Clean Energy Investor Group

Delivering Major Clean Energy Projects in NSW

2026 update: Review of NSW statutory planning approvals processes

June 2026

Bango Windfarm, Boorowa NSW (Squadron Energy)

About

The Clean Energy Investor Group (CEIG) represents domestic and global renewable energy developers and investors, with approximately 18GW of renewable energy capacity in the NEM across 139 power stations and a combined portfolio value of more than $41 billion. CEIG members' project pipeline is estimated to be more than 150GW across Australia. CEIG strongly advocates for an efficient transition to a clean energy future on behalf of the investors who will provide the low-cost capital required for this transition.

In the spirit of reconciliation, the Clean Energy Investor Group acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community.

We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

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Introduction

New South Wales has the largest electricity market in Australia — a market that continues to rely heavily on coal-fired generation. As coal generation retires and electricity demand grows, clean energy investment will play a critical role in maintaining reliability, affordability and energy security across the State.

Members of the Clean Energy Investor Group (**CEIG**) have a strong commitment to supporting this transition, with more than 50GW of renewable energy and storage assets either operating or in development across NSW. The scale of private investment flowing into clean energy infrastructure is now a major contributor to economic activity in the State, with the NSW Treasurer recently noting that clean energy investment is helping to keep NSW out of recession in 2026.

Maintaining this investment momentum will require a planning system capable of supporting timely, efficient and coordinated project delivery. A persistent challenge for proponents, however, has been the complexity, cost and timeframes of planning approval processes for major clean energy projects.

In December 2023, CEIG and major law firm Herbert Smith Freehills Kramer (**HSF Kramer**) (then Herbert Smith Freehills (**HSF**)) published a review of NSW statutory planning approvals processes for delivering major clean energy projects (**2023 Report**).

The purpose of the 2023 Report was to identify, from a legal perspective, key pinch points in the NSW planning framework for major clean energy projects and "quick wins" that would enable government, industry and developers to accelerate the delivery of renewable energy generation.

The 2023 Report focused on planning pathways for State significant development (**SSD**), State significant infrastructure (**SSI**) and critical SSI (**CSSI**) clean energy and transmission projects in NSW and the related factors that can materially impact the assessment and approval of these projects, including the assessment of biodiversity, visual, noise and vibration impacts, cultural heritage, and land and transmission components.

The 2023 Report outlined 14 recommendations to achieve "quick wins" to accelerate the planning approval process for State significant clean energy projects in NSW.

This report outlines the key changes since the 2023 Report and opportunities for further reform. While there is still work to be done, the Renewable Energy Planning Framework (**REP Framework**), introduced in November 2024 to promote faster planning decisions, has delivered a number of meaningful improvements.

This report has been informed by discussions with HSF Kramer, discussions with CEIG members and industry, and other developments that include:

- the outcomes of HSF Kramer's pulse survey of clean energy participants in September 2025 (**Pulse Survey**). The HSF Kramer Pulse Survey Report can be found online;
- significant reforms to the *Environmental Planning and Assessment Act 1979* (NSW) (**EP&A Act**) by the *Environmental Planning and Assessment Amendment (Planning System Reforms) Act 2025* (NSW) (**Planning System Reforms Act**) that passed the NSW Parliament and received assent in November 2025, and continue to progressively commence in 2026 (discussed at section 4 of this report); and
- significant reforms to the EP&A Act and *Electricity Supply Act 1995* (NSW) (**ES Act**) introduced to the NSW Parliament by the *Energy Legislation Amendment (Prioritising Renewable Energy) Bill 2026* (**PRE Bill**) on 6 May 2026[1] (discussed at section 4 of this report).

This report is structured as follows:

- **Section 1**: Summary of key recommendations for State significant clean energy projects in 2026.
- **Section 2**: Update on approval timeframes for major wind energy, solar energy, and standalone battery energy storage system (**BESS**) projects in NSW.
- **Section 3**: Key milestones achieved against the original recommendations in the 2023 Report.
- **Section 4**: Key updates to legislation in NSW since the 2023 Report.
- **Section 5**: Opportunities for further reform and NSW State budget opportunities for June 2026.

