking Policy are to be provided on site to serve the development during the construction period.

Note: This consent does not guarantee compliance with the Disability Discrimination Act, 1992 and the developer should investigate their liability under the Act. The applicant's attention is drawn to the Australian Standard AS 2890.6:2009 in respect of acceptable standards of design and requirements.

36. Linemarking

Delineation of parking bays and directional lines are to be implemented in accordance with the approved construction plans and Australian Standard 2890.1:2004. Parking bay delineation and directional lines are to be installed prior to the Commencement of Work.

During Construction

The following conditions of consent must be complied with at all times during the demolition, excavation and construction of the development.

37. Maintenance of site

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Copies of receipts stating the following must be provided to the consent authority on request:
a) the place to which waste materials were transported,
b) the name of the contractor transporting the materials,
c) the quantity of materials transported off-site and recycled or disposed of.

Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:
a) all vehicles entering or leaving the site must have their loads covered, and
b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

38. Noise Control

The mitigation measures recommended in the Construction Noise and Vibration Management Plan (May 2024) and the Noise and Vibration Impact Assessment Report (January 2024) are to be employed and maintained for the duration of the project.

The following additional noise mitigation measures must be employed during the construction phase to reduce emissions to the surrounding community:

a) a construction noise management protocol to minimise noise emissions, manage out of hours (minor) works to be inaudible, and to respond to potential concerns from the community;
b) a construction noise and vibration management plan shall include an addendum that identifies specific additional measures to ensure that the construction noise levels do not exceed the Noise Management Levels at each receptor. In this regard, localised mobile screens or construction hoarding around piling rig/plant are to be used to act as barriers between construction works and receivers, particularly where equipment is near the site boundary and/or a residential receiver including areas in constant or regular use (e.g., unloading and laydown areas);
c) operating plant in a conservative manner (no over-revving), shutdown when not in use, and parking/starting at farthest point from relevant assessment locations;
d) selection of the quietest suitable machinery available for each activity;
e) minimise noisy plant/machinery working simultaneously where practicable;
f) minimise impact noise wherever possible;
g) utilise a broadband reverse alarm in lieu of the traditional high frequency type reverse alarm;
h) provide toolbox meetings, training and education to drivers and contractors visiting the site during construction so they are aware of the location of noise sensitive receivers and to be cognisant of any noise generating activities;
i) signage is to be placed at the front entrance advising truck drivers of their requirement to minimise noise both on and off-site;
j) utilise project related community consultation forums to notify residences within proximity of the site with project progress, proposed/upcoming potentially noise generating works, its duration; ad
k) implement the complaint procedure outlined in the Construction Noise and Vibration Management Plan (May 2024).

39. No obstruction of public way

The public walkway must not be obstructed by any materials, vehicles, refuse, skips or the like, without prior approval of Council.

40. Shoring and adequacy of adjoining property

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

a) protect and support the building, structure or work from possible damage from the excavation; and
b) where necessary, underpin the building, structure or work to prevent any such damage.

The condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

41. Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning prior to the commencement of work. In this clause:

accredited sewage management facility means a sewage management facility to which Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

public sewer has the same meaning as it has in the Local Government (General) Regulation 2005.

sewage management facility has the same meaning as it has in the Local Government (General) Regulation 2005.

42. SafeWork NSW

The developer is required to comply with any and all requirements of the SafeWork NSW.

43. Required documentation

For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent (Notice of Determination) and Construction Certificate on site.

44. Sedimentation and Erosion Controls

The approved erosion and sediment control measures shall be implemented and maintained during works.

45. Survey of Building Location

A survey report, prepared by a registered and practising Land Surveyor is required to verify the siting of the building/structures/fencing in relation to adjacent boundaries. This survey shall be undertaken prior to work proceeding past the completion of footings and before concrete is poured. A copy of this report shall be submitted to Council prior to the issue of the Occupation Certificate.

46. Hours of Work

All building, excavation and demolition work is to be carried out between 7:00am and 6:00 pm Monday to Saturday with no work to be undertaken on Sundays or Public Holidays.

The person with the benefit of the consent must ensure that impacts from noisy construction activities, such as piling, are limited to 9.00am to 12.00pm Monday to

Saturday and 2.00pm to 5.00pm Monday to Friday to provide respite to surrounding residents.

Variation to these times may be permitted on submission of a written request to Council indicating the date/s and time/s of the proposed work. It is also recommended that you liaise with occupants of any surrounding dwellings prior to carrying out work outside these hours.

47. Pollution Control

The pollution control measures set out in the approved Pollution Control Plan shall be maintained throughout the entire construction period and up until such times as an application is made for an Occupation/ Subdivision Certificate.

48. Dust Control

Where dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation, construction and building works. If necessary, water sprays shall be used on the site during construction works to reduce the emission of dust.

49. Contaminated Land Unexpected Finds

In the instance that works cause the generation of odours or uncovering of unexpected contaminants, works are to immediately cease, Council is to be notified and a suitably qualified person appointed to further assess the site.

50. Maintenance of site

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Copies of receipts stating the following must be provided to the consent authority on request:
the place to which waste materials were transported,
the name of the contractor transporting the materials,
the quantity of materials transported off-site and recycled or disposed of.

Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:
all vehicles entering or leaving the site must have their loads covered, and
all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

Prior to the issue of the Occupation Certificate

An Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) prior to occupation of the new building, part of the building, or a change of building use. Prior to issue of an Occupation Certificate compliance with the following conditions is to be demonstrated.

51. Visual Impact

Prior to the issue of an Occupation Certificate the automatic irrigation for the approved landscaped buffer is to be maintained to the satisfaction of Council.

52. Lease Agreement for Use of Council's Road Reserve

As per Council's Pipes Across and Along Road Reserves Policy (WO-CP-503) a lease agreement shall be entered into between the applicant and Griffith City Council for the use of Council's road reserve for installation and use of transmission line **prior to the issue of an Occupation Certificate**. The applicant shall be required to pay all legal fees associated with the lease agreement. Council fees for the lease agreement are to be in accordance with Council's current revenue policy.

53. S138 Roads Act Approval

Prior to the issue of an Occupation Certificate, the Principle Certifying Authority shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Griffith City Council.

54. Installation of stormwater infrastructure

Prior to the issue of an Occupation Certificate, the stormwater drainage system for the proposed solar farm is to be constructed in accordance with an approved plan, Council's Engineering Guidelines – Subdivisions and Development Standards, and Council's Stormwater Drainage & Disposal Policy (CS-CP- 310).

55. Accessway construction

Prior to the issue of an Occupation Certificate, an all-weather access is to be provided between the property boundary and the road carriageway off Macedone Road. The accessway is to be constructed with 200mm of compacted road building gravel and shall include a concrete culvert with concrete headwalls and guideposts. The accessway is to be constructed in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards.

56. Internal driveways

Prior to the issue of an Occupation Certificate the internal driveway to the proposed solar farm is to be constructed of gravel to an all-weather standard in accordance with Council's Engineering Guidelines – Subdivisions and Development Standards.

57. Submission of Survey of Building Location

A survey report, prepared by a registered and practising Land Surveyor is required to verify the siting of the building/structures/fencing in relation to adjacent boundaries. This survey shall be submitted to Council p**rior to the issue of the Occupation Certificate.**

57.A Fire Mitigation Measures

A ten (10) metre asset protection zone is to be provided between the screening vegetation and the solar panel / BESS unit installation. This asset protection zones is to be maintained or the life of the development.

(inserted date TBA)

57.B Site Landscaping

Prior to the issue of the Occupation Certificate, the landscaping proposed in Landscape Plan, Drawing No. 101, Issue B & dated 14/06/2024, (referred to in Condition No 1), shall be undertaken and completed on site in accordance with the landscape specifications Landscape Details, Drawing No. 501, Issue B & dated 14/06/2024 referred to in Condition No.1.

(inserted from Condition 24 date TBA)

On-Going Requirements

The following conditions or requirements must be complied with at all times, throughout the use and operation of the development.

58. Amenity

The premises and operation is to be conducted in such a manner so as not to interfere with the amenity of the adjoining lots by way of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or any other matter.

59. Management of Glint and Glare from Solar Panels

Glint and glare from the solar panels shall not cause a nuisance, disturbance or hazard to the travelling public on the public road network. In the event of glint or glare from the solar plant being evident from a public road, the proponent shall immediately implement glare mitigation measures such as construction of a barrier (e.g., fence) or other approved device to remove any nuisance, distraction and/or hazard caused as a result of glare from the solar panels.

60. Potential Contamination

Any dielectric fluid used must be managed to prevent contamination. Any spillage of this fluid must be recorded and notified to Council. In the event of a major spillage, the NSW Environmental Protection Agency must also be notified in regards to a pollution event.

61. Upgrading of solar panels and ancillary infrastructure

Over time, the applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant shall provide revised layout plans of the development to the secretary incorporating the proposed upgrades.

62. Ongoing Noise Control

Noise validation monitoring assessment must be completed to quantify operational noise emissions from site and to confirm emissions meet relevant criteria. The monitoring assessment would consist of operator attended noise measurements during normal operation to determine the noise contribution from the project.

The mitigation measures recommended in the Noise and Vibration Impact Assessment Report by SoundIN Pty Ltd (January 2024), Construction Noise and Vibration Management Plan (May 2024), are to be employed and maintained for the duration of the project, i.e. 40dB(A) during daytime and 35 dB(A) during evening and night.

(modified date TBA)

63. Sight Distance

Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 “Off-street car parking”.

64. Access maintenance

The property owner remains responsible for the upkeep and maintenance of the accessway and associated facilities for the lifetime of the proposed development.

65. Entry Gate Setback

Any entry gate installed for the subject development shall be set back a minimum storage length of 40 metres from the edge of the road carriageway. This is to allow for the standing of large vehicles when gates are to be opened.

66. Ongoing access to site

The following conditions will apply for the lifetime of the subject development:

The turning path of the largest sized vehicle to access the site is to be clear of obstructions at all times.

All vehicles are required to enter and leave the development in a forward direction. All vehicular loading and unloading is to be carried out within the site.

Vehicles accessing the development are to be limited to 19 metre B-double Vehicles as specified in Austroads Design Vehicles and Turning Path Templates Guide 2013.

67. Parking maintenance

The property owner remains responsible for the upkeep and maintenance of the car parking, vehicle manoeuvring areas and associated facilities for the lifetime of the proposed development.

68. Landscape maintenance

The approved and installed landscaping shall be maintained and kept free of weeds for the life of the development in accordance with the approved plan.

69. Compliance with on-going requirements of the Lease Agreement

The applicant or the entity with the benefit of this consent is to comply with any on-going requirements of the lease agreement with Griffith City Council issued under the Pipes Across and Along Roads - Water, Drainage and Irrigation (WO-CP-503) Policy.

70. Schedule of Items

The long-term maintenance for the project shall be carried out in accordance with the Schedule of Items contained in the approved document titled 'Solar Farm and Battery Energy Storage System'.

Demolition Management

Demolition must be carried out in accordance with the following conditions.

71. Decommissioning

Within 18 months of the site being decommissioned, the site shall be returned, as far as practicable, to its condition prior to the commencement of construction in consultation with relevant landowners.

All solar panels and associated above ground structures including but not necessarily limited to, the approved development, e.g., the control and facilities building infrastructure, underground infrastructure to a depth of 300 millimetres, shall be removed from the site unless otherwise agreed by the Council, except where the control room or overhead electricity lines etc. are transferred to or in the control of the local electricity network operator.

All other elements associated with the project, including site roads, shall be removed unless otherwise agreed to by the Council.

Attachment D – Advisory Notes

The following information is provided for your assistance to ensure compliance with the Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

1. Essential Energy makes the following general comments:

   - If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment:
   - Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
   - Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
   - Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); and
   - It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

2. Civil Aviation Safety Authority provides the following comments:

   - Glint and Glare have proven to not be a hazard to aircraft on approach or departing an aerodrome. CASA's concern lies with potential impact on any air traffic control tower (ATCT) and the ability of the controllers to conduct their work.
   - As Griffith Airport does not have any ATCT facility, the solar farm as proposed will not be a hazard to aircraft operations and CASA has no objection to the proposal as presented.

3. Installation of electrical equipment

   - The applicant is advised that the proposed development is situated on flood liable land. To minimise the likelihood of damage of property from flooding, it is advised that all electrical equipment be kept above the 1 in 100-year flood level. The choice of building materials, internal fixtures and floor coverings should also be considered.
   - To establish the exact depth of flood waters on any part of an allotment, the applicant is advised to obtain a survey plan of the allotment.

Attachment E – Other Council Approvals and Consents

Section 68 Local Government Act 1993 Approvals

This consent includes the following approvals under Section 4.12 of the Environmental Planning and Assessment Act 1979 and Section 68 of the Local Government Act 1993.

Nil.

Docusign Envelope ID: 5C592A8C-65AF-48A0-9A54-8B132865F4C4

Bilbul Renewable Energy Pty Ltd
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Level 4, 15 Bourke Road
Mascot NSW 2020
Australia

05 February 2026

Kerry Rourke
Relief Town Planner
Griffith City Council
1 Benerembah St, Griffith NSW 2680

Dear Kerry,

DA 228/2023 (2) – Amendment to Battery Energy Storage System (BESS) configuration and amendment to Condition 24 – Site Landscaping

I write on behalf of Bilbul Renewable Energy Pty Ltd in relation to the construction of a hybrid solar farm, approved under Development Consent No. 228/2023(2).

Wollemi Energy Group T/A MPower has recently acquired the Bilbul Renewable Energy Pty Ltd development from Atlas Renewables Pty Ltd and is now progressing detailed design and procurement to move the project into delivery.

The purpose of this letter is to request a modification to Development Consent DA No. 228/2023(2) for the solar farm at 394 Macedone Road, Bilbul, comprising the following two items:

1. **Modification 1 – Battery Energy Storage System (BESS) configuration**

   Under the current development consent and associated documentation, the approved development includes four (4) containerised BESS units providing approximately 11 MWh of energy storage. Approval is sought to increase the number of containerised BESS units to eight (8), providing approximately 22 MWh of energy storage, within the existing approved development footprint.

   Summary of change:

   - Currently approved: 4 × containerised BESS units (approximately 11 MWh total storage capacity)
   - Proposed modification: 8 × containerised BESS units (approximately 22 MWh total storage capacity)

   This proposed modification represents an increase in the number and storage capacity of the BESS units only and does not alter the approved nature or character of the development as a solar farm with an associated Battery Energy Storage System.

Docusign Envelope ID: 5C592A8C-65AF-48A0-9A54-8B132865F4C4

2. Modification 2 – Condition 24 (Site Landscaping) timing

Condition 24 currently requires that the landscaping proposed in the approved plans be "undertaken and completed on site prior to the issue of the Construction Certificate."

Approval is sought to amend Condition 24 to require that the landscaping be undertaken and completed prior to the issue of the Occupation Certificate, rather than prior to the Construction Certificate.

This modification is requested for the following reasons:

- Site security fencing and associated civil works are required to be installed following the issue of the Construction Certificate to secure the site and enable safe construction access;
- Landscaping works are typically installed following completion of major civil and construction activities to avoid damage to plantings and ensure successful establishment;
- Undertaking landscaping prior to fencing and civil works would create a high likelihood of vegetation damage due to fencing installation, construction vehicle movements, earthworks, and general site activity; and
- Allowing landscaping to occur later in the construction program enables planting to be undertaken during appropriate seasonal conditions, improving establishment success and reducing the likelihood of plant loss and replacement.

MPower confirms that the landscaping will be completed prior to Occupation Certificate and maintained to achieve successful establishment.

We consider these changes to be minor in nature, reflecting an update to the BESS container quantity and a timing amendment to Condition 24. We respectfully seek Council's confirmation and will comply with any assessment pathway.

The Distribution Network Service Provider (DNSP), Essential Energy, has approved the proposed increase in BESS capacity from approximately 11 MWh to approximately 22 MWh, noting that the increased storage capacity supports improved network stability and reliability. The updated Essential Energy approval documentation and the revised BESS configuration are attached.

The proposed modifications:

- Remain wholly within the existing approved development footprint;
- Do not alter the approved 4.99 MWac generation capacity of the solar farm;
- Do not result in any additional off-site amenity or environmental impacts, when compared with the approved development; and
- Maintain the approved nature and character of the development as a solar farm with an associated Battery Energy Storage System (BESS).

Docusign Envelope ID: 5C592A8C-65AF-48A0-9A54-8B132865F4C4

Please let me know if you have any questions or require any further information in support of this modification.

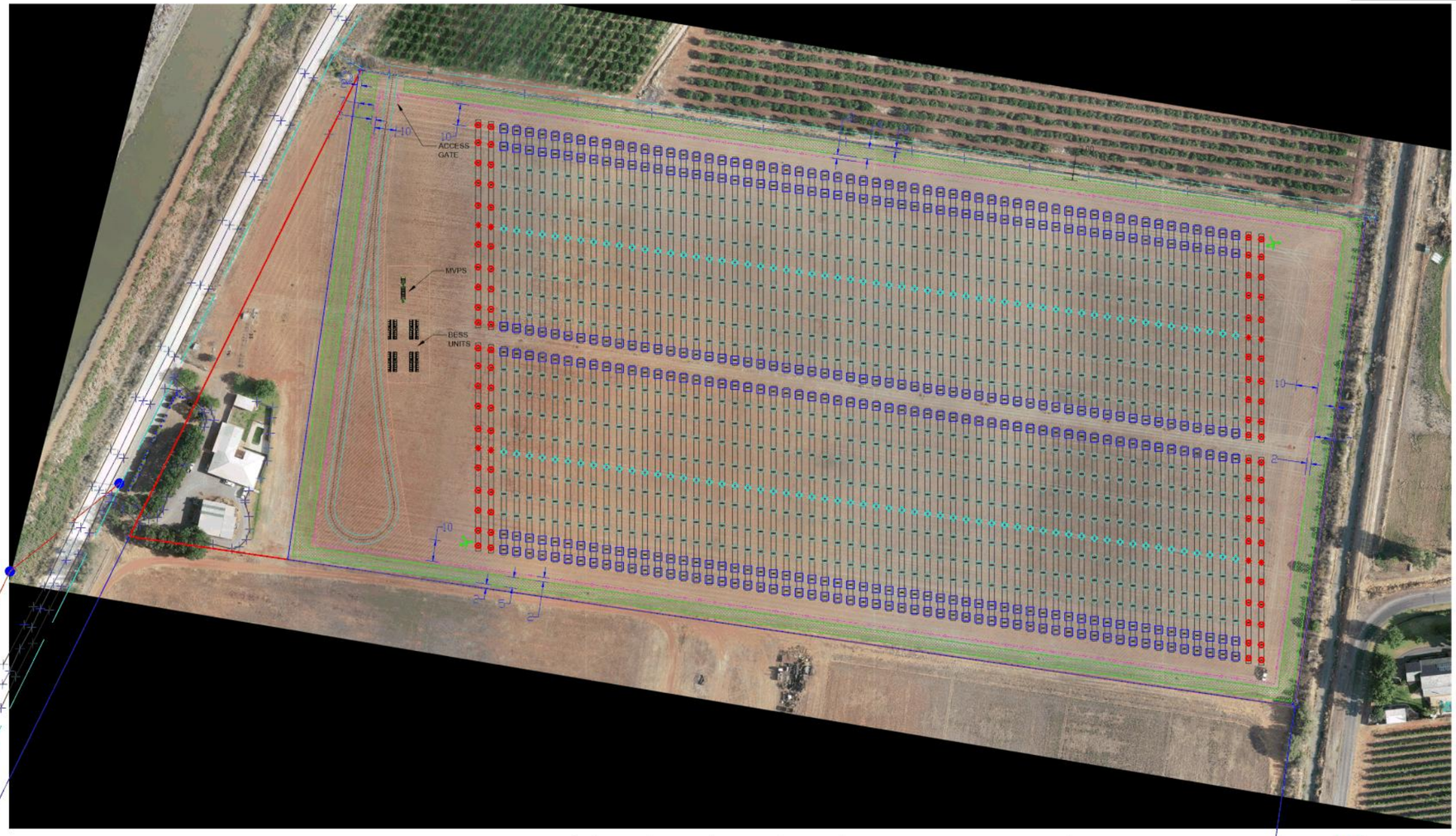
Yours sincerely

[redacted]

Director

Phone: +61 2 8788 4600
Email: ryan.scott@mpower.com.au
Level 4 / 15 Bourke Road, Mascot NSW 2020 Australia
www.mpower.com.au | LinkedIn

PROJECT SPECIFICATIONS		
INSTALLED AC CAPACITY	4.95	MWac
TARGET DC CAPACITY AT STC	6.573	MWdc
DC/AC RATIO	1.328	
INVERTER CAPACITY	2475	kW
INVERTER QUANTITY	2	
INVERTER MAKE	SUNGROW	
INVERTER MODEL	SG2475HV	
MODULE MAKE	TCL SOLAR	
MODULE MODEL	HSM-BD72-GC	
MODULE POWER	645	Wp
MODULE QUANTITY	10190	
MODULES PER STRING	26	
PV TRACKERS MAKE	NEXTRACKER	
PV TRACKERS MODEL	NX HORIZON	
BESS BATTERY MODEL	ST2752UX	
BESS UNIT NOMINAL CAPACITY	22.016	MWh
TOTAL NUMBER OF BESS UNITS	8	



LEGEND

- ROAD RESERVED AREA
- ACCESS AND INTERNAL ROAD
- VEGETATION
- EXCLUSION ZONE
- ESSENTIAL ENERGY 11kV O/H LINE
- CHAIN WIRE MESH INTERNAL FENCE
- SITE BOUNDARY

NOTES:
1. ALL DIMENSIONS ON THIS DRAWING ARE IN METRES UNLESS OTHERWISE STATED.
2. DO NOT SCALE FROM THIS DRAWING FOR CONSTRUCTION.
3. ACTUAL DIMENSIONS AND CLEARANCES MAY VARY SUBJECT TO SITE CONDITIONS.
4. DIMENSIONS OF ELECTRICAL EQUIPMENT ARE INDICATIVE ONLY. ACTUAL DIMENSIONS TO BE CONFIRMED.
5. THE LAND BOUNDARY IS CONFIRMED BY SURVEYOR.
6. THE INVERTER AND BATTERIES WOULD BE INSTALLED ON A HIGHER LEVEL OF FOOTING. FOOTING TYPE AND FINISH LEVEL TO BE APPROVED BY CUSTOMER / DA REQUIREMENT.
7. LOCATION OF ESSENTIAL ENERGY 11kV OVERHEAD LINE AND SYSTEM CONNECTION POINT TO BE CONFIRMED.
8. ACTUAL POSITION OF EXISTING/NEW ESSENTIAL ENERGY 11kV POLE IS SUBJECT TO THE ACTUAL MEASUREMENT ON SITE. PROJECT CONNECTION TO ESSENTIAL ENERGY 11kV NETWORK ASSUMED TO BE VIA 11kV OVERHEAD LINE AND ONE NEW POLE. FINAL CONNECTION ARRANGEMENT TO BE ADVISED BY ESSENTIAL ENERGY.
9. SITE STORAGE AND AMENITY FACILITIES TO BE ON SITE ONLY DURING CONSTRUCTION PHASE. NO PERMANENT BUILDINGS TO BE KEPT ON SITE AFTER CONSTRUCTION COMPLETED.
10. THE LANDSCAPING BUFFER IS INDICATIVE AND SHALL ONLY BE PLANTED ALONG THE FENCE WHERE THERE IS NO NATIVE VEGETATION. POSITIONS AND WIDTH SHALL BE FIVE METERS AND CONSISTENT WITH LANDSCAPING PLAN.
11. NATURAL SURFACE IS USED FOR THE INTERNAL ROADS AND PARKING AREAS.

REV.	DATE	DRAWN	CHECKED	APPROVED	DESCRIPTION
B	27/01/2026	M.T	P.C	R.S	EXCLUSION ZONE UPDATED, TRACKERS ADDED
A	12/01/2026	M.T	P.C	R.S	FOR REVIEW

PROJECT: BILLBUL SOLAR FARM

FOR REVIEW

THE REPRODUCTION, DISTRIBUTION OR UTILISATION OF THIS DOCUMENT AS WELL AS THE COMMUNICATION OF ITS CONTENTS TO OTHERS WITHOUT EXPLICIT CONSENT FROM MPOWER PROJECTS PTY LIMITED IS PROHIBITED.

	NAME	DATE
APPROVED BY	RYAN SCOTT	12/01/2026
REVIEWED BY	PARNESH CHAND	12/01/2026
DRAWN BY	MAANI TAGHIZADEH	12/01/2026

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TITLE: SITE LAYOUT AND DETAIL

ALTERNATE DRAWING NUMBER:

DRAWING NUMBER: 10081-CIV-03-003

A1

SCALE: 1:1000 | WEIGHT: N/A | SHEET 1 OF 1 | REVISION: B

5 March 2026

SoundIN Project Number: 17240-A
Our Ref: Letter 17240-A MP 20260305 NH.docx
Email: inioluwa.abiona@mpower.com.au

Ini Abiona
Bilbul Renewable Energy Project Pty Ltd
L4, 15 Bourke Road
MASCOT NSW 2020

Dear Ini

Re: Bilbul Solar Farm, Additional BESS Units - Addendum Noise Assessment

INTRODUCTION

This letter serves as an addendum to the Noise and Vibration Impact Assessment (NVIA) prepared by SoundIN (Report No. 17240, Ver 1.1, 18 January 2024) for a solar farm (the Project) at 394 Macedone Road, Bilbul (the Site).

The Project was originally proposed to include a Battery Energy Storage System (BESS) capacity of 11 MWh, comprising four (4) individual BESS units. It is proposed to increase the BESS capacity of the Project to 22 MWh by adding an additional four BESS units.

This addendum provides an updated assessment of potential noise impacts associated with the operation of the Project. Operational noise impacts are assessed in accordance with the *Noise Policy for Industry* (the "NPfI").

The additional BESS units will not materially change the construction of the Project; therefore, no detailed assessment of construction noise impacts is warranted.

PROPOSED CHANGES

It is proposed to increase the BESS capacity of the Project to 22 MWh by adding an additional four BESS units. These additional units would be the same as the four already approved (Sungrow ST2752UX).

The updated site layout is shown in **Figure 1**.

SOUNDIN

Figure 1 Proposed Site Plan

PREDICTED NOISE LEVELS

Based on the latest site layout, as depicted in **Figure 1**, the operational noise sources and associated sound power levels (SWL) for the Project are presented in **Table 1**.

Table 1 Operational Noise Sources and Sound Power Levels

Item	Activity	Quantity	SWL (dBA)	
			Per item	Total
Inverter station	24/7, constant	1	91	91
Battery container	24/7, constant	8	84	93
Panel tracking motor	Daytime only, ~1 minute operation each motor per 15-minutes	200	78	89

It is noted that the NVIA included +5 dBA corrections for the inverter and batteries to account for the potential for these items to exhibit tonal noise characteristics. Review of the manufacturer's data indicates that the inverter and batteries do not contain sufficient tonal characteristics to attract any penalties under the NPfI.

The predicted $L_{Aeq,15min}$ noise levels at nearby receivers (See **Figure 2**) due to the operation of the Project, with the proposed additional BESS units, are presented in **Table 2**.

Table 2 Predicted $L_{Aeq,15min}$ Operational Noise Levels, Noise-enhancing Meteorology

Receiver	Predicted $L_{Aeq,15min}$ noise level (dBA)			Project noise trigger level (dBA)			Complies?
	Day	Evening	Night	Day	Evening	Night	
R1	31	26	26	40	35	35	Yes
R2	33	27	27	40	35	35	Yes
R3	35	34	34	40	35	35	Yes
R4	32	31	31	40	35	35	Yes
R5	31	30	30	40	35	35	Yes
R6	31	31	31	40	35	35	Yes
R7	34	34	34	40	35	35	Yes
R8	32	31	31	40	35	35	Yes
R9	31	31	31	40	35	35	Yes
R10	29	27	27	40	35	35	Yes

The results in **Table 2** indicate that predicted noise levels at all nearby receivers comply with the project noise trigger levels (PNTL) at all times.

It should be noted that the noise levels in **Table 2** are predicted for "noise-enhancing" meteorological conditions such as during a temperature inversion. There will be significant periods of time where the prevailing weather conditions do not lead to noise-enhancement and the corresponding noise levels at nearby receivers will be significantly (3-4 dBA) lower than those presented in **Table 2**.

CONCLUSION

It is proposed to increase the BESS capacity of the Bilbul Solar Farm to 22 MWh by adding an additional four BESS units.

Updated noise modelling indicates that the operation of the Project will comply with the established PNTL at all nearby receivers.

We trust this advice satisfies your requirements. Please contact us if you have any further queries.

Yours faithfully
SOUNDIN

[redacted]

Nic Hall
Senior Engineer
Member, Australian Acoustical Society (MAAS)

SOUNDIN

Figure 2 Sensitive Receivers

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Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

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Level 4, 15 Bourke Road
Mascot NSW 2020
Australia

10 February 2026

Kerry Rourke
Relief Town Planner
Griffith City Council
1 Benerembah St, Griffith NSW 2680

Dear Kerry,

DA 228/2023 (2) RESPONSE TO PUBLIC SUBMISSION - PROPOSED SOLAR FARM (ELECTRICITY GENERATING WORKS) ON LAND AT 394 MACEDONE ROAD, BEELBANGERA NSW 2680 (LOT 363 DP 751743)

Wollemi Energy Group Pty Ltd (WEG), on behalf of Bilbul Renewable Energy Project Pty Ltd, appreciates the opportunity to respond to submissions received in relation to the modification application for the approved electricity generating works at 394 Macedone Road, Beelbangera NSW.

This response has been prepared to support the lodgement of the DA modification application following Council's preliminary review of PAN-610578, and specifically addresses Council's request (email dated 5 February 2026) to address the impacts of the additional Battery Energy Storage System (BESS) units on neighbouring properties, and respond to the matters raised in submissions as they relate to the proposed modification, with reference to Council's Assessment Report – Part G, Table 2 of the DA 228-2023 - PPSWES-210 - Council Assessment Report - Revised 28 June 2024.

Table 1 below summarises and responds to the relevant issues raised within submissions in the context of the modification. Where matters raised relate to the originally approved solar farm and are not affected by the proposed change, this is noted for completeness. Responses focus on relevant planning considerations and reference supporting technical material where applicable.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Project need in this location	Submitters referenced that whilst they are not opposed to renewable energy projects in general, they are concerned that the subject site is not an appropriate location for a solar farm and questioned the need for this particular project.	The proposed modification does not change the approved location, scale of generation, or land-use purpose of the development. The solar farm remains a sub-5 MW facility with an associated Battery Energy Storage System located in close proximity to the Beelbangera Zone Substation. See Appendix A - 10081-CIV-03-003.B_01.B.SITE LAYOUT AND DETAIL. The increase in BESS capacity from approximately 11 MWh to 22 MWh improves energy storage capability only and strengthens network reliability and dispatch flexibility without increasing generation output, land disturbance, or off-site impacts. The Distribution Network Service Provider (Essential Energy) has approved the increased BESS capacity, confirming the site's continued suitability for this purpose. See Appendix B - APPROVED CAS - [ECN-048685] Bilbul-Macedone Road Solar Farm and BESS - R05. Council's original assessment identified the site's proximity to electrical infrastructure and minimal environmental impact as key merits. These findings remain unchanged under the proposed modification.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Visual amenity impacts	Submitters are concerned that the proposed solar farm will adversely affect the visual amenity of the locality including scenic rural – In response to this matter, a detailed Landscaping Plan has been prepared which includes a species register and typical section of the buffer planting. They consider the proposed vegetation buffer planting to be insufficient.	The proposed increase in BESS capacity does not increase the visual envelope of the development beyond what was previously assessed. All additional BESS containers will be located within the existing approved development footprint and screened by the approved perimeter landscaping. The requested amendment to Condition 24 relates only to the timing of landscaping delivery (prior to Occupation Certificate rather than Construction Certificate) and does not alter the extent, width, species composition, or design height of the approved landscape buffer. This approach is consistent with screening outcomes used for similar renewable energy developments within the Griffith City Council area. Council's original assessment confirmed that a 5 m wide landscaped buffer with a mature height of approximately 3 m would adequately mitigate visual impacts. That outcome remains unchanged.
Property Values	Submitters are concerned that property values will be adversely impacted in the immediate area by the proposed solar farm.	The proposed modification does not introduce any new amenity impacts or justification of land use beyond those previously assessed. As previously determined by Council, property values are not a valid planning consideration. The modification does not alter this position.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Increased temperature	Submitters are concerned that the solar panels will increase the ambient air temperature of the surrounding area by up to 5% or three to four degrees which will impact surrounding farms, dwellings and gardens.	The proposed increase in BESS container numbers does not alter solar panel coverage, spacing, or operational characteristics that could influence local ambient temperatures. The modification does not change the thermal performance of the development, and grassed areas between panel rows will continue to be maintained. Council's original assessment concluded that the development would not result in measurable temperature increases, and that conclusion remains applicable.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Risk of battery fire	Submitters are concerned about the potential risk of fire or explosion of the battery storage units. There are concerns about potential risks to adjoining people and property as well as well as health risks from toxic smoke if a fire were to break out.	While the modification increases the number of BESS containers from four (4) to eight (8), all units will be of the same approved technology type and will be installed and operated under the same safety framework previously assessed, including applicable standards, layout/separation requirements within the compound, monitoring and alarm systems, and fire detection/suppression provisions. The BESS is a modular design, with each container operating as a self-contained unit with integrated detection and suppression. Importantly, the containerised system is designed with internal protections and physical separation such that, in the event of an incident within a single container, the risk of escalation and propagation to adjacent containers or other on-site equipment is mitigated through the unit's design features and site layout controls. The additional containers will be incorporated within the same engineered compound arrangement and emergency management framework. See Appendix C - Section 8 of the Sungrow ST2752UX system manual Council's original assessment determined the proposed fire safety approach to be adequate, and the same approach will apply to the additional BESS containers under this modification, with ongoing operational monitoring and response arrangements maintained for the facility.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Validity of land suitability report	The validity of the Land Suitability Report has been called into question by submitters who believe it is an opinion and not factually correct. Submitters believe the land is viable as an agricultural farm.	The proposed modification does not change the agricultural capability, soil characteristics, or land-use classification of the site. As previously assessed, the Land Suitability Report Addendum confirmed that the site's small size limits its long-term commercial agricultural viability. The addition of BESS containers within the approved footprint does not alter this conclusion. See Appendix D - Nutrien - Land Suitability Report January 2024.
Traffic impacts	Submitters are concerned that the construction of the project will generate excessive traffic movements for the local road network. There are concerns that B Double traffic movements will cause damages to unsealed roads. Submitters have questioned the validity of the findings of the traffic survey with nearby residents asserting that there are significantly more traffic movements along Macedone Road in any given day.	The increase in BESS capacity will result in a marginal increase (4 additional 19m Trucks) in one-off construction deliveries but does not materially change construction duration, peak traffic volumes, or vehicle types beyond those previously assessed. Operational traffic remains unchanged. All traffic impacts will continue to be managed through the approved Construction Traffic Management Plan, road condition surveys, and access upgrades, consistent with Council's original assessment and conditions of consent.
Construction and operational noise	Submitters expressed concern regarding construction noise from heavy vehicle movements and civil works and operational tonal noise from the inverter station and battery containers. Submitters indicate that closer sensitive receivers were missed from the acoustic assessment	The proposed modification does not introduce new noise-generating plant types or increase operational noise levels beyond those assessed in the amended Noise and Vibration Impact Assessment. Additional BESS containers will operate within the same acoustic envelope, and compliance with relevant noise criteria will continue to be achieved through the existing conditions of consent. Construction hours, respite periods, and noise management measures remain unchanged.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Issue	Issue Summary	Applicant's Response
Glint and glare	Submitters are concerned that the Glint and Glare Assessment is not an independent study as it was conducted by Atlas Renewables. Submitters are concerned about potential impacts to aviation traffic, especially crop spraying which is actively undertaken in the area. Submitters are also concerned about glare impacts to the dwelling house on the site.	The proposed modification does not alter panel orientation, reflective characteristics, or flight path interfaces. BESS containers do not generate glint or glare. Accordingly, the increase in storage capacity does not change the conclusions of the original Glint and Glare Assessment, which Council accepted as sufficient and conditioned accordingly.
Dust	Submitters are concerned about dust impacts to human health as a result of increased construction traffic along Macedone Road	The proposed modification does not increase the overall construction footprint or duration in a manner that would materially increase dust generation. Dust impacts will continue to be managed through the Construction Management Plan, including watering, vehicle management, and surface stabilisation, consistent with Council's original assessment.