[1] As at the date of this report, these reforms have not yet been passed by Parliament.

While improving the efficiency of planning approval processes remains important, faster approvals alone will not deliver the scale of clean energy required under the NSW Electricity Infrastructure Roadmap. A significant proportion of approved projects have not progressed to construction, reflecting a growing set of post-approval bottlenecks.

These include challenges such as escalating capital costs, transmission and curtailment risk, logistics constraints (particularly for wind projects), and the need to retrofit storage for earlier-generation solar projects to remain commercially viable. More broadly, there is currently no single point of coordination across government for the post-approval pipeline, limiting visibility over project progression and potential expiry of consents.

While CEIG recognises significant constraints beyond the planning system continue to affect project delivery, this report focuses just on planning processes.

Since the 2023 Report, **we have seen progress on a number of our recommendations, but there is still more work to do** to achieve accelerated NSW planning approval processes with comprehensive environmental assessments, and streamlined post-approval steps, to ensure a timely transition to net zero.

1 Summary of key recommendations in 2026

A summary of the key recommendations in this report to enhance reform, facilitate faster and more certain planning approvals, and streamline post-approval steps, for State significant clean energy projects is set out below.

Key recommendations		Page
1	Properly resource the Investment Delivery Authority (including related specialist support) and Development Coordination Authority from the outset	28
2	Make critical State significant infrastructure or State significant infrastructure declarations for major wind energy, solar energy, and battery energy storage system projects	
3	Make Secretary's Environmental Assessment Requirements more prescriptive with clear outcomes	29
4	Deliver on commitments to simplify requests for information	30
5	Change Independent Planning Commission thresholds for State significant clean energy projects	
6	Shift more matters to the post-approval stage and streamline secondary approvals	31
7	Broaden the use of Strategic Offset Delivery Agreements to outside of Renewable Energy Zones	
8	Limit merit appeal risk for State significant wind energy, solar energy, and battery energy storage system projects	
9	Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence and transmission routes	32
10	Provide greater timing certainty and whole-of-government support for post-approval steps	
11	Reduce and clarify State significant development application fees	33

2 Approval timeframes

Moving in the right direction, but still room for improvement

The 2023 Report contained an analysis of approval timeframes for State significant clean energy project development applications (**DAs**) for the five-year period from October 2018 to November 2023.

An updated analysis for the most recent five-year period from March 2021 to March 2026 is summarised below for wind energy, solar energy, and standalone BESS projects.

For the purposes of this analysis, time starts to run from the date of the scoping report and ends when the consent authority approves the DA.

Submission of a scoping report is the first formal step in the State significant assessment process, and occurs before DA and environmental impact statement (**EIS**) lodgement. Due to this, we consider that starting time at the scoping report stage most closely reflects the time spent interacting with the NSW planning process by clean energy proponents.[2]

We recognise that time spent in the planning approval process involves both time spent with the NSW Department of Planning, Housing and Infrastructure (**DPHI**) (e.g. issuing SEARs, making an assessment, and making a determination) and with proponents (e.g. preparing scoping reports, preparing EIS, responding to submissions, and responding to requests for information (**RFIs**)). However, the key metric from an investment and delivery perspective is the overall timeframe from project conception through to project completion. Accordingly, this report focuses on the total approval timeframes and identifies opportunities to reduce these timeframes.