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Issue	Issue Summary	Applicant's Response
Stormwater and soil erosion impacts from runoff	Submitters are concerned about water reaching the battery storage units and are also concerned about soil erosion caused by concentrated solar panel stormwater runoff.	The increase in BESS containers will occur within the existing approved compound and will not alter site levels, drainage patterns, or stormwater flow paths. Stormwater and erosion risks will continue to be managed through the same framework as the approved development, including implementation of erosion and sediment controls during construction under the CEMP. A stormwater drainage design will be prepared and submitted to Council in accordance with Development Consent Condition 21 prior to the issue of the Construction Certificate. The proposed modification does not impact the stormwater management requirements of the site. The amendment to landscaping timing does not affect stormwater outcomes, as erosion and sediment controls will remain in place throughout construction, with landscaping implemented prior to Occupation Certificate to support long-term stabilisation. Council's original assessment that stormwater and erosion impacts can be adequately managed remains valid.

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We trust that the information provided in the response table and attached to this letter adequately addresses the relevant planning matters raised and allows Griffith Council to proceed with its assessment of the application.

Yours sincerely

[redacted]

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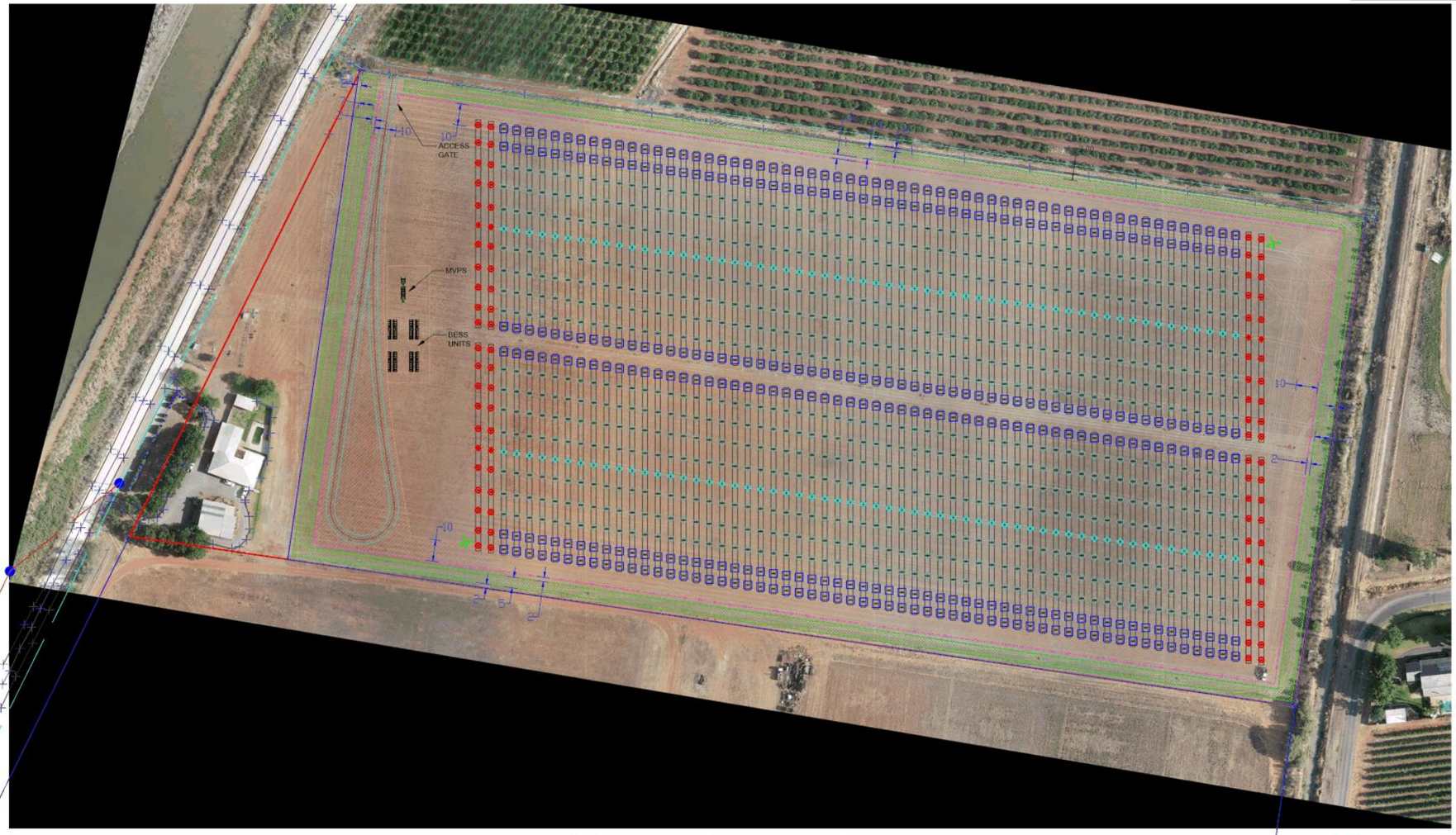
Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Appendix A - 10081-CIV-03-003.B_01.B.SITE LAYOUT AND DETAIL

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

PROJECT SPECIFICATIONS		
INSTALLED AC CAPACITY	4.95	MWac
TARGET DC CAPACITY AT STC	6.573	MWdc
DC/AC RATIO	1.328	
INVERTER CAPACITY	2475	kW
INVERTER QUANTITY	2	
INVERTER MAKE	SUNGROW	
INVERTER MODEL	SG2475HV	
MODULE MAKE	TCL SOLAR	
MODULE MODEL	HSM-BD72-GC	
MODULE POWER	645	Wp
MODULE QUANTITY	10190	
MODULES PER STRING	26	
PV TRACKERS MAKE	NEXTRACKER	
PV TRACKERS MODEL	NX HORIZON	
BESS BATTERY MODEL	ST2752UX	
BESS UNIT NOMINAL CAPACITY	22.016	MWh
TOTAL NUMBER OF BESS UNITS	8	



LEGEND

- ROAD RESERVED AREA
- ACCESS AND INTERNAL ROAD
- VEGETATION
- EXCLUSION ZONE
- ESSENTIAL ENERGY 11kV O/H LINE
- CHAIN WIRE MESH INTERNAL FENCE
- SITE BOUNDARY

NOTES:
1. ALL DIMENSIONS ON THIS DRAWING ARE IN METRES UNLESS OTHERWISE STATED.
2. DO NOT SCALE FROM THIS DRAWING FOR CONSTRUCTION.
3. ACTUAL DIMENSIONS AND CLEARANCES MAY VARY SUBJECT TO SITE CONDITIONS.
4. DIMENSIONS OF ELECTRICAL EQUIPMENT ARE INDICATIVE ONLY. ACTUAL DIMENSIONS TO BE CONFIRMED.
5. THE LAND BOUNDARY IS CONFIRMED BY SURVEYOR.
6. THE INVERTER AND BATTERIES WOULD BE INSTALLED ON A HIGHER LEVEL OF FOOTING. FOOTING TYPE AND FINISH LEVEL TO BE APPROVED BY CUSTOMER / DA REQUIREMENT.
7. LOCATION OF ESSENTIAL ENERGY 11kV OVERHEAD LINE AND SYSTEM CONNECTION POINT TO BE CONFIRMED.
8. ACTUAL POSITION OF EXISTING/NEW ESSENTIAL ENERGY 11kV POLE IS SUBJECT TO THE ACTUAL MEASUREMENT ON SITE. PROJECT CONNECTION TO ESSENTIAL ENERGY 11kV NETWORK ASSUMED TO BE VIA 11kV OVERHEAD LINE AND ONE NEW POLE. FINAL CONNECTION ARRANGEMENT TO BE ADVISED BY ESSENTIAL ENERGY.
9. SITE STORAGE AND AMENITY FACILITIES TO BE ON SITE ONLY DURING CONSTRUCTION PHASE. NO PERMANENT BUILDINGS TO BE KEPT ON SITE AFTER CONSTRUCTION COMPLETED.
10. THE LANDSCAPING BUFFER IS INDICATIVE AND SHALL ONLY BE PLANTED ALONG THE FENCE WHERE THERE IS NO NATIVE VEGETATION. POSITIONS AND WIDTH SHALL BE FIVE METERS AND CONSISTENT WITH LANDSCAPING PLAN.
11. NATURAL SURFACE IS USED FOR THE INTERNAL ROADS AND PARKING AREAS.

REV.	DATE	DRAWN	CHECKED	APPROVED	DESCRIPTION
B	27/01/2026	M.T	P.C	R.S	EXCLUSION ZONE UPDATED, TRACKERS ADDED
A	12/01/2026	M.T	P.C	R.S	FOR REVIEW

PROJECT: BILLBUL SOLAR FARM

FOR REVIEW

THE REPRODUCTION, DISTRIBUTION OR UTILISATION OF THIS DOCUMENT AS WELL AS THE COMMUNICATION OF ITS CONTENTS TO OTHERS WITHOUT EXPLICIT CONSENT FROM MPOWER PROJECTS PTY LIMITED IS PROHIBITED.

	NAME	DATE
APPROVED BY	RYAN SCOTT	12/01/2026
REVIEWED BY	PARNESH CHAND	12/01/2026
DRAWN BY	MAANI TAGHIZADEH	12/01/2026

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TITLE: SITE LAYOUT AND DETAIL

ALTERNATE DRAWING NUMBER:

DRAWING NUMBER: 10081-CIV-03-003

A1

SCALE: 1:1000 | WEIGHT: N/A | SHEET 1 OF 1 | REVISION: B

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Appendix B - APPROVED CAS - [ECN-048685] Bilbul-Macedone Road Solar Farm and BESS - R05

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

CAS Revision Record

Revision	Date	Description
01	16/01/2024	First issue
02	12/11/2024	Minor corrections and update commissioning date
03	25/02/2025	Update PPC to EMS3000 and update storage units to 4 x 2.75MWh [SUNGROW ST2725UX]
04	05/03/2025	Updated BESS capacity to 11MWh
05	15/01/2026	Updated BESS capacity to 22MWh

Connection Information

Project Name	ECN-048685 - 394 Macedone Solar Farm & BESS Atlas Renewables Pty Ltd
Plant Type	Solar Farm + DC Coupled BESS (non-scheduled plant)
Target Markets	NEM, FCAS
Point of Connection (POC)	The PCC is pole 9606671, connected to the BEE1346 11kV feeder supplied from the Beelbangera 33/11kV Zone Substation. The POC is the first pole immediately inside the proposed solar farm and is connected to the PCC via approximately 180 m Neon from pole 9606671
Application Date	28/11/2023
Commissioning Date	09/09/2026
CAS approval date	15/01/2026

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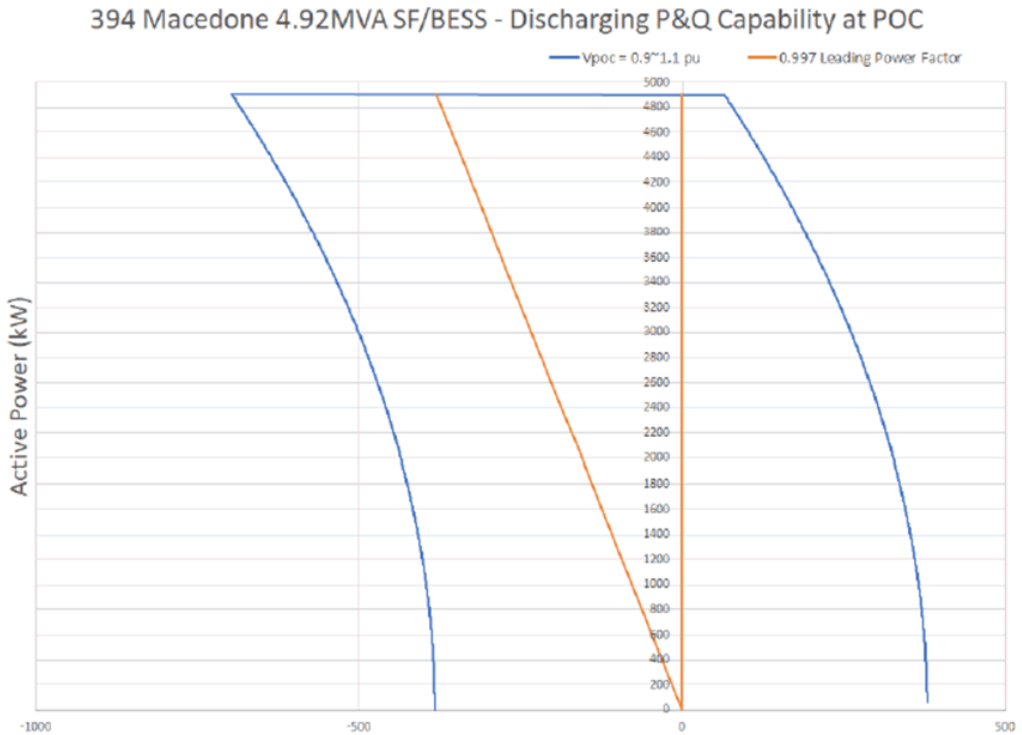
Connection Access Standard (CAS)

Category	Detailed description and access standards
Generating system data	Total generating units = 2 x 2.475MVA [SUNGROW] [SG2475HV] inverters Generating units firmware version and date = SG2475HV-30_V1_A dated 12/05/2021 BESS Capacity: 22MWh Total storage units: 8 x 2.752 MWh [SUNGROW ST2725UX] BESS Total primary plant controller units = 1 x [SUNGROW] [EMS3000] PPC Standby primary plant controller units = N/A Primary plant controller firmware version and date = N/A Units parameters sheet version and date = Macedone Road SF Inverter and PPC Parameters Rv1 dated 12/09/2024 Available firmware updates are to be implemented when the update removes an adverse impact caused by the generating system of improves the performance of the generating system (subject to approval from Essential Energy). Any change in the parameters must be recorded in the parameters sheet and endorsed by Essential Energy prior to implementation onsite.
	Plant rating = 4.95MVA Pmax = 4.908MW Export at a power factor of -0.997 (absorbing VARs). Pmin = 0MW (Zero import from the grid)
Ramp rates (ONLY NEM) (NOT FCAS, VDS, SS)	Maximum ramp up rate = 0.9816MW/min Minimum ramp down rate = 0.9816MW/min The ramp rates apply to plant start-up and shutdown (forced/unforced) Also, the ramp rates apply to all pricing targets including negative pricing. The ramp rates does NOT apply to a change in the energy source such as low wind speed or cloudy conditions.
Transformer data	LV transformers rating = 1 x 4.95MVA 11/0.55/0.55kV Dy11y11 TX. LV transformers tap changer = N/A LV transformer earthing system = no Tx Earthing

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Category	Detailed description and access standards
Reactive Power Capability and Control (only for 25 degrees)	While operating at any level of active power output and at any voltage at the connection point within the limits of ±10% of its normal voltage, the generating system is capable of supplying or absorbing reactive power in accordance with following reactive power capability diagram(s): 

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Category	Detailed description and access standards
	No filter, capacitor bank or reactor are proposed for the generating system. The generator will be monitoring the PQ compliance via the power quality metering and advise EE of any non-compliance along with proposed rectification and timeframes if this occurs. The generating system will have a control system to switch in/out the capacitor banks to minimisation any overvoltage at the PoC when the Q control loop is disabled.
	The generating system has a power factor control system that regulates power factor at the POC to within a power factor equivalent to 2% of the rating (in MVA) of the generating system (expressed in MVAr). The generating system will be using a power factor control loop to determine the reactive power output of the plant in system normal (when FRT mode is not activated). The PF setpoint is 0.997 leading (absorbing). Essential Energy can request the generating system to change the selected voltage control strategy and the setpoint within the plant reactive power capability. The reactive power at the connection point is maintained between 0.381MVAr import and 0MVAr export.
	The generating system will be operating with the Q priority control strategy.
	The generating system, while connected to Essential Energy network will follow the main operating mode voltage control strategy within following reactive power capability diagram(s): This Q capability curve includes the impact of the Q losses within the generating system, Q losses on the HV transformer, all filters and all capacitor banks.
	The generating system has plant capabilities and control systems sufficient to ensure that operation of the generating system does not cause instability (including hunting of tap-changing transformer control systems) that would adversely impact other network users.
Active and reactive power control system operational data	Inverter starts injecting active power when DC line voltage $\geqslant$ 840V. Inverter will shut down when DC line voltage falls below 800V. For any case that the P control loop is disabled, the generating system must follow start-up procedure. All control systems and generating units must be re-started to avoid hysteresis in the control system operation.