Average approval timeframes for State significant projects in NSW[3]			
Type	**October 2018 – November 2023**	**March 2021 – March 2026[4]**	**Change**
Wind energy	3,488 days	1,205 days	▼
Solar energy	705 days	1,116 days	▲
BESS (standalone)	530 days	665 days	▲

There are also a number of State significant clean energy projects currently seeking approval. As at 22 May 2026, these include (with a breakdown based on key assessment stages):

- **48 wind energy projects**, of which:
  - 2 have requested Secretary's environmental assessment requirements (**SEARs**);
  - 32 are preparing an EIS;
  - 3 are preparing a submissions report (also known as a "response to submissions" (**RTS**) report);
  - 8 are awaiting finalisation of an assessment report; and
  - 3 have been referred to the IPC for determination.
- **38 solar energy projects**, of which:
  - 1 has requested SEARs;

[2] We understand that the NSW Department of Planning, Housing and Infrastructure (**DPHI**) calculates approval timeframes from the date of DA and EIS lodgement.
[3] These timeframes are for primary planning approvals (i.e. they do not include modification applications).
[4] This includes all major wind energy, solar energy, and BESS projects determined between 1 March 2021 and 1 March 2026. See Attachment 1 to this report for lists of the projects that were approved in this timeframe.

  - 21 are preparing an EIS;
  - 5 are preparing a RTS report; and
  - 9 are awaiting finalisation of an assessment report; and
  - 2 have been referred to the IPC for determination.
- **68 BESS projects**, of which:
  - 48 are at the stage of preparing an EIS;
  - 11 are preparing a RTS report; and
  - 9 are awaiting finalisation of an assessment report.

There has been a significant improvement in primary approval timeframes for wind farms (with eight being approved in the last five years), while the rate of approval for State significant solar energy and BESS projects has slowed.

The NSW Government, in the *Large-Scale Solar Energy Guideline* (August 2022, updated November 2024) (**Solar Guideline**), indicated that it would "make every effort to assess applications within 100 government days", noting that requests for additional information may be needed and time taken to respond to material matters was not counted in assessment timeframes.

The *Wind Energy Guideline* (November 2024) (**Wind Guideline**) for assessing State significant wind energy projects also commits to assessing applications within 100 days.

Based on our review of the Major Projects website as at 1 March 2026, there are limited applications under assessment that would be subject to these commitments. This is because the 100-day commitment was introduced in the Solar and Wind Guidelines published in November 2024. While these guidelines do not specify when the approval timeframe commitment takes effect, we have assumed it would only apply to projects where an EIS is submitted after November 2024. CEIG is only aware of only one wind / solar / BESS project, being the Mayfair Solar Farm, to have had an EIS submitted after this date. Due to this, it remains to be seen whether the NSW Government will be able to meet its timing commitment, and whether this will help in getting approvals determined in a timely way.

Average development approval timeframes across Australia

Local energy mapping platform, RenewMap[5] has undertaken a comparative analysis of average development approval timeframes across Australia for the period March 2021 to March 2026, covering wind, solar and standalone BESS projects across states.