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Category	Detailed description and access standards
	The Q control loop is enabled when the active power at inverter terminal ⩾ 5kW. The Q control loop is enabled when the active power at inverter terminal ⩾5kW. The Q control loop is disabled when the active power at inverter terminal falls below 5kW. This transition needs to be smooth to avoid any negative impacts on the network. When the active power at inverter terminal falls below 5kW, the inverter will automatically switch into "Q on Demand". This transition needs to be smooth to avoid any negative impacts on the network. Maximum ramp up rate for start-up from 0MVAr = 20kVAr/second Minimum ramp down rate for enforced shut downs = 20kVAr/second For any case that the Q control loop is disabled, the generating system must follow the start-up procedure. All control systems and generating units must be re-started to avoid hysteresis in the control system operation.
Communication fail-safe mechanism data	In the event of a communication system loss between PPC and PQM and/or between the PPC and the generator units, the communication loss will be detected within 1000ms, the plant operator will be notified and acknowledge the notification, the control system will maintain the pre-fault set-points, and if the communication loss occurs twice within one hour or once for longer than 60 seconds, a runback to 0MW will be triggered. If the runback is triggered, the plant will reach 0MW even if the communication is restored. The generating system will not start-up until the cause of the communication system failure is detected and rectified. For any case that the generating system is ramping up from 0MW, the generating system will follow start-up procedure. All control systems and generating units will be re-started to avoid hysteresis in the control system operation.
	Wrong data from PPC and PQM will be detected within 1000ms, plant operator will be notified and acknowledge the notification, the control system will maintain the pre-fault set-points, and if the wrong data notification flag occurs twice within one hour or once for longer than 60 seconds, a runback to 0MW will be triggered. If the runback is triggered, the plant will reach 0MW even if the wrong data flag is cleared. The generating system will not start-up until the cause of the data failure is detected and rectified. For any case that the generating system is ramping up from 0MW, the generating system will follow start-up procedure. All control systems and generating units will be re-started to avoid hysteresis in the control system operation.
	PPC failure will be detected within 1000ms, plant operator will be notified and acknowledge the notification, the control system will maintain the pre-fault set-points, and if the PPC is not restored within 60 seconds, a runback to 0MW will be triggered. If the runback is triggered, the plant will reach 0MW even if the PPC is restored. The generating system will not start-up until the cause of the PPC failure is detected and rectified. For any case that the generating system is ramping up from 0MW, the generating system will follow start-up procedure. All control systems and generating units must be re-started to avoid hysteresis in the control system operation.

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Category	Detailed description and access standards
Frequency control system data	The generating system's power transfer to the power system will not: (i) increase in response to a rise in the frequency of the power system as measured at the connection point; or (ii) decrease in response to a fall in the frequency of the power system as measured at the connection point;
Distribution System Operator (DSO) Requirements (not compulsory)	Subject to energy source availability, the generating system has an active power control system that is adequately damped and capable of: (i) automatically reducing or increasing its active power output within 5 minutes at a constant rate, to or below the level specified in an instruction electronically issued by a control centre; (ii) automatically limiting its active power output, to or below the level specified in subparagraph (i); (iii) not changing its active power output within 5 minutes by more than the raise and lower amounts specified in an instruction electronically issued by a control centre; (iv) ramping its active power output linearly from one level of dispatch to another; and (v) receiving and automatically responding to signals delivered from the automatic generation control system, as updated at a rate of once every 5 seconds.

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Category	Detailed description and access standards
Power Quality Requirements	At all times, the generating system does not produce harmonic voltage distortion greater than the following limits at any of its connection points for generation.

	Voltage Limit (%V)					Voltage Limit (%V)			
h	132kV	66kV	33kV	≤ 22kV	h	132kV	66kV	33kV	≤ 22kV
1	-	-	-	-	21	0.11	0.13	0.13	0.17
2	0.86	1.01	1.05	1.38	22	0.16	0.17	0.18	0.23
3	1.50	1.99	2.12	3.20	23	0.59	0.65	0.66	0.88
4	0.45	0.53	0.55	0.72	24	0.15	0.17	0.17	0.23
5	1.50	2.15	2.33	3.84	25	0.53	0.58	0.59	0.79
6	0.23	0.26	0.27	0.36	26	0.15	0.17	0.17	0.22
7	1.50	1.94	2.07	3.14	27	0.09	0.10	0.10	0.14
8	0.23	0.26	0.27	0.35	28	0.14	0.16	0.16	0.21
9	0.61	0.70	0.73	0.95	29	0.44	0.48	0.49	0.65
10	0.22	0.25	0.26	0.35	30	0.14	0.16	0.16	0.21
11	1.13	1.41	1.49	2.23	31	0.41	0.44	0.44	0.59
12	0.20	0.23	0.23	0.31	32	0.14	0.15	0.15	0.20
13	1.13	1.31	1.37	1.90	33	0.09	0.10	0.10	0.13
14	0.19	0.21	0.22	0.29	34	0.14	0.15	0.15	0.20
15	0.16	0.18	0.18	0.24	35	0.35	0.37	0.38	0.50
16	0.17	0.20	0.20	0.27	36	0.14	0.14	0.14	0.20
17	0.83	0.93	0.96	1.27	37	0.32	0.34	0.35	0.46
18	0.17	0.19	0.20	0.26	38	0.14	0.14	0.14	0.19
19	0.74	0.82	0.84	1.11	39	0.09	0.09	0.10	0.13
20	0.17	0.18	0.19	0.25	40	0.14	0.14	0.14	0.19

At all times, the generating system does not produce total voltage harmonic distortion (VTHD) greater than the following limits at any of its connection points for generation.

Voltage level	132kV	66kV	33kV	≤ 22kV
VTHD (%V)	2.25	3.08	3.30	4.95

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<table>
<tr><th>Category</th><th>Detailed description and access standards</th></tr>
<tr><td></td><td>
At all times, the generating system does not produce voltage fluctuations greater than the following limits at any of its connection points for generation.
<table>
<tr><th>Voltage level</th><th>11kV, 22kV & 33kV</th><th>66kV & 132kV</th></tr>
<tr><td>Pst</td><td>0.9</td><td>0.8</td></tr>
<tr><td>Plt</td><td>0.7</td><td>0.6</td></tr>
</table>
At all times, the generating system does not produce rapid voltage changes greater than the following limits at any of its connection points for generation.
<table>
<tr><th rowspan="2">Number of rapid voltage changes</th><th colspan="2">ΔV/Vn %</th></tr>
<tr><th>11kV, 22kV & 33kV</th><th>66kV & 132kV</th></tr>
<tr><td>n ≤ 4 per day</td><td>5</td><td>4</td></tr>
<tr><td>n ≤ 2 per hour and > 4 per day</td><td>4</td><td>3</td></tr>
<tr><td>2 < n ≤ 10 per hour</td><td>3</td><td>2.5</td></tr>
</table>
At all times, the generating system does not produce voltage unbalance emission (E_{ui}) greater than the following limits at any of its connection points for generation.
<table>
<tr><th>Voltage level</th><th>11, 22 & 33kV</th><th>66 & 132kV</th><th>above 132kV</th></tr>
<tr><td>Planning level E_{ui} (%)</td><td>1.8</td><td>1.4</td><td>0.8</td></tr>
</table>
The generating system and each of its operating generating units and reactive plant, will not disconnect from the power system for voltage fluctuation, harmonic voltage distortion and voltage unbalance at the connection point within the levels specified:
(i) For voltage fluctuations at the connection point, in the "compatibility levels" set out in Table 1 of AS/NZS 61000.3.7:2001.
(ii) For harmonic voltage distortion at the connection point, in the “compatibility levels” defined in Table 1 of AS/NZS 61000.3.6:2001.
(iii) a negative sequence voltage at the connection point, in Table S5.1a.1 of the NER.
</td></tr>
</table>

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

<table>
<tr><th>Category</th><th>Detailed description and access standards</th></tr>
<tr><td rowspan="3">Fault Ride Through (FRT) Capability</td><td>The generating system and each of its generating units is capable of continuous uninterrupted operation where a power system disturbance causes the voltage at the connection point to vary within the following ranges:
<table>
<tr><th>Voltage range (% of the normal voltage)</th><th>Duration</th></tr>
<tr><td>Over 110%</td><td>As per NER S5.1a.4</td></tr>
<tr><td>85% to 110%</td><td>continuous</td></tr>
<tr><td>0% to 85%</td><td>2 seconds</td></tr>
</table></td></tr>
<tr><td>Unless the rate of change of frequency is outside the range of -4Hz to 4Hz per second for more than 0.25 second, -3Hz to 3Hz per second for more than one second, the generating system and each of its generating units is capable of continuous uninterrupted operation for frequencies in the following ranges:
<table>
<tr><th>Frequency range (Hz)</th><th>Duration</th></tr>
<tr><td>47 to 49</td><td>2 minutes</td></tr>
<tr><td>49 to 49.5</td><td>10 minutes(1)</td></tr>
<tr><td>49.5 to 50.5</td><td>continuous</td></tr>
<tr><td>50.5 to 51</td><td>10 minutes(1)</td></tr>
<tr><td>51 to 52</td><td>2 minutes</td></tr>
</table>
(1)10 minutes including any time in the range 47-49Hz or 51-52Hz.</td></tr>
<tr><td>The generating system and each of its generating units remains in continuous uninterrupted operation for a disturbance caused by an event that is:
(i) A credible contingency event other than a fault in the distribution network;
(ii) A three phase fault in a transmission system cleared by all relevant primary protection systems;
(iii) A two phase to ground, phase to phase or phase to ground fault in the transmission system cleared in the longest time expected to be taken for a relevant breaker fail protection system to clear the fault; or
(iv) a three phase, two phase to ground, phase to phase or phase to phase to ground fault in the distribution system cleared in the longest time expected to be taken for all relevant breaker fail protection systems to clear the fault; provided that the event is not one that would disconnect the generating unit from the power system by removing network elements from service.</td></tr>
</table>

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Category	Detailed description and access standards
Fault Current	The generating system limits its contribution to the fault current at the connection point to: (i) three phase fault current, 0.258 kA; (ii) phase to phase fault current, 0.218kA; (iii) single phase to ground fault current, 0 kA. for 30 ms. The generating system injects positive phase sequence current only during fault conditions.
	The generating system's connected plant is capable of withstanding fault current through the connection point up to: (i) three phase fault current 20 kA; (ii) single phase to ground fault current 20kA; (iii) phase to phase to ground fault current 20kA, for 1000ms. The circuit breaker provided to isolate the generating system from the network is capable of breaking, without damage or restrike, the maximum fault current of 20 kA expected to flow through the circuit breaker for any fault in the network or in the generating system
Special Protection System (SPS) Requirements	A passive anti-islanding protection scheme will be implemented to trip the plant within 4s. During the operation of this scheme, the "Schedule 5.1a System standards" of the NER needs to be met. In case of the anti-islanding system operation, the generating system must follow start-up procedure. All control systems and generating units must be re-started to avoid hysteresis in the control system operation
Operational Requirements	The generating system must seek approval from Essential Energy control room before restarting generation if the plant was shut down due to an internal asset failure leading to service and maintenance, communication system failure, wrong data detection, PPC failure, islanding, and, planed or unplanned outages.

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Category	Detailed description and access standards
	The following network configurations have been assessed as satisfactory operating states with the generation at full output: • System Normal The generating system accepts the risk of curtailment when its operations negatively impact the operation of the local and wide area network. The generating system accepts the risk of curtailment based on local constraints. The generation output of the generating system may be constrained to 0MW when reasonably required by Essential Energy to ensure the network is maintained in a safe, reliable, and operable state, for example, during energisation, during commissioning and for planned or unplanned events and outages. The generating system must seek approval from Essential Energy control room before restarting generation if the plant was shut down due to an internal asset failure leading to service and maintenance, communication system failure, wrong data detection, PPC failure, islanding and planned or unplanned outages.
Augmentation	The following augmentation to the Essential Energy network is required for the connection prior to the commissioning of the generating system. All Contestable and Non-Contestable works are to be funded by the proponent. • A new recloser shall be installed the connection point at per CEOM7114.01 • The protection settings of the new POC Recloser are installed as per revision 3 of the protection report
Commissioning requirement	The commissioning plan and schedule must be approved by Essential Energy prior to the commissioning of the generating system. After the completion of all commissioning tasks, the commissioning report must be approved by Essential Energy. The generating system may be constrained to 0MW (when reasonably required by Essential Energy) while the commissioning report is being assessed by Essential Energy.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Appendix C - Section 8 of the Sungrow ST2752UX system manual

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

8 Fire Suppression

8.1 General Rules

Please comply with the fire laws and regulations of the country/region where the project is located.

Perform regular inspection and maintenance on the fire suppression system regularly to ensure it can function properly.

8.2 Fire Suppression Equipment

The BESS has a water fire suppression system and aerosol fire suppression system that can effectively extinguish the fire. It is equipped with combustible gas detectors, smoke detectors, and temperature detectors. If any abnormality is detected, the system will send an alarm to the background BSC through the output signal of the relay base.

NOTICE
To ensure the detection accuracy of the combustible gas detectors, perform a bump test at least twice a year. If the detector fails the bump test, check and if necessary, calibrate the detector.

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

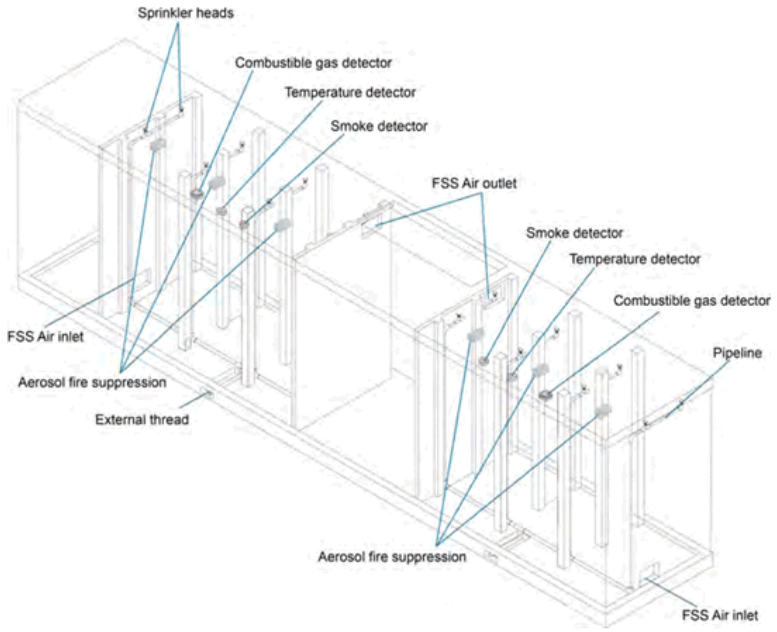

figure 8-1 Schematic diagram of fire suppression equipment

8.3 Exhaust System

When the concentration of combustible gas in the current protection zone reaches the alarm value, the detection system will act, and the BSC will receive the alarm signal and output a control signal to the air exchange system, start the intake fan and exhaust fan, and perform forced exhaust.

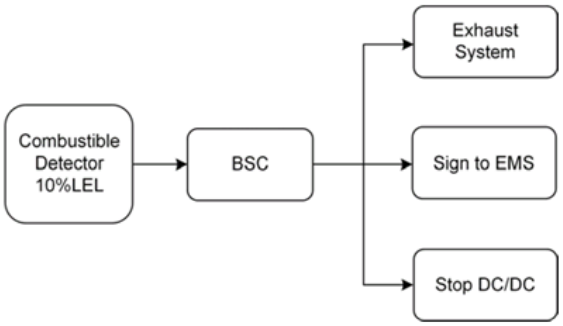

figure 8-2 Control logic of exhaust system

* The image shown here is for reference only. The actual product received may differ.

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8.4 Water-based Fire Suppression System

BESS is equipped with sprinkler prefabricated pipe, with which the water system can start automatically or be started manually. If an automatic sprinkler water-based fire suppression system is required, subsequent construction is necessary. Water supply pipes and equipment outside the BESS need to be connected to the BESS sprinkler connections, please decide according to the actual project.

The sprinkler system adopts upright nozzles to ensure that the water can be sprayed to all areas in the cabinet.

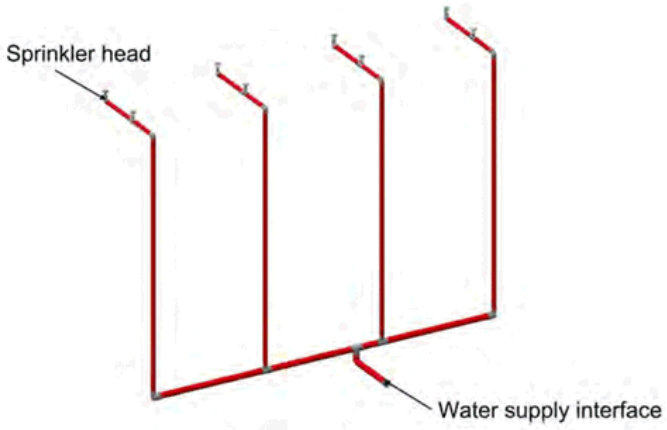


figure 8-3 Piping of water-based fire suppression system

* The image shown here is for reference only. The actual product received may differ.

8.5 Aerosol Fire Suppression System

The BESS is equipped with a aerosol fire suppression system. Aerosol generators are automatic units which are thermally activated. The aerosol fire suppression system is automatically activated when the temperature inside the container is ≥ 95°C.

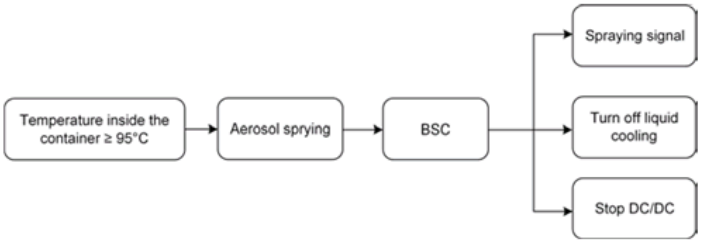


figure 8-4 Control logic of aerosol fire suppression system

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Appendix D - Nutrien - Land Suitability Report January 2024

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Nutrien Ag Solutions

31st January 2024

Mr Paul Watson
General Manager, Atlas Renewables
Suite 1, 68-72 Railway Parade
Burwood NSW 2134

RE: Agricultural land use Report for 394 Macedone Road, Bilbul NSW 2680

Dear Paul,

We have inspected the site located at 394 Macedone Road, Bilbul NSW 2680 and compiled the below summary of the viability of certain land uses for the site.

The agricultural value of this site is purely the land size and the water/if any attached to this land. Such smaller holdings are highly sought after for hobby farms or acreage dwelling.

The Agricultural activities that may be undertaken on this site would include permanent plantings (grapes, citrus, nuts) or annual cropping (summer or winter crops) or livestock production.

The constraints to the site for agricultural production are high. With the main factor being the size of the site for agricultural production. It would not be commercially viable or sustainable for the land to be used solely for production of agricultural goods. It is also noted that the site has not been farmed for several years.

The property is also bounded by a number of small-scale vineyards which would impede the sites ability to grow certain crops due to the close proximity to neighbours (Spray Drift).

The site once developed would have the ability to adapt to Agri Solar farming practices, namely grazing of small carcase animals (goats / Sheep).

Please contact me should you have any further questions.

Regards,

Troy Millard
Troy.millard@nutrien.com.au
0407 238 249

Nutrien Ag Solutions Limited ABN 73 008 743 217
Level 10, 737 Bourke St, Docklands, VIC 3008, Australia

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Subject Property - 394 Macedone Road, Bilbul NSW (Aerial Site Diagram)

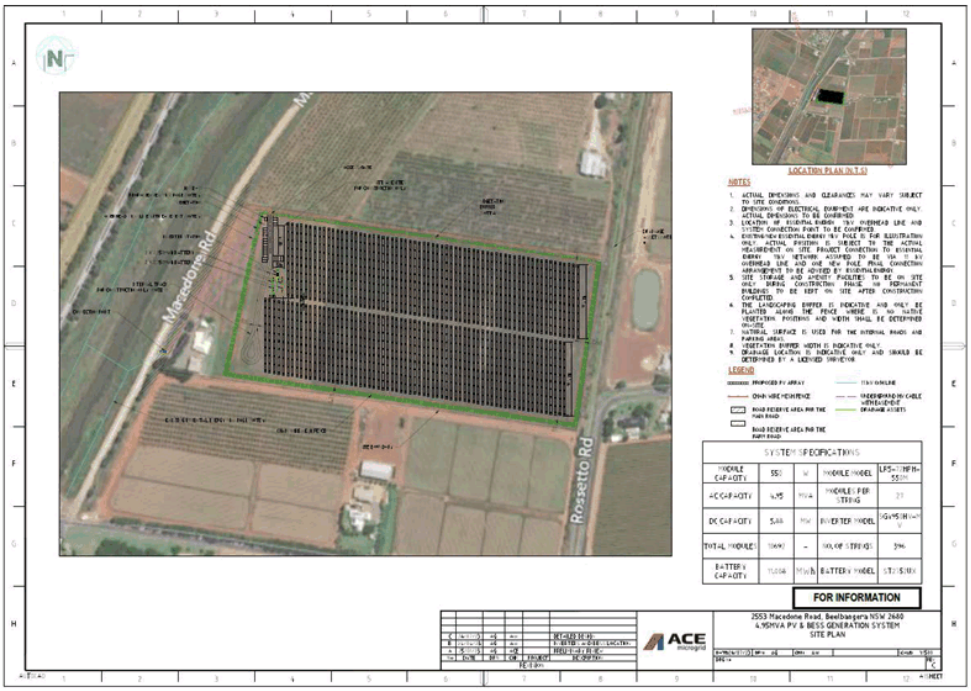
* Source - SixMaps NSW Government

Nutrien Ag Solutions Limited ABN 73 008 743 217
Level 10, 737 Bourke St, Docklands, VIC 3008, Australia

Docusign Envelope ID: CA38B74C-D1F6-4927-9EFE-F94196A3D749

Nutrien Ag Solutions®

Proposed Solar Farm and Battery Storage Site Layout - 394 Macedone Road, Bilbul NSW



Mark and Shiron Kirkman
392 Rossetto Road
Bilbul NSW 2680
PO Box 1427 Griffith
[redacted]

24 February 2026

Carel Potgieter
Planning & Environmental Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

By email: admin@griffith.nsw.gov.au

Development Application No. 228/2023 (4)
Proposed Modification - Additional Four (4) Battery Storage Units
Lot 363 DP 751743
394 Macedone Road, Bilbul

Dear Carel

RE: FORMAL OBJECTION Development Application No. 228/2023 (4)

We are the owners and occupiers of 392 Rossetto Road, Bilbul, being land immediately adjoining the above development site. Our dwelling is situated within metres of the development boundary.

We previously lodged a formal objection to DA 228/2023 (1). Notwithstanding those objections, consent was granted. We now lodge this formal objection to the proposed modification (4), which seeks approval for an additional four (4) Battery Energy Storage System (BESS) units.

1. The Modification is Not Minor - s 4.55 EP&A Act

The proposed addition of four further battery storage units effectively doubles the approved BESS capacity. That is a material intensification of the development.

The modification:

- Increases operational noise sources;
- Increases fire load and hazard classification;
- Increases hazardous materials stored on site;
- Increases cumulative environmental risk;
- Alters the scale and industrial character of the approved development.

This cannot properly be characterised as a minor or substantially the same development. The precedents have repeatedly held that intensification of environmental impact is relevant to whether a modification remains substantially the same development.

Council must undertake a full merit assessment having regard to s 4.15 of the EP&A Act. Any attempt to treat this as an administrative or low-impact amendment would be unreasonable.

2. Proximity

Our property boundary runs directly along the development boundary. This proximity is extraordinary for a utility-scale lithium battery installation.

At this distance:

- Noise impacts are direct and unavoidable;
- Thermal runaway consequences are not theoretical;
- Toxic plume exposure risk is immediate;
- Property evacuation time would be minimal.

The original consent was already concerning at this proximity. Doubling battery capacity compounds that concern. The description of surrounding dwellings as “isolated rural receivers” in earlier documentation is inaccurate, as previously raised

This locality is approximately 7 km from the Griffith CBD and less than 1 km from Collina residential areas. **It is not remote.**

3. Noise Impacts - Tonal, Continuous, and Cumulative

Large-scale BESS facilities generate:

- Continuous cooling fan noise;
- Inverter hum;
- Tonal components;
- Low-frequency noise.

Tonal noise attracts penalties under NSW EPA guidelines due to its intrusive character. Doubling the number of battery units necessarily increases cumulative acoustic output.

At the very minimum, an updated independent acoustic assessment, measurements conducted at the existing DA site dwelling and the neighbouring property boundary, night-time and early morning modelling, and tonal penalty application should be conducted.

Approval without updated acoustic modelling would fail to properly consider amenity impacts under s 4.15(1)(b) EP&A Act.

4. Fire Risk and Hazard Intensification

Lithium-ion BESS facilities present unique and documented fire risks, including:

- Thermal runaway;
- Explosion risk;

2

- Release of hydrogen fluoride and other toxic gases;
- Prolonged burn duration;
- Re-ignition risk.
- Battery fires internationally and interstate have required multi-day emergency responses.

Doubling battery capacity materially increases:

- Total energy storage;
- Fire load;
- Potential plume toxicity;
- Duration of burn;
- Evacuation radius.

The amendment consideration should trigger:

- A site-specific Fire Safety Study;
- NSW Rural Fire Service written advice;
- An Emergency Management and Evacuation Plan;
- Disclosure of separation distances and compliance with relevant Australian Standards;
- Independent peer review of the BESS hazard analysis.

5. Change of Proponent - Atlas to MPower Entity

The original application was by Atlas Renewables Pty Ltd. The current applicant is Bilbul Renewable Energy Pty Ltd, associated with MPower.

We ask if Council has confirmed:

- The legal mechanism transferring consent obligations;
- That all conditions bind the current entity;
- Financial capacity for decommissioning;
- Financial capacity for remediation following fire or contamination;
- Public liability arrangements.

Battery infrastructure has a finite operational life. Decommissioning costs are substantial. Security for rehabilitation must be transparent.

We formally request written confirmation of the enforceability of all consent conditions against the new proponent.

6. Agricultural and Land Use Conflict – RU1 Primary Production

The land and surrounding properties are zoned RU1 Primary Production. Concerns include:

The addition of further BESS infrastructure intensifies land-use conflicts within an agricultural corridor. Council must consider whether this scale of industrial energy storage is compatible with the objectives of the RU1 zone. This would consider heat island effects, stormwater concentration and altered filtration, soil contamination risk, spray drift conflict and most importantly, **microclimate alteration affecting surrounding vines, prunes, and lucerne**.

7. Property Value and Economic Loss

While property value impact is not determinative, planning law recognises that a significant adverse amenity impact may materially affect value.

Industrial-scale battery storage within 100 metres of a dwelling is a highly material planning consideration.

8. Cumulative and Precedent Impact

The expansion suggests staged intensification. Council must assess cumulative impacts and precedent implications within the LGA, particularly in light of regional growth planning.

We draw Council's attention to its adopted **Solar Energy Farms and BESS Policy SD-CP-202**, which provides:

- Sites located less than 1 km from residentially zoned land (R1, R5 or RU5) should be avoided (Section 5, Site Selection).
- BESS should be located 500 metres from any dwelling not associated with the development or residential zoned land (Section 7 Development Controls).
- Proposals must minimise impacts on residential and farming operations and address cumulative impact.

The proposal amendment therefore raises serious consistency concerns with Council's own adopted policy settings, particularly regarding separation distances, hazard risk and residential amenity.

9. Vegetation and Fencing
The originally approved landscaping and vegetative buffering were not aesthetic considerations; they were essential mitigation measures intended to protect adjoining landowners from visual intrusion, noise transmission, dust movement, heat reflection and general industrial impact.

In a rural primary production setting, vegetation buffers perform a critical protective function by softening built form, assisting with acoustic attenuation, reducing glare, stabilising soils and maintaining a transitional character between industrial infrastructure and working agricultural land. Any intensification of the development through additional BESS units increases the importance of those buffers.

We ask that Council ensure that landscaping is not diminished, deferred or treated as incidental. We request confirmation that the approved landscaping plan will be maintained in full and subject to enforceable establishment and maintenance conditions. Without effective and mature vegetation screening, the development's impacts on neighbouring properties, including ours, will be materially greater than assessed.

Finally, this process has been deeply disappointing not only for our family but also for the community and neighbouring landowners directly affected, all hardworking, long-standing members of the community who live and work on their properties. We invested in our homes and land in good faith, trusting that planning safeguards would protect residential and primary production areas so close to the Griffith CBD and residential areas.

The approval of large-scale solar and battery infrastructure at this proximity, followed by the later introduction of clearer separation guidance in SD-CP-202, has left residents feeling exposed and inadequately protected. We respectfully urge Council to prioritise community wellbeing above all, alongside renewable energy objectives.

Yours sincerely

[redacted]

Shiron and Mark Kirkman

[redacted]

5

Objection to DA No. 228/2023 (4) proposed development on Lot 363 DP 751743 Macedone Road Bilbul - Applicant – Bilbul Renewable Energy Pty Ltd

25 February 2026

We are the owners and occupiers and reside at 138 Bilbul Road, Bilbul. Our Dwelling is approximately 400 meters from proposed site and our boundary approximately 200 meters.

We previously lodged a formal objection to DA 228/2023 (1). Notwithstanding those objections, consent was granted. We are strongly opposed and now lodge this formal objection to the proposed modification (4), which seeks approval for an additional four (4) Battery Energy Storage System (BESS) units on the subject land. Below outlines the reasons for our objection and the impact this proposed modification will have.

1.The Modification is Not Minor - s 4.55 EP&A Act

The proposed addition of four further battery storage units effectively doubles the approved BESS capacity. That is a material intensification of the development.

The modification:

- Increases operational noise sources
- Increases fire load and hazard classification
- Increases hazardous materials stored on site
- Increases cumulative environmental risk
- Alters the scale and industrial character of the approved development.

This cannot properly be characterized as a minor or substantially the same development. The precedents have repeatedly held that intensification of environmental impact is relevant to whether a modification remains substantially the same development.

Council must undertake a full merit assessment having regard to s 4.15 of the EP&A Act. Any attempt to treat this as an administrative or low-impact amendment would be unreasonable.

2.Proximity

Our property is in close proximity to the proposed site. This proximity is extraordinary for an autility-scale lithium battery installation.

At this distance:

- Noise impacts are direct and unavoidable
- Thermal runaway consequences are not theoretical
- Toxic plume exposure risk is immediate
- Property evacuation time would be minimal

The original consent was already concerning at this proximity. Doubling battery capacity compounds that concern. The description of surrounding dwellings as "isolated rural receivers" in earlier documentation is inaccurate, as previously raised.

This locality is approximately 7 km from Griffith CBD and 590 metres from Citrus Road, Collina, a full residential area. It is not remote. This proximity contravenes **Council's Solar Energy Farms Battery Energy Storage Systems (BESS) Policy SD-CP-202,** which should have rejected this application.

3. Noise Impacts - Tonal, Continuous, and Cumulative

Large-scale BESS facilities generate:

- Continuous cooling fan noise
- Inverter hum
- Tonal components
- Low-frequency noise

Tonal noise attracts penalties under NSW EPA guidelines due to its intrusive character. Doubling the number of battery units increases cumulative acoustic output.

MPower's response to Council's request on 5th February to address the impact of additional Storage Batteries to neighboring properties is inadequate. On page 5 on the issue of Construction and Operational Noise, their response was "*The proposed modification does not introduce new noise-generating plant types or increase operational noise levels beyond those assessed in the amended Noise and Vibration Impact Assessment. Additional BESS containers will operate within the same acoustic envelope, and compliance with relevant noise criteria will continue to be achieved through the existing conditions of consent.*" An updated independent acoustic assessment by, measurements conducted at the existing DA site dwelling (which was omitted from the original Noise Impact Assessment conducted by Sounding) and the neighboring properties, night-time and early morning modelling, and tonal penalty application should have been provided to assess the additional noise created by an additional 4 storage batteries with noise from the 4 additional cooling fans.

Approval without updated acoustic modelling would fail to properly consider amenity impacts under s 4.15(1)(b) EP&A Act.

4. Fire Risk and Hazard Intensification

Lithium-ion BESS facilities present unique and documented fire risks, including:

- Thermal runaway
- Explosion risk
- Release of hydrogen fluoride and other toxic gases
- Prolonged burn duration
- Re-ignition risk
- Battery fires internationally and interstate have required multi-day emergency responses.

Doubling battery capacity materially increases:

- Total energy storage
- Fire load
- Potential plume toxicity
- Duration of burn
- Evacuation radius
-

The amendment consideration should trigger:

- A site-specific Fire Safety Study
- NSW Rural Fire Service written advice
- An Emergency Management and Evacuation Plan
- Disclosure of separation distances and compliance with relevant Australian Standards
- Independent peer review of the BESS hazard analysis
-

5. Change of Proponent - Atlas to MPower Entity

The original application was from Atlas Renewables Pty Ltd. The current applicant is Bilbul Renewable Energy Pty Ltd, associated with MPower.

We ask if Council has confirmed:

- The legal mechanism transferring consent obligations
- That all conditions bind the current entity
- Financial capacity for decommissioning
- Financial capacity for remediation following fire or contamination
- Public liability arrangements
-

Battery infrastructure has a finite operational life. Decommissioning costs are substantial. Security for rehabilitation must be transparent.

We formally request written confirmation of the enforceability of all consent conditions against the new proponent.

6. Agricultural and Land Use Conflict – RU1 Primary Production

The land and surrounding properties are zoned RU1 Primary Production. Concerns include:

The addition of further BESS infrastructure intensifies land-use conflicts within an agricultural corridor. Council must consider whether this scale of industrial energy storage is compatible with the objectives of the RU1 zone. This would consider heat island effects, stormwater concentration and altered filtration, soil contamination risk, spray drift conflict and most importantly**, microclimate alteration affecting surrounding vines, prunes, and lucerne.**

7. Property Value and Economic Loss

While property value impact is not determinative, planning law recognizes that a significant adverse amenity impact may materially affect value.

Industrial-scale battery storage within 100 meters of a dwelling is a highly material planning consideration.

8. Cumulative and Precedent Impact

The expansion suggests staged intensification. Council must assess cumulative impacts and precedent implications within the LGA, particularly considering regional growth planning.

We draw Council's attention to its adopted Solar Energy Farms and BESS Policy SD-CP-202, which provides:

- Sites located less than 1 km from residentially zoned land (R1, R5 or RU5) should be avoided (Section 5, Site Selection).
- BESS should be located 500 metres from any dwelling not associated with the development or residential zoned land (Section 7 Development Controls).
- Proposals must minimize impacts on residential and farming operations and address cumulative impact.

The proposal amendment therefore raises serious consistency concerns with Council's own adopted policy settings, particularly regarding separation distances, hazard risk and residential amenity.