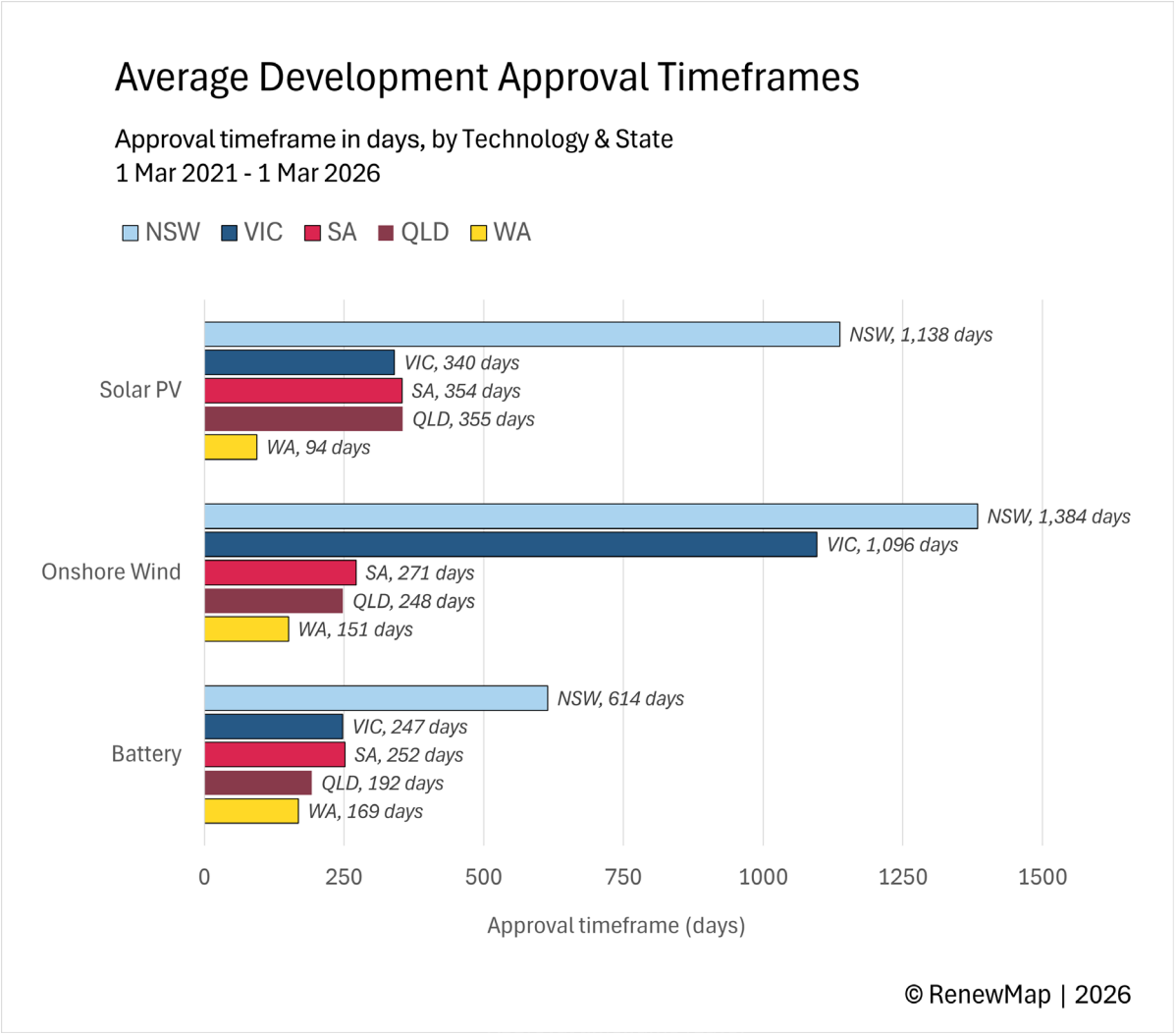
The differences between planning systems make it difficult to make exact comparisons. The closest possible comparisons are drawn between States, and the time taken to obtain a primary planning approval is significantly higher in NSW than elsewhere.

**Note: Differences in NSW approval timeframe results reflect methodology. The NSW-only analysis above focuses on State Significant clean energy projects, whereas the national comparison includes a broader set of clean energy projects assessed through Planning Panels and State Development pathways so that the analysis is more comparable across jurisdictions. The national dataset used in this analysis captures large projects (>30MW) assessed at both council and state levels.*

March 2021 to March 2026 – Average development approval timeframes in days

Technology	NSW	QLD	SA	VIC	WA
Battery	614.22	192.03	251.64	247.27	168.50
Onshore Wind	1384.11	248.05	271.33	1096.38	150.50
Solar PV	1137.52	354.96	354.08	340.11	93.86

[5] RenewMap, 2026. Data and analysis sourced from RenewMap (renewmap.com.au).



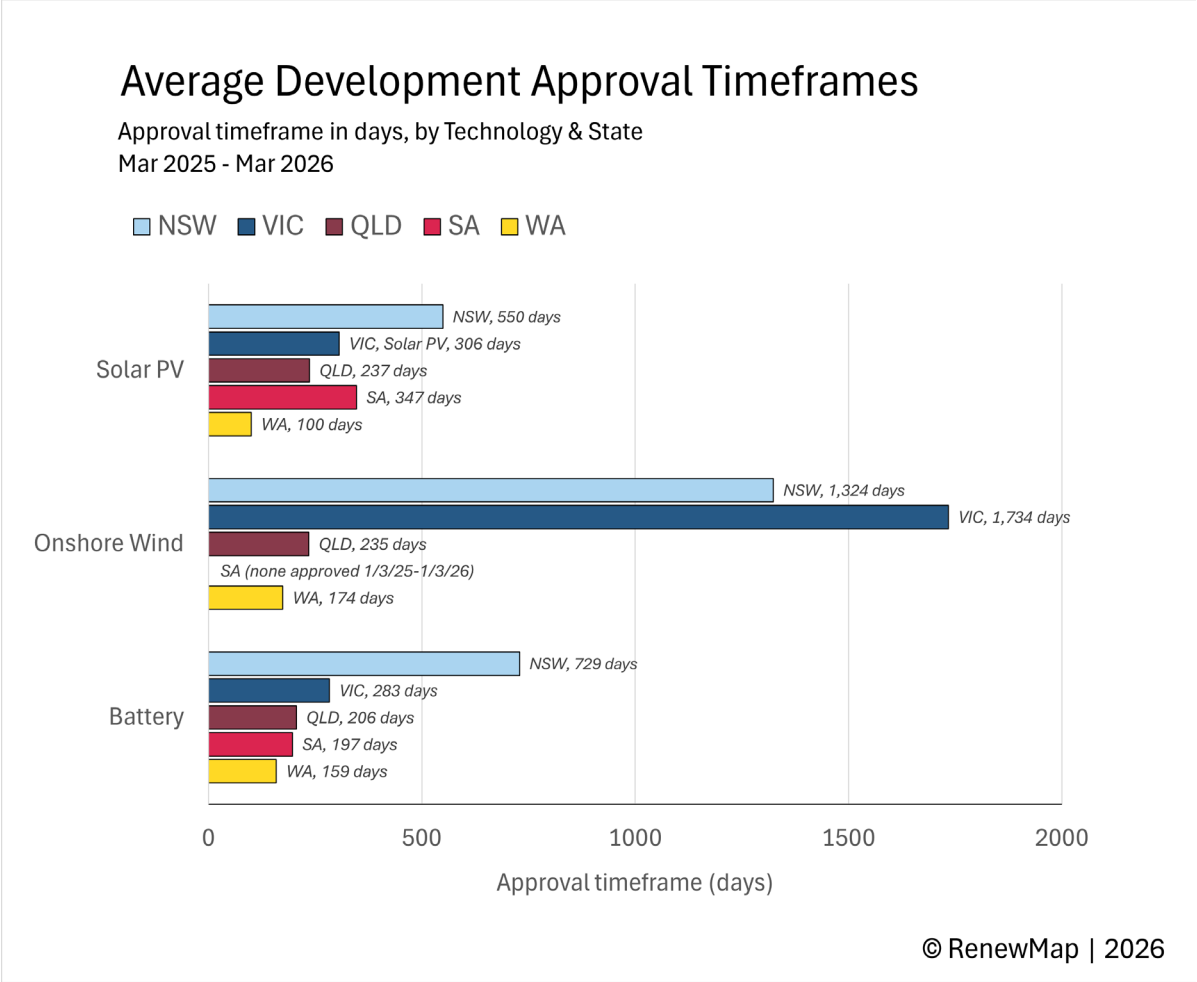
Given the November 2024 introduction of the NSW REP Framework, a comparable analysis was conducted of average development approval timeframes across Australia for the one-year period March 2025 to March 2026.

The data shows signs of improvement in NSW relative to its 5-year average. However, approval timeframes remain substantial in absolute terms, with wind (1,324 days) and batteries (729 days) continuing to take multiple years on average to progress through the system.

At the same time, Victoria's average wind approval timeframe for the one-year period (1,734 days) is higher than NSW, reflecting a cohort of wind projects approved in 2025 that were lodged between 2018-2019. While this indicates a high volume of approvals being finalised, it also underscores that these projects remained in the system for extended periods before determination.