9. Vegetation and Fencing

The originally approved landscaping and vegetative buffering were not aesthetic considerations. They were essential mitigation measures intended to protect adjoining landowners from visual intrusion, noise transmission, dust movement, heat reflection and general industrial impact. In a rural primary production setting, vegetation buffers perform a critical protective function by softening built form, assisting with acoustic attenuation, reducing glare, stabilising soils and maintaining a transitional character between industrial infrastructure and working agricultural land. Any intensification of the development through additional BESS units increases the importance of those buffers.

We ask that Council ensure that landscaping is not diminished, deferred or treated as incidental. We request confirmation that the approved landscaping plan will be maintained in full and subject to enforceable establishment and maintenance conditions as per the original DA consent, Condition 24 - Site Landscaping:

Prior to the issue of the Construction Certificate, the landscaping proposed in Landscape Plan, Drawing No. 101, Issue B & dated 14/06/2024, (referred to in Condition No 1), shall be undertaken and completed on site in accordance with the landscape specifications Landscape Details, Drawing No. 501, Issue B & dated 14/06/2024 (referred to in Condition No.1.

Without effective and mature vegetation screening, the development's impacts on neighbouring properties, including ours, will be materially greater than assessed.

Finally, this process has been deeply disappointing not only for our family but also for the community and neighbouring landowners directly affected, all hardworking, long-standing members of the community who live and work on their properties. We invested in our homes and land in good faith, trusting that planning safeguards would protect residential and primary production areas so close to the Griffith CBD and residential areas.

The approval of large-scale solar and battery infrastructure at this proximity, followed by the latter introduction of clearer separation guidance in SD-CP-202, has left residents feeling exposed and inadequately protected. We respectfully urge Council to prioritize community wellbeing above all, alongside renewable energy objectives.

Yours sincerely

[redacted]

Julie Dawon &Tyrone Neale

138 Bilbul Road
Bilbul NSW 2680
PO Box 696 Griffith NSW 2680

[redacted]

Rod McNabb and Suzanne Howard
421 Rossetto Road
Bilbul NSW 2680
PO Box 892 Griffith
[redacted]

24 February 2026 Carel Potgieter
Planning & Environmental Manager Griffith City Council PO
Box 485 Griffith NSW 2680

By email: admin@griffith.nsw.gov.au

Development Application No. 228/2023 (4)
Proposed Modification - Additional Four (4) Battery Storage Units
Lot 363 DP 751743
394 Macedone Road, Bilbul

Dear Carel

RE: FORMAL OBJECTION Development Application No. 228/2023 (4)

We are the owners and occupiers of 421 Rossetto Road, Bilbul, being land 250 metres from the above development site. Our dwelling is situated within 300 metres of the development boundary.

We are lodging a formal objection to DA 228/2023 (4). We understand consent was granted to the original Development Application 228/2023 (1) We now lodge this formal objection to the proposed modification (4), which seeks approval for an additional four (4) Battery Energy Storage System (BESS) units.

1. The Modification is Not Minor - s 4.55 EP&A Act

The proposed addition of four further battery storage units effectively doubles the approved BESS capacity. That is a material intensification of the development.

The modification:

- Increases operational noise sources;
- Increases fire load and hazard classification;
- Increases hazardous materials stored on site;
- Increases cumulative environmental risk;
- Alters the scale and industrial character of the approved development.

This cannot properly be characterised as a minor or substantially the same development. The precedents have repeatedly held that intensification of environmental impact is relevant to whether a modification remains substantially the same development.

Council must undertake a full merit assessment having regard to s 4.15 of the EP&A Act. Any attempt to treat this as an administrative or low-impact amendment would be unreasonable.

2. Proximity

Our property boundary runs 250 metres from the development boundary. This proximity is extraordinary for a utility-scale lithium battery installation.

At this distance:

- Noise impacts are direct and unavoidable;
- Thermal runaway consequences are not theoretical;
- Toxic plume exposure risk is immediate;
- Property evacuation time would be minimal.

The original consent was already concerning at this proximity. Doubling battery capacity compounds that concern. The description of surrounding dwellings as "isolated rural receivers" in earlier documentation is inaccurate, as previously raised

This locality is approximately 7 km from the Griffith CBD and less than 1 km from Collina residential areas. It is not remote.

3. Noise Impacts - Tonal, Continuous, and Cumulative Large-scale BESS facilities generate:

- Continuous cooling fan noise;
- Inverter hum;
- Tonal components;
- Low-frequency noise.

Tonal noise attracts penalties under NSW EPA guidelines due to its intrusive character. Doubling the number of battery units necessarily increases cumulative acoustic output.

At the very minimum, an updated independent acoustic assessment, measurements conducted at the existing DA site dwelling and the neighbouring property boundary, night-time and early morning modelling, and tonal penalty application should be conducted.

Approval without updated acoustic modelling would fail to properly consider amenity impacts under s 4.15(1)(b) EP&A Act.

4. Fire Risk and Hazard Intensification

Lithium-ion BESS facilities present unique and documented fire risks, including:

- Thermal runaway;
- Explosion risk;
- Release of hydrogen fluoride and other toxic gases;
- Prolonged burn duration;
- Re-ignition risk.

- Battery fires internationally and interstate have required multi-day emergency

responses. Doubling battery capacity materially increases:

- Total energy storage;

- Fire load;
- Potential plume toxicity;
- Duration of burn;
- Evacuation radius.

The amendment consideration should trigger:

- A site-specific Fire Safety Study;
- NSW Rural Fire Service written advice;
- An Emergency Management and Evacuation Plan;
- Disclosure of separation distances and compliance with relevant Australian Standards;
- Independent peer review of the BESS hazard analysis.

5. Change of Proponent - Atlas to MPower Entity

The original application was by Atlas Renewables Pty Ltd. The current applicant is Bilbul Renewable Energy Pty Ltd, associated with MPower.

We ask if Council has confirmed:

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- That all conditions bind the current entity;
- Financial capacity for decommissioning;
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Battery infrastructure has a finite operational life. Decommissioning costs are substantial. Security for rehabilitation must be transparent.

We formally request written confirmation of the enforceability of all consent conditions against the new proponent.

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The addition of further BESS infrastructure intensifies land-use conflicts within an agricultural corridor. Council must consider whether this scale of industrial energy storage is compatible with the objectives of the RU1 zone. This would consider heat island effects, stormwater concentration and altered filtration, soil contamination risk, spray drift conflict and most importantly, **microclimate alteration affecting surrounding vines, prunes, pecans and lucerne**.

7. Property Value and Economic Loss

While property value impact is not determinative, planning law recognises that a significant adverse amenity impact may materially affect value.

Industrial-scale battery storage within 100 metres of a dwelling is a highly material planning consideration.

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The expansion suggests staged intensification. Council must assess cumulative impacts and precedent implications within the LGA, particularly in light of regional growth planning.

We draw Council's attention to its adopted Solar Energy Farms and BESS Policy SD-CP-202, which provides:

- Sites located less than 1 km from residentially zoned land (R1, R5 or RU5) should be avoided (Section 5, Site Selection).
- BESS should be located 500 metres from any dwelling not associated with the development or residential zoned land (Section 7 Development Controls).
- Proposals must minimise impacts on residential and farming operations and address cumulative impact.

The proposal amendment therefore raises serious consistency concerns with Council's own adopted policy settings, particularly regarding separation distances, hazard risk and residential amenity.

9. Vegetation and Fencing

The originally approved landscaping and vegetative buffering were not aesthetic considerations; they were essential mitigation measures intended to protect adjoining landowners from visual intrusion, noise transmission, dust movement, heat reflection and general industrial impact.

In a rural primary production setting, vegetation buffers perform a critical protective function by softening built form, assisting with acoustic attenuation, reducing glare, stabilising soils and maintaining a transitional character between industrial infrastructure and working agricultural land. Any intensification of the development through additional BESS units increases the importance of those buffers.

We ask that Council ensure that landscaping is not diminished, deferred or treated as incidental. We request confirmation that the approved landscaping plan will be maintained in full and subject to enforceable establishment and maintenance conditions. Without effective and mature vegetation screening, the development's impacts on neighbouring properties, including ours, will be materially greater than assessed.

Finally, this process has been deeply disappointing not only for our family but also for the community and neighbouring landowners directly affected, all hardworking, long-standing members of the community who live and work on their properties. We invested in our homes and land in good faith, trusting that planning safeguards would protect residential and primary production areas so close to the Griffith CBD and residential areas.
The approval of large-scale solar and battery infrastructure at this proximity, followed by the later introduction of clearer separation guidance in SD-CP-202, has left residents feeling exposed and inadequately protected. We respectfully urge Council to prioritise community wellbeing above all, alongside renewable energy objectives.

Yours sincerely [redacted]

Rod McNabb and Sue Howard

4

Objection to DA No. 228/2023 (4) proposed development on Lot 363 DP 751743 Macedone Road Bilbul - Applicant – Bilbul Renewable Energy Pty Ltd

3 March 2026

We are the owners and occupiers of 413 Rossetto Road, Bilbul. Our dwelling is situated approximately 300 metres from proposed site.

We previously lodged a formal objection to DA 228/2023 (1). Notwithstanding those objections, consent was granted. We are strongly opposed and now lodge this formal objection to the proposed modification (4), which seeks approval for an additional four (4) Battery Energy Storage System (BESS) units on the subject land. Below outlines the reasons for our objection and the impact this proposed modification will have.

1.The Modification is Not Minor - s 4.55 EP&A Act

The proposed addition of four further battery storage units effectively doubles the approved BESS capacity. That is a material intensification of the development.

The modification:

- Increases operational noise sources
- Increases fire load and hazard classification
- Increases hazardous materials stored on site
- Increases cumulative environmental risk
- Alters the scale and industrial character of the approved development.

This cannot properly be characterised as a minor or substantially the same development. The precedents have repeatedly held that intensification of environmental impact is relevant to whether a modification remains substantially the same development.

Council must undertake a full merit assessment having regard to s 4.15 of the EP&A Act. Any attempt to treat this as an administrative or low-impact amendment would be unreasonable.

2.Proximity

Our property is less than 300 metres from the proposed site. This proximity is extraordinary for an autility-scale lithium battery installation.

At this distance:

- Noise impacts are direct and unavoidable
- Thermal runaway consequences are not theoretical
- Toxic plume exposure risk is immediate
- Property evacuation time would be minimal

The original consent was already concerning at this proximity. Doubling battery capacity compounds that concern. The description of surrounding dwellings as “isolated rural receivers” in earlier documentation is inaccurate, as previously raised.

This locality is approximately 7 km from Griffith CBD and 580 metres from Citrus Road, Collina, a full residential area (image obtained from Google Maps). It is not remote. This proximity contravenes **Council's Solar Energy Farms Battery Energy Storage Systems (BESS) Policy SD-CP-202,** which should have rejected this application.

3. Noise Impacts - Tonal, Continuous, and Cumulative

Large-scale BESS facilities generate:

- Continuous cooling fan noise
- Inverter hum
- Tonal components
- Low-frequency noise

Tonal noise attracts penalties under NSW EPA guidelines due to its intrusive character. Doubling the number of battery units increases cumulative acoustic output.

MPower's response to Council's request on 5th February to address the impact of additional Storage Batteries to neighbouring poperties is inadequate. On page 5 on the issue of Construction and Operational Noise, their response was:

"*The proposed modification does not introduce new noise-generating plant types or increase operational noise levels beyond those assessed in the amended Noise and Vibration Impact Assessment. Additional BESS containers will operate within the same acoustic envelope, and compliance with relevant noise criteria will continue to be achieved through the existing conditions of consent.*"

That statement would be incorrect, double the batteries, double the noise!

An updated independent acoustic assessment by, measurements conducted at the existing DA site dwelling (which was omitted from the original Noise Impact Assessment conducted by Soundin) and the neighbouring properties, night-time and early morning modelling, and tonal

penalty application should have been provided to assess the additional noise created by an additional 4 storage batteries with noise from the 4 additional cooling fans.

Approval without updated acoustic modelling would fail to properly consider amenity impacts under s 4.15(1)(b) EP&A Act.

4. Fire Risk and Hazard Intensification

Lithium-ion BESS facilities present unique and documented fire risks, including:

- Thermal runaway
- Explosion risk
- Release of hydrogen fluoride and other toxic gases
- Prolonged burn duration
- Re-ignition risk
- Battery fires internationally and interstate have required multi-day emergency responses.

Doubling battery capacity materially increases:

- Total energy storage
- Fire load
- Potential plume toxicity
- Duration of burn
- Evacuation radius
-

The amendment consideration should trigger:

- A site-specific Fire Safety Study
- NSW Rural Fire Service written advice
- An Emergency Management and Evacuation Plan
- Disclosure of separation distances and compliance with relevant Australian Standards
- Independent peer review of the BESS hazard analysis
-

5. Change of Proponent - Atlas to MPower Entity

The original application was from Atlas Renewables Pty Ltd. The current applicant is Bilbul Renewable Energy Pty Ltd, associated with MPower.

We ask if Council has confirmed:

- The legal mechanism transferring consent obligations
- That all conditions bind the current entity
- Financial capacity for decommissioning
- Financial capacity for remediation following fire or contamination
- Public liability arrangements
-

Battery infrastructure has a finite operational life. Decommissioning costs are substantial. Security for rehabilitation must be transparent.

We formally request written confirmation of the enforceability of all consent conditions against the new proponent.

6. Agricultural and Land Use Conflict – RU1 Primary Production

The land and surrounding properties are zoned RU1 Primary Production. Concerns include:

The addition of further BESS infrastructure intensifies land-use conflicts within an agricultural corridor. Council must consider whether this scale of industrial energy storage is compatible with the objectives of the RU1 zone. This would consider heat island effects, stormwater concentration and altered filtration, soil contamination risk, spray drift conflict and most importantly**, microclimate alteration affecting surrounding vines, prunes, and lucerne.**

7. Property Value and Economic Loss

While property value impact is not determinative, planning law recognises that a significant adverse amenity impact may materially affect value.

Industrial-scale battery storage within 100 metres of a dwelling is a highly material planning consideration.

8. Cumulative and Precedent Impact

The expansion suggests staged intensification. Council must assess cumulative impacts and precedent implications within the LGA, particularly considering regional growth planning.

We draw Council's attention to its adopted Solar Energy Farms and BESS Policy SD-CP-202, which provides:

- Sites located less than 1 km from residentially zoned land (R1, R5 or RU5) should be avoided (Section 5, Site Selection).
- BESS should be located 500 metres from any dwelling not associated with the development or residential zoned land (Section 7 Development Controls).
- Proposals must minimise impacts on residential and farming operations and address cumulative impact.

The proposal amendment therefore raises serious consistency concerns with Council's own adopted policy settings, particularly regarding separation distances, hazard risk and residential amenity.

9. Vegetation and Fencing

The originally approved landscaping and vegetative buffering were not aesthetic considerations. They were essential mitigation measures intended to protect adjoining landowners from visual intrusion, noise transmission, dust movement, heat reflection and general industrial impact.
In a rural primary production setting, vegetation buffers perform a critical protective function by softening built form, assisting with acoustic attenuation, reducing glare, stabilising soils and maintaining a transitional character between industrial infrastructure and working agricultural land.

Any intensification of the development through additional BESS units increases the importance of those buffers.

We ask that Council ensure that landscaping is not diminished, deferred or treated as incidental. We request confirmation that the approved landscaping plan will be maintained in full and

subject to enforceable establishment and maintenance conditions as per the original DA consent, Condition 24 - Site Landscaping:

Prior to the issue of the Construction Certificate, the landscaping proposed in Landscape Plan, Drawing No. 101, Issue B & dated 14/06/2024, (referred to in Condition No 1), shall be undertaken and completed on site in accordance with the landscape specifications Landscape Details, Drawing No. 501, Issue B & dated 14/06/2024 (referred to in Condition No.1.

Without effective and mature vegetation screening, the development's impacts on neighbouring properties, including ours, will be materially greater than assessed.

Finally, this process has been deeply disappointing not only for our family but also for the community and neighbouring landowners directly affected, all hardworking, long-standing members of the community who live and work on their properties. We invested in our homes and land in good faith, trusting that planning safeguards would protect residential and primary production areas so close to the Griffith CBD and residential areas.

The approval of large-scale solar and battery infrastructure at this proximity, followed by the latter introduction of clearer separation guidance in SD-CP-202, has left residents feeling exposed and inadequately protected. We respectfully urge Council to prioritise community wellbeing above all, alongside renewable energy objectives.

Yours sincerely

Roberto and Viviana Bellato

413 Rossetto Road
Bilbul NSW 2680
PO Box 959 Griffith NSW 2680
[redacted]

LATE SUBMISSION RECEIVED

Dear Mr. Mayor and Councillors,

A strong opponent to any Solar Renewable Installations (SIC's) being placed on arable land and even more strongly against these installations being located on land developed for irrigation, I am writing to express my strong opposition to the extension (i.e.) modification of the proposed (Solar and Battery Storage) electricity generating facility D/A 228/2023 (4). I understand that an original proposal for this development has already been passed by Council.

I fully support solar power being generated on roof tops or for use in value adding on farms or in small businesses in our area but totally against the taking up of large areas of invaluable arable land. The sad fact is that no matter how many of these installations small or large are approved and passed by Councils they are not going to be able to provide a reliable energy source. Australia requires a strong reliable base power source such as Gas or Nuclear power as many countries have, which would reduce the need for SIC's to be placed on valuable farming land with clearing for power lines through easily damaged landscapes.

How ironic it is that the present Federal Government whilst, reducing the amount of water available within the M.I.A. is paying incentives to Councils as a water saving device to have much of the irrigation water which was being transported in the past through channels to be relocated in pipes. Piped to where? Most of the paddocks around me are bare because of a government imposed lack of water and also in dryer times like now, the cost of water. Sadly, presently the wine grape industry is facing one of the toughest times in its history and many vines are being removed as part of the ever changing market, as well as a myriad of other factors that affect all farmers.