March 2025 to March 2026 – Average development approval timeframes in days

Technology	NSW	QLD	SA	VIC	WA
Battery	729	206	197	283	159
Onshore Wind	1324	235	-	1734	174
Solar PV	550	237	347	306	100



Whilst the timeframes above encompass periods attributable to both government and proponents, in theory proponent-related delays should be broadly comparable across jurisdictions given the similar cohort of developers and consultants operating nationally. On this basis, NSW nonetheless records longer overall approval timeframes than other states.

According to CEIG members, planning and approval process under Part 4 of the EP&A Act as a whole is more complex and protracted that the comparable systems in other states. Delays from repeated rounds of RFIs, for example, point to a systemic issue about the scope of assessment and inefficient coordination. Hopefully, the introduction of the DCA and the Prioritising Renewable Energy (PRE) Bill (if it is enacted) will help address these issues.

Determination by the IPC

Approval timeframes

Between March 2021 and March 2026, 18 wind energy, solar energy, and BESS projects have been determined by the IPC (see **Attachment 1**).

The average approval time from the date of referral to the IPC to the date of determination was 90 days.[6]

While an additional 2-3 months may not seem like a lengthy period, there is significant additional work and cost associated with additional public consultation and hearings/meetings in the IPC process. Subject to whether a project has a public meeting or public hearing at the IPC, it can still be subject to a court appeal following IPC determination (increasing cost and timing risk for proponents).

The IPC assessment period is also likely to have a disproportionate impact on different types of projects.

[6] This includes projects currently subject to court appeal. If excluding projects subject to court appeal, the average is 79 days.

For example, a 2-3 month delay means the average planning approval process is extended by approximately:

- 7.47% for wind projects;
- 8.06% for solar projects; and
- 13.53% for BESS projects.

The impact of delay is not equally distributed across project type. A BESS project has a shorter average approval timeframe (665 days according to the five-year average) than a wind farm (where the average approval timeframe is 1,205 days). It follows that referring a BESS project to the IPC has a proportionally greater impact on the overall project approval timeframe.

IPC assessment

Anecdotal feedback from CEIG members also suggests that there can be significant duplication between assessments undertaken by the Department (DPHI) and the IPC, with the IPC often re-opening technical matters and requesting additional design work beyond the DPHI assessment. This creates delay, costs, and uncertainty for proponents.

IPC processes - public meeting versus public hearing

The IPC can determine projects either by way of a public meeting or a public hearing. Public hearings must be formally requested by the Minister for Planning and Public Spaces (**Planning Minister**). Holding a public hearing has the effect of "turning off" merit appeal rights for both applicants and objectors. While this can provide greater certainty and finality for proponents by reducing the risk of prolonged litigation, it should also be noted that it removes proponents' rights to seek a merits appeal.

Historically, public hearings were not requested for renewable energy projects. However, on 23 February 2026, the Planning Minister requested public hearings for three State significant wind energy projects (Bullawah Wind Farm, Dinawan Wind Farm, and Winterbourne Wind Farm).

The PRE Bill confirms the Planning Minister's power to hold public hearings for priority renewable energy projects (see further comments at section 4 below).

Utilising public hearings for renewable energy projects has both benefits and risks for proponents. While it removes the risk of objector appeals, it also turns off merit appeals for proponents if they are unsatisfied with the determination of the IPC.

3 Key milestones achieved in response to original 2023 recommendations

The 2023 Report made 14 key recommendations to achieve “quick wins” under the existing NSW planning framework to streamline planning approvals for major clean energy projects.

The table below represents a “progress scorecard” for each original recommendation in the 2023 Report.