When land owners sign contracts with Solar Developers it can only be imagined what will occur when they are faced by a large multinational company, particularly if that company is influenced for example, by the Chinese Communist Party (CCP) or any large scale operator if and when a dispute over removal of the detritus occurs. The land owner could be bankrupted and then Local Government i.e. ratepayers will be left with the bill. That is why it is imperative that a large deposit for the purpose of detritus removal be placed with Council for the security of ratepayers.

I could write many pages opposing this development including the social divisions that are appearing within the community but given the Cavalier treatment received over a number of years now, I understand this Renewable Power package will go ahead, no matter what arguments are put forward.

Griffith City Council
9 MAR 2026
RECEIVED BY
INFORMATION MANAGEMENT

Griffith City Council
9 MAR 2026
REGISTERED

This project appears to be like others in The M.I.A. where after the original project is approved later the developer seeks an alteration i.e. enlargement of the project probably resulting in more poles and wires.

Even if Council opposed this development, the government is going ahead with this Australian wide total debacle, starting badly by not providing even a ball park figure for a project which will provide an extremely expensive and unreliable power source. It is also working intentionally or not, to place our nation in a perilous economic situation when the world is in the most dangerous position it has been in for over seventy years.

As a long term resident of Griffith I am saddened to see this once lovely and agriculturally productive landscape now being denigrated by Solar developers because of its flatness and the nearness of transformers to its proposed developments. One would have thought that Local Government bodies involved in Irrigation would have stood with one voice against this imposition which will ultimately play into the hands of those that will infer "Well you are no longer needing so much water because you have less land available for irrigation, we can take some more."

The average amount of arable land in Australia is 4.1%. The U.S.A. of a similar land area, 16.6% and the world average of 189 countries 14.1%. From only a small area of irrigable land, 30% of Australia's agricultural income is earned. One would think very serious consideration would have to be given to even one square metre of arable, much less irrigation land, being given up. This is usually to a foreign entity. It is not because these developers are interested in supplying reliable power but they are very interested in taking mainly taxpayer money that is obviously readily available. If there were no taxpayer Government subsidies there would be very few if any commercial SIC's. What a disaster for most of us in The M.I.A. and Australia! I fear for your and my progeny.

[redacted]

Noel Hicks

PO Box 706, Griffith NSW 2680

5th March, 2026 [redacted]

Mark and Shiron Kirkman
392 Rossetto Road
Bilbul NSW 2680
PO Box 1427 Griffith
[redacted]

24 March 2026

Carel Potgieter
Planning & Environmental Manager
Griffith City Council
PO Box 485
Griffith NSW 2680

By email: admin@griffith.nsw.gov.au

Development Application No. 228/2023 (4)
Proposed Modification - Additional Four (4) Battery Storage Units
Lot 363 DP 751743
394 Macedone Road, Bilbul

Dear Carel

RE: Amendment to Formal Objection Development Application No. 228/2023 (4)

We previously lodged a formal objection to DA 228/2023 (4) and have since reviewed the reply from Bilbul Renewable Energy and SoundIN. Over and above the objections included in the 24th February 2026 letter we now lodge this amendment to the objection to the proposed modification (4), which seeks approval for an additional four (4) Battery Energy Storage System (BESS) units.

1. Validity of Acoustic Report
Modelled outcomes not supported by real measurements. The acoustic conclusions are based entirely on modelling assumptions, with no baseline or verification measurements taken at the nearest residence or property boundary. This approach remains unchanged in the amended report, despite the project doubling in battery capacity, limiting the reliability of the predicted outcomes.

2. Reduction in assumed noise penalties offsets increased scale
The amended report removes the +5 dBA tonal penalty previously applied to key equipment, which effectively balances out the additional noise expected from doubling the battery units. As this change relies on manufacturer data rather than site-based evidence, it gives the appearance that the modelling has been adjusted to retain compliance rather than reflect likely real-world impacts.

3. Non-compliance concern with 1 km siting consideration
Regarding consistency with Griffith Council's SD-CP-202 Solar Energy Farms and BESS Policy (Section 5.1), the DA clearly triggers site consideration.

1

4. Development Increase
In replying to the objections, Bilbul Renewable Energy consistently states that the physical footprint does not change. However, proposed doubling of battery capacity from 11 MWh to 22 MWh increases the scale and intensity of the operation. It also increases the potential risks and impacts associated with the development. These are not minor changes—they alter the fundamental characteristics of the approved project. Accordingly, the proposal should not be treated as a minor modification.

Regards

[redacted]

Shiron and Mark Kirkman

[redacted]

2

Amendment to objection DA No. 228/2023 (4) proposed development on Lot 363 DP 751743 Macedone Road Bilbul – Applicant – Bilbul Renewable Energy Pty Ltd.

We are the owners and occupiers of 413 Rossetto Road, Bilbul. We would like to submit an amendment to be attached to our original objection to the proposed Development Application No. 228/2023 (4) submitted on 3rd March 2026 to Council following letter received from Griffith City Council advising that further documentation pertaining to the acoustic report has been received in relation to the DA application.

1. The proposal cannot reasonably be characterised as substantially the same development.

Despite what they claim this change alters the scale and risk profile of the development and cannot reasonably be characterised as substantially the same development **under section 4.55 of the Environmental Planning and Assessment Act.**

The proposed modification increases the development's energy storage capacity from approximately 11 megawatt-hours to approximately 22 megawatt-hours. This represents a doubling of the approved battery storage capacity. While the physical footprint of the compound may remain unchanged, the operational scale and hazard profile of the development materially increases. The modification, therefore, changes the intensity and operational characteristics of the approved development.
A doubling of energy storage capacity constitutes a material intensification rather than a minor modification. If Council agrees with us on this point, they cannot approve the modification - the applicant would have to lodge a new Development Application, which would trigger a full assessment again.

2. Discrepancies in the Report

The new report provided by Soundin only includes Predicted Noise Levels. The original report provided a much more detailed report – 8 pages in total. The current report is less than 2 pages. Why is this report omitting previous information supplied?

In the original Soundin report - **Table 6-5 Operational Noise Sources and Sound Power Levels** stated that 4 Battery containers would have 79(dBa) per item and 85(dBa) in total. The updated report states that 8 Battery containers would have 84(dBA) and 93(dBA) in total. How is that possible that the noise only increases by 5(dBA) per item and 8(dBA) in total? The inverter also only has a 4(dBA) increase.

In the new Soundin report – **Table 2 – Predicted Operational Noise Levels, Noise-enhancing Meterology** there is no increase in any of the levels for the receivers. If anything, R1, R2 and R9 have decreased the predicted noise levels for Day, Evening and Night. How is this possible when there is an increase in the noise of the battery as shown in Table 1. Also, the **Project Noise Triggers** are identical to the original report as listed at Table 6-4 Project Noise Trigger Levels. Again, how is that possible?

The key components and noise sources of a BESS facility include:

Batteries: Rechargeable battery units are the core of the BESS. Battery units include cooling systems to maintain optimal operating temperature. The cooling systems use fans and condensing units which

can generate noise levels up to 92 dBA at 1m from equipment. Fan operations are controlled by an onboard temperature control system. During hot weather, it can be expected that all fans over the entire BESS facility could operate simultaneously as the batteries charge or discharge together. This may occur at any time of day or night and cause several hours of sustained noise at a constant level. This noise is tonal which means the facility noise levels are held to a more restrictive noise limit.

Power Conversion System (Inverter): PCS contain cooling systems with fans that can produce significant noise, in addition to humming or electronic noise. PCS units can generate noise levels of 85 decibels 1m from equipment.

With the noise levels outlined above, it's not difficult to see why these facilities affect nearby residences. A larger and more powerful cooling system will produce more noise and significantly influence the impact of a BESS on local environments.

3. Key Weaknesses in the Acoustic Report

a. Reliance on Modelling Instead of Measurement
The report relies entirely on predictive acoustic modelling rather than actual noise measurements at the existing dwelling or the shared property boundary. Independent measurement is often requested where development occurs in very close proximity to residences.

b. Removal of the Tonal Noise Penalty
The original assessment included a +5 dBA tonal penalty for inverter and battery equipment. The addendum removes this penalty based solely on manufacturer data rather than field measurement. In practice, cooling fans and inverter equipment frequently produce tonal characteristics, which can make noise more intrusive than standard broadband sound.

c. Extremely Small Compliance Margin
The predicted night-time level at some receivers is approximately 34 dBA against a 35 dBA allowable limit. A margin of 1 dBA is extremely small and within normal acoustic modelling uncertainty. This means real-world noise levels could potentially exceed the regulatory limit.

d. Low-Frequency Noise Not Addressed
Battery systems, cooling fans and inverters can generate low-frequency noise which travels further and penetrates buildings more easily than higher-frequency sound. The report does not include a specific assessment of low-frequency noise impacts.

e. Continuous 24-Hour Operation
The report confirms that inverter stations and battery containers operate continuously (24/7). Continuous operational noise can have a greater perceived impact on rural amenities, particularly at night.

4. **Council's Solar Energy Farms Battery Energy Storage Systems (BESS) Policy SD-CP-202**

Council should reject the proposal as it contravenes as the proximity to residential area is less than the 1km exclusion zone – Citrus Road Collina is approximately 580m from the development.

We do not feel that the new report provided by Soundin (who are the ones that supplied the original report) provide a detailed and accurate report. Based on our previous objection and the objections above we implore Griffith City Council to reject this proposal.

Yours sincerely

Roberto and Viviana Bellato

413 Rossetto Road
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PO Box 959 Griffith NSW 2680
[redacted]

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Brisbane (Head Office) L20 / 127 Creek Street, Brisbane / Meeanjin Qld 4000
PO Box 10824 Adelaide Street Brisbane Qld 4000

9 April 2026

Your Ref: DA 228/2023(4)

Griffith City Council
1 Benerembah Street
Griffith NSW 2680

Attention: Kerry Rourke – Relief Town Planner

Dear Kerry,

RE: DA 228/2023 (4) RESPONSE TO PUBLIC SUBMISSIONS - PROPOSED MODIFICATION - SOLAR FARM AND BATTERY ENERGY STORAGE UNITS (ELECTRICITY GENERATING WORKS) – ADDITIONAL FOUR BATTERY STORAGE UNITS ON LAND AT 394 MACEDONE ROAD, BEELBANGERA NSW 2680 (LOT 363 DP 751743)

On behalf of Wollemi Energy Group (trading as MPower), please refer to **Attachment 1,** which contains a response to the key issues raised within the seven (7) public submissions received by Council concerning the proposed modification.

It is important to note that the proposed modification relates solely to increasing the number of approved containerised Battery Energy Storage System (BESS) units on the site from four (4) to eight (8). This change will increase the BESS capacity from approximately 11 MWh to 22 MWh, improving energy storage capacity and strengthening the network reliability and dispatch flexibility without increasing overall generation output, land disturbance, or other potential for negative off-site impacts. The Distribution Network Service Provider (Essential Energy) has approved the increased BESS capacity, confirming the site's continued suitability for this purpose.

In considering the proposed modification to the approved development, it is important to note that modifications:

- Are wholly contained within the existing approved development footprint.
- Will be located centrally on the site, immediately adjacent to the 4 approved units.
- Will adopt the same design and technology of the approved units.
- Will increase energy storage capacity but will not increase the approved generation capacity of the solar farm or alter the approved layout or operations of the solar panels.
- Will not result in any new or additional off-site amenity or environmental impacts (including traffic, noise, lighting, visual impact, vegetation removal) beyond what was considered as part of the approved development.
- Will not remove or alter the approved landscape buffer to be constructed around the farm.
- Will not change the nature or character of the approved development, which remains a sub-5MW solar farm with a supporting BESS.

Noting that the proposed modification has been lodged as a Section 4.55 (2) application under the *Environmental Planning and Assessment Act 1979*, the technical information lodged in support of the modification, including an Addendum Noise Assessment, confirms that the development remains 'substantially the same development' as originally approved, and will not introduce any new or unacceptable impacts.

The proposed modification will, however, enhance the approved project by improving energy storage capability, strengthening network reliability, and enabling greater dispatch flexibility, as supported by Essential Energy, thereby better serving the local area.

A detailed response to the key issues raised in the submission is provided in the table included as **Attachment 1**. We trust that this information will assist Council in considering and supporting the proposed modification.

Yours sincerely,

PSA Consulting (Australia) Pty Ltd

[redacted]

Cliff Schmidt
Principal Planner

ATTACHMENT 1 – RESPONSE TO SUBMISSIONS

ISSUE CATEGORY	SUBMITTERS CONCERNS	APPLICANT'S RESPONSE
Proximity	The submitters expressed concerns that the proximity of neighbouring dwellings to the proposed BESS installation is unusually close for a utility-scale lithium battery facility, creating what they consider to be elevated and unacceptable risks. They argued that at this distance, noise impacts would be unavoidable, thermal-runaway events could have direct consequences, toxic plume exposure could occur rapidly, and evacuation time for nearby residents would be minimal. Submitters also stated that doubling the battery capacity intensifies these risks, and that earlier documentation inaccurately described nearby homes as "isolated rural receivers." They emphasised that the locality is not remote, being approximately 7 km from Griffith CBD and less than 1 km from Collina residential areas. Some submitters further contended that the proposal contravenes Council's Solar Energy Farms Battery Energy Storage Systems (BESS) Policy SD-CP-202, which they believe should have resulted in the application being rejected.	The proximity of neighbouring properties to the site was taken into account as part of the assessment of the original development application for the solar farm including the SEE and acoustic assessment. The previous assessment confirmed that the site was suitable for the proposed development, taking into account connections to the existing network infrastructure, separation from sensitive receivers, the provision of landscape buffers and the ability for the use to operate in a manner that would not result in any unacceptable environmental impacts. Those underlying planning conclusions remain unchanged by the current modification. The current modification does not change the location of the solar farm on the site, the approved land use, or the nature of the project. The development remains the same approved, being a sub-5 MW solar farm with associated battery storage at 394 Macedone Road, Bilbul. Specifically, the modification only relates to an increase in the approved BESS Units from 4 units to 8 units, which will be placed in the same location as those which were approved and will adopt the same technology. In relation to noise, the technical evidence does not support the claim that impacts are direct or unavoidable. The acoustic addendum prepared specifically for the modified development confirms that the additional BESS units will not materially change construction impacts, and that operational noise from the modified development will comply with the applicable project noise trigger levels at all nearby receivers, under normal and noise-enhancing meteorological conditions. The broader assertions regarding thermal runaway, toxic plume exposure and evacuation risk are not supported by any project-specific technical assessment accompanying the objection. In

ISSUE CATEGORY	SUBMITTERS CONCERNS	APPLICANT'S RESPONSE
		any event, the proposed BESS and inverter are purpose-designed utility-scale equipment with embedded protection systems. These equipment include integrated mechanisms to limit fault current, fast breaking and anti-arc protection, and multi-level battery protection systems and are designed to comply with relevant IEC standards and includes grid support and monitoring functions. The reference to Griffith City Council's Solar Energy Farms and Battery Energy Storage Systems Policy does not alter the above conclusion. The policy seeks to minimise land use conflict, mitigate visual impacts, avoid sterilisation of productive agricultural land where possible, and ensure that BESS hazards and risks are assessed with mitigation measures, where required, to avoid off-site impacts. With consideration of the minimal changes to the approved development, as well as the findings of the acoustic addendum report, the modified development will not give rise to any new or unacceptable impacts and will not create any land use conflicts. The site suitability and proximity of neighbouring properties was considered in detail as part of the preceding consent, and the proposed modification does not fundamentally alter the approved operation or increase impacts which would change the original assessment outcomes.
Noise	Submitters expressed concerns that large-scale BESS facilities inherently generate continuous operational noise, including cooling-fan noise, inverter hum, tonal characteristics and low-frequency components. They argued that tonal noise attracts penalties under NSW EPA guidelines and that doubling the number of battery units	Noise was assessed as part of the original DA and was specifically reassessed for this modification through the SoundIN Addendum Noise Assessment dated 5 March 2026. That addendum was prepared expressly to assess the impact of the additional four BESS units and therefore directly addresses the issue raised in the submissions. The original acoustic assessment identified the relevant operational noise sources as the inverter station, liquid-cooled battery containers and PV tracker motors, and assessed the

ISSUE CATEGORY	SUBMITTERS CONCERNS	APPLICANT'S RESPONSE
	would necessarily increase cumulative noise emissions. Submitters also raised concerns that the existing acoustic assessment is inadequate, noting that it did not include measurements at the dwelling on the development site or at neighbouring property boundaries, and did not model night-time or early-morning scenarios or apply tonal penalties. Some submitters considered the applicant's response to Council's request for further noise information to be insufficient. Submitters stated that an updated independent acoustic assessment is required to properly evaluate the impacts of the additional BESS units and associated cooling fans. They argued that approving the modification without updated acoustic modelling would fail to adequately consider amenity impacts under s 4.15(1)(b) of the EP&A Act.	potential noise levels at the nearby sensitive receivers. Accordingly, it is not correct to suggest that nearby dwellings were omitted from the original assessment. In relation to tonal noise, the original Noise and Vibration Impact Assessment (NVIA) adopted a conservative approach by applying a +5 dBA tonal correction to the inverter station and battery containers in accordance with the NPfI. In the updated addendum, SoundIN reviewed the manufacturer's data for the modified project and concluded that the inverter and batteries do not contain sufficient tonal characteristics to attract any penalties under the NPfI. That issue was therefore expressly considered in the updated assessment and not ignored. The addendum noise assessment assesses the cumulative operational noise from the modified development based on the latest site layout, including the inverter station, 8 battery containers and tracker motors, under day, evening, and night scenarios and under noise-enhancing meteorological conditions. The updated modelling shows that the modified development complies with the applicable Project Noise Trigger Levels at all nearby receivers at all times. It should be noted that the noise levels forecast in the addendum assessment are predicted for "noise-enhancing" meteorological conditions such as during a temperature inversion. There will be significant periods of time where the prevailing weather conditions do not lead to noise-enhancement and the corresponding noise levels at nearby receivers will be significantly (3-4 dBA) lower. This approach is also consistent with how battery storage noise has been assessed in other comparable renewable energy developments within Griffith, including the approved Tharbogang sub-5 MW solar farm 22 MWh BESS and the Yenda BESS project (20MWh), where an Acoustic Report –

ISSUE CATEGORY	SUBMITTERS CONCERNS	APPLICANT'S RESPONSE
		Environmental Noise Emission Assessment formed part of the approved documents and the consent included a specific Noise Control condition requiring compliance with mitigation measures and the acoustic report recommendations.
Fire Risk and Hazard Identification	Submitters expressed concerns that lithium-ion BESS facilities pose well-documented fire and explosion risks, including thermal runaway, toxic gas release, prolonged burn duration, and the potential for re-ignition. They noted that past BESS incidents internationally and within Australia have required multi-day emergency responses, demonstrating the complexity of managing such events. Submitters argued that doubling the battery capacity increases the overall fire load, total stored energy, potential plume toxicity, burn duration and the size of any required evacuation radius. They considered these increased risks to warrant a higher level of scrutiny. Submitters stated that the modification should therefore trigger additional fire-safety-related assessments and approvals, including a site-specific Fire Safety Study, written advice from the NSW Rural Fire Service, an Emergency Management and Evacuation Plan, disclosure of separation distances and compliance with relevant Australian Standards, and independent peer review of the BESS hazard analysis.	The objection raises general matters associated with lithium-ion battery systems, but it does not demonstrate that the proposed modification is unacceptable in this case. The modification does not introduce a new battery technology or a different class of plant compared to what was approved. It increases the number of battery units from 4 to 8, with the additional units being the same approved BESS technology as per the preceding consent. It is understood that lithium-ion BESS facilities require appropriate hazard and emergency planning. That is also reflected in Griffith City Council's Solar Energy Farms and Battery Energy Storage Systems Policy, which requires hazards and risks associated with BESS to be assessed and mitigation measures proposed, where required, to avoid off-site impacts. In this case, fire risk is being mitigated through both the proposed equipment design and additional site-based fire protection measures. Importantly, the proposed BESS units are purpose-designed utility-scale infrastructure with embedded protection systems. Each BESS unit includes integrated components that actively limit fault current, DC circuit safety management with fast breaking and anti-arc protection, and multi-level battery protection systems. The inverter also includes protection and monitoring functions including grid monitoring, ground fault monitoring, insulation monitoring and overheat protection. These are all relevant measures directed to reducing fault escalation and improving system safety. Fire risk is also being mitigated at the site level. A 10 metre asset protection zone is to be maintained around the site, and a

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		minimum 20,000 litre fire water tank with the necessary fittings for RFS access and use will be installed on site. While the water tank is not a specific DA requirement, it is proposed as an additional mitigation measure to support emergency response capacity and improve overall site preparedness in the event of a fire. Accordingly, while battery systems require appropriate fire safety consideration, the proposed modification does not introduce a new battery technology, a new land use, or a fundamentally different project to that which has already been approved. The use of the same approved BESS technology, embedded equipment safety systems, the proposed 10 metre asset protection zone, and the provision of a minimum 20,000 litre fire water tank with RFS fittings as an added mitigation measure, will ensure the low fire risk associated with the project is appropriately managed.
Change of Proponent - Atlas to MPower Entity	Submitters expressed concerns regarding the change in proponent from Atlas Renewables Pty Ltd (the original applicant) to Bilbul Renewable Energy Pty Ltd, associated with MPower. They questioned whether Council has formally confirmed the legal mechanism for transferring consent obligations and whether all existing conditions of consent remain enforceable against the new entity. Submitters also raised concerns about the financial capacity of the current proponent, particularly in relation to decommissioning, site rehabilitation, and remediation following any fire or contamination event, as well as the adequacy of public liability arrangements. They emphasised that BESS infrastructure has	While the original development application was prepared by Atlas Renewables Pty Ltd, the project SPV, Bilbul Renewable Energy Project Pty Ltd, remains the relevant project entity and consent holder. The subsequent acquisition of that SPV by Wollemi Energy Group Pty Ltd does not alter the identity of the project company itself or create a new development consent. Accordingly, there is no uncertainty as to the enforceability of the consent. The consent continues to attach to the land, apply to the approved development and will bind the entity with the benefit of that consent. Further, the matters raised in relation to decommissioning and ongoing site obligations are already addressed through the existing consent. The approved conditions require that the development comply with on-going operational requirements for the life of the project, including amenity, contamination management, noise validation monitoring, access maintenance,

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	a finite operational life and that decommissioning and rehabilitation costs can be substantial, requiring transparent security measures. Submitters requested written confirmation that all consent conditions are fully enforceable against the new proponent and that appropriate financial and legal safeguards are in place.	parking maintenance, landscape maintenance, lease compliance and long-term maintenance in accordance with the approved Schedule of Items. The conditions of consent also specifically address decommissioning, requiring that within 18 months of the site being decommissioned, the site be returned, as far as practicable, to its pre-construction condition in consultation with relevant landowners, and that solar panels, associated above-ground structures, underground infrastructure to a depth of 300 mm, and other project elements including site roads be removed unless otherwise agreed by Council. That approach is also consistent with the original SEE, which stated that the project has a lifespan of around 30 years, after which the solar array can be removed and the land returned for agriculture, with equipment removed from the site and recycled wherever possible. Accordingly, the modification does not alter the enforceability of existing conditions of consent. The project will be constructed and operated in accordance with the existing DA conditions, including the ongoing operational requirements and decommissioning.
Agricultural and Land Use Conflict	Submitters expressed concerns that the site and surrounding land are zoned RU1 Primary Production, and that adding further BESS infrastructure would intensify land-use conflict within an established agricultural corridor. They argued that Council must consider whether a utility-scale industrial energy-storage facility is compatible with the objectives of the RU1 zone.	The issue of land use compatibility within the RU1 Primary Production zone was considered as part of the original DA and is addressed in detail in the preceding SEE. The current modification does not alter the approved land use and remains substantially the same as that which was approved. The development remains a sub-5 MW solar farm with associated battery storage on the same site. The modification only increases the battery storage units that already form part of the approved development.

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	Submitters also raised concerns about potential agricultural and environmental impacts, including heat-island effects, changes to stormwater concentration and filtration, soil-contamination risk, spray-drift interactions, and possible microclimate alteration affecting nearby crops such as vines, prunes and lucerne.	The original SEE specifically addressed the RU1 zone objectives and concluded that the proposal can be undertaken in a compatible manner. In particular, it noted that sustainable agricultural production on the site is not a viable proposition, that the site has not been used for commercial agriculture for over a decade, and that the solar farm will not sterilise the long-term agricultural potential of the land because the infrastructure can be removed at the end of the project life and the land returned to production. It also noted that the proposal would not fragment or alienate resource land and would not limit ongoing agricultural activities on surrounding properties or create land use conflict with neighbouring primary producers. The concerns raised regarding heat island effects, stormwater concentration, altered filtration, spray drift conflict, soil contamination risk and microclimate impacts on surrounding crops are not supported by any project-specific technical evidence. The original application identified that the site is generally flat, only limited civil works are required, and that no significant change to ground levels is required and negligible change to the existing stormwater flows across the site was expected. In relation to surrounding agriculture, the original SEE considered the agricultural context of the site and noted that a solar farm is not a sensitive land use and does not limit ongoing agricultural activity on any of the surrounding properties. Further, the existing conditions of consent already address potential contamination and ongoing operational amenity. In this regard, condition 58 requires the premises to operate so as not to interfere with the amenity of adjoining lots, and condition 60 requires any dielectric fluid to be managed so as to prevent contamination, with notification obligations in the event of any spill.

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		The modification does not give rise to a new or materially different use at the site which would create any new or additional land use conflicts which have not been previously assessed. The compatibility of the approved development with the RU1 Primary Production zone has already been assessed and approved, and the storage units do not alter the fundamental planning conclusion that the development remains appropriate on the site.
Property Value and Economic Loss	Submitters expressed concerns that, although property value is not a determinative planning consideration, significant adverse amenity impacts can materially influence property value, and that this is recognised within planning assessment principles. They argued that locating industrial-scale battery storage infrastructure within approximately 100 metres of a dwelling represents a highly material planning issue due to the potential for amenity impacts.	The current modification does not introduce a new land use and the proposed development remains 'substantially the same' as that which was approved. The development remains the same approved sub-5 MW solar farm with associated battery storage on the same site, with the modification only increasing the battery storage component from 4 units to 8 units. The original SEE demonstrated that the site is appropriately located, well separated from surrounding sensitive receptors, and capable of operating with minimal visibility and without unacceptable environmental impacts. Those underlying planning conclusions remain unchanged by the current modification. Further, the specific issue of operational noise has been reassessed through the SoundIN Addendum Noise Assessment which takes into account the additional four BESS units. That addendum confirms that the modified development maintains compliance with the applicable project noise trigger levels at all nearby receivers, including under noise-enhancing meteorological conditions. It is also relevant that battery storage infrastructure has already formed part of renewable energy project assessment within the Griffith Local Government Area, including the Tharbogang solar farm project and BESS project and the Yenda BESS project. That local planning context does not support the proposition that the

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		presence of battery storage infrastructure, of itself, results in automatic or demonstrable property value loss. Accordingly, the proposed modification is not forecast to result in any actual or quantifiable reduction in surrounding property values.
Cumulative and Precedent Impact	Submitters expressed concerns that the proposed expansion indicates staged intensification of the development and that Council must therefore assess cumulative impacts and potential precedent effects across the LGA, particularly in the context of broader regional-growth planning. Submitters also referred to Council's adopted Solar Energy Farms and BESS Policy SD-CP-202, noting that it recommends avoiding sites located within 1 km of residentially zoned land, requires BESS facilities to be at least 500 metres from dwellings not associated with the development, and emphasises minimising impacts on residential and farming operations while addressing cumulative impacts. Submitters argued that the proposed amendment raises significant consistency concerns with these policy settings, particularly in relation to separation distances, hazard risk, and residential amenity.	The proposed modification is not a staged or open-ended intensification of the approved development. It is a defined modification to enhance the approved project and is limited to an increase in battery storage from 4 units to 8 units. These units will be inside the site consistent with the original 4 units already approved. The additional storage will improve energy storage capability, strengthen network reliability, and allow greater dispatch flexibility without increasing the overall generation output, land disturbance, or increasing any potential for any unacceptable off-site impacts. Essential Energy has approved the increased BESS capacity, confirming the site's continued suitability to serve its original purpose. The relevant site-specific impacts of construction of the solar farm and BESS on the site were considered as part of the original application which resulted in approval of the consent. The original SEE concluded that the site is appropriately located, close to existing network infrastructure, well separated from surrounding sensitive receptors, and capable of operating with minimal visibility and without unacceptable environmental impacts. Those conclusions remain relevant to the present modification. The potential for additional noise impacts associated with the modification has been reassessed through the SoundIN Addendum Noise Assessment which takes into account the additional four BESS units. That addendum confirms that the modified development maintains compliance with the

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		applicable project noise trigger levels at all nearby receivers, including under noise-enhancing meteorological conditions. The proposal does not create a broader precedent for uncontrolled intensification within the LGA. It remains a site-specific modification to improve an already approved renewable energy project.
Vegetation and Fencing	Submitters emphasised that vegetation buffers play a critical protective role in agricultural areas by stabilising soils, reducing glare, maintaining rural character and providing a transition between industrial infrastructure and surrounding farming operations. They argued that any intensification of the development, including the addition of further BESS units, increases the importance of maintaining these buffers. Submitters requested assurance that landscaping will not be reduced, deferred or treated as incidental, and sought confirmation that the approved landscaping plan will be implemented in full and subject to enforceable establishment and maintenance conditions. They stated that without effective and mature vegetation screening, the development's impacts on neighbouring properties would be materially greater than assessed.	The proposed modification does not seek to remove, reduce or avoid the approved landscaping and vegetative buffering for the project. The approved development requires installation of the landscape which remains an integral part of the project and those components remain part of the approved project. The proposed amendment relates to the timing of landscaping delivery only. It is proposed that the approved landscaping be completed prior to the issue of the Occupation Certificate, rather than prior to the issue of the Construction Certificate. This change is sought for practical construction and establishment reasons, not because landscaping is being treated as incidental or diminished. In particular, installing the landscaping before major construction activities are completed creates a real risk that new plantings will be damaged by construction traffic, plant movement, trenching, fencing works, dust, soil compaction and other site activities. Delivering the landscaping closer to completion of the works, once the major construction activities, final site levels, fencing and access arrangements are in place, will provide a more reliable and effective establishment outcome for the approved landscape buffer. Importantly, the landscaping requirement remains enforceable. The consent already requires the automatic irrigation for the approved landscaped buffer to be maintained prior to the issue of the Occupation Certificate, and it also requires that the

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		approved and installed landscaping be maintained and kept free of weeds for the life of the development in accordance with the approved plan. Accordingly, the approved landscaping is not being removed, reduced or deferred indefinitely. The proposal is simply to shift the delivery milestone to a more appropriate stage of the project so that the approved landscaping can be successfully established and maintained, rather than being exposed to avoidable damage during construction.
Validity of Acoustic Report	One submitter expressed concerns that the acoustic assessment relies solely on modelling assumptions and does not include baseline or verification measurements taken at the nearest dwelling or property boundary. They argued that this limitation remains unchanged in the amended report, despite the project doubling in battery capacity, which they believe reduces confidence in the predicted noise outcomes. The submitter also noted that the amended assessment removes the previously applied +5 dBA tonal penalty for key equipment. They considered this change to be based on manufacturer data rather than site-specific evidence and suggested it gives the impression that the modelling has been adjusted to maintain compliance rather than reflect likely real-world noise impacts.	The acoustic assessment has not been based on arbitrary assumptions. The original Noise and Vibration Impact Assessment and the subsequent addendum were prepared by a qualified acoustic consultant using accepted modelling methodology, identified receiver locations and project-specific plant assumptions. The original assessment identified the relevant operational noise sources as the inverter station, battery containers and tracker motors, and the addendum specifically reassessed the modified development with the additional four BESS units based on the updated site layout. It is also not correct to suggest that the amended report simply "balanced out" the increase in battery numbers in order to maintain compliance. The original NVIA adopted a conservative approach by applying a +5 dBA tonal correction to the inverter and battery units. In the addendum, SoundIN expressly states that it reviewed the manufacturer's data and concluded that the inverter and batteries do not contain sufficient tonal characteristics to attract penalties under the NPfI. That is a technical reassessment of tonal character, not an omission of the issue. Further, the relevant question is not the noise from the additional four batteries in isolation, but the total operational noise from the development as modified. The addendum reassessed that

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		cumulative operational outcome, including the inverter station, 8 battery containers and tracker motors, and concluded that the modified development complies with the applicable project noise trigger levels at all nearby receivers, including under noise-enhancing meteorological conditions. Importantly, the consent also includes an ongoing noise validation monitoring requirement. Condition 62 requires a noise validation monitoring assessment to be completed during normal operation to quantify operational noise emissions from the site and confirm that emissions meet the relevant criteria, and it requires the mitigation measures in the SoundIN acoustic report and the Construction Noise and Vibration Management Plan to be employed and maintained for the duration of the project. Accordingly, the acoustic assessment is not limited to untested theory. It comprises updated expert modelling for the modified development, and the consent framework already requires operational validation monitoring to confirm compliance once the project is operating of which the existing DA has been approved on these basis.
General Objection to Renewable Energy Facility on Agricultural Land	One submitter expressed broad opposition to solar and battery storage developments on arable and irrigated agricultural land generally, and opposes the Bilbul modification on that basis. Concerns raised include loss of productive farming land, cumulative expansion of renewable projects after original approval, broader dissatisfaction with government energy policy, concern about impacts on the MIA agricultural landscape and irrigation land, and concern that if a developer	The objection raises opposition to renewable energy development and broader government energy policy, rather than to any specific unacceptable impact arising from the proposed modification application. The issue of land use compatibility within the RU1 Primary Production zone was considered as part of the original DA and is addressed in detail in the preceding SEE. The current modification does not alter the approved land use and remains substantially the same as that which was approved. The development remains a sub-5 MW solar farm with associated battery storage on the same site. The modification only

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	fails, the cost of removing infrastructure may fall to landowners, Council or ratepayers.	increases the battery storage units that already form part of the approved development. The original SEE specifically addressed the RU1 zone objectives and concluded that the proposal can be undertaken in a compatible manner. In particular, it noted that sustainable agricultural production on the site is not a viable proposition, that the site has not been used for commercial agriculture for over a decade, and that the solar farm will not sterilise the long-term agricultural potential of the land because the infrastructure can be removed at the end of the project life and the land returned to production. The conditions of consent also specifically address decommissioning, requiring that within 18 months of the site being decommissioned, the site be returned, as far as practicable, to its pre-construction condition in consultation with relevant landowners, and that solar panels, associated above-ground structures, underground infrastructure to a depth of 300 mm, and other project elements including site roads be removed unless otherwise agreed by Council. It also noted that the proposal would not fragment or alienate resource land and would not limit ongoing agricultural activities on surrounding properties or create land use conflict with neighbouring primary producers. In relation to surrounding agriculture, the original SEE considered the agricultural context of the site and noted that a solar farm is not a sensitive land use and does not limit ongoing agricultural activity on any of the surrounding properties.