State significant planning pathways		
1	Broader use of CSSI declarations to meet the State’s critical energy needs	**Some progress, but more work to do**
2	Streamline the DA assessment process with improved interagency coordination	**Some progress, but more work to do**
3	Allow conditions to do the work (where appropriate)	**One to watch**
Biodiversity		
4	Improve clarity regarding the applicability of draft / interim guidelines	**Some progress, but more work to do**
5	Align land clearing standards across the State	**No progress**
6	Improve landscape-scale biodiversity assessments	**Some progress, but more work to do**
Visual, noise and vibration		
7	Prepare a clear and reasonable dwelling entitlement methodology	**Implemented – monitoring for impact**
8	Explore further improvements to visual impact assessment	**Implemented – monitoring for impact**
9	Streamline SEARs and/or appropriately use approval conditions	**One to watch**
Cultural heritage		
10	Establish a robust consultation framework	**No progress, but one to watch**
11	Assess connection to Country	**No progress, but one to watch**

Land and transmission	
12 Strengthen local social licence	**No progress**
13 Secure land and transmission routes and deliver strategic solutions upfront	**No progress**
14 Address industry feedback on the draft private agreement template	**Implemented – monitoring for impact**

Key

- **Implemented – monitoring for impact**: Recommendations have been implemented, CEIG is monitoring the impacts of relevant reforms.
- **Some progress, but more work to do**: Commitments have been made or recommendations have been introduced, but need to be delivered.
- **One to watch**: Reforms or commitments have been announced, but implementation is yet to occur.
- **No progress, but one to watch**: Reforms of commitments foreshadowed, but yet to be formally announced.
- **No progress**: Recommendations have not been implemented.

We have set out further detail on each of the original key recommendations below.

1 Broader use of CSSI declarations to meet the State's critical energy needs

Some progress, but more work to do

State significant planning pathways

SSD is a planning pathway for major projects that are permissible with development consent.

- Generally speaking, the SSD pathway is for projects that due to their scale or significance are elevated to assessment at a State level (as opposed to development applications determined at a local level) (e.g. projects such as solar and wind farms with a certain generating capacity, museums, hospitals etc).
- The pathway requires proponents to lodge a development application and EIS, which is then put on public exhibition. The application and EIS are then assessed and determined by the Planning Minister or the IPC.
- Certain secondary approvals are either not required or cannot be refused and must be substantially consistent with any SSD consent.
- Merit appeals can be made by proponents (and in some circumstances third-party objectors) in relation to SSD projects. Judicial review is also available.

SSI is a planning pathway for infrastructure or utility projects that are permissible without development consent.

- Generally speaking, the SSI pathway is for infrastructure projects such as roads, transmission infrastructure, water storage or pipeline infrastructure.
- Planning instruments do not apply to SSI projects (except where they apply to a declaration of SSI).
- The pathway requires proponents to apply for infrastructure approval and EIS, which is then put on public exhibition. The application and EIS are then assessed and determined by the Minister for Planning.
- No merit appeal rights exist for SSI projects, however judicial review is still available.
- There are also more flexible modification powers in comparison to SSD.

CSSI is a planning pathway available to a subset of SSI projects which are declared to be CSSI by the Planning Minister, due to being critical to NSW for economic, environmental or social reasons.

- In addition to the features of the SSI pathway, CSSI projects:
  - Have reduced risk of legal challenge, as judicial review can only be commenced with the approval of the Minister.
  - Have faster determination timeframes.
  - Are not subject to various enforcement actions such as development control orders.

Renewable energy projects have predominantly advanced through the SSD planning pathway. However, CSSI is a planning approval pathway that has a number of benefits including:

- Faster determination timeframes.
  - For the period between March 2021 and March 2026, the average timeframe for a CSSI approval was approximately 1,047 days, as compared to the average timeframe for wind, solar, and BESS SSD approvals which was approximately 1,574 days. This represents an average time saving of approximately 527 days, being almost 1.5 years.
  - The quickest timeframe for a CSSI approval in that time period was 173 days, as compared to the quickest timeframes for the various types of clean energy SSD approvals, outlined below:
    - SSD Solar – 372 days;
    - SSD Wind – 543 days; and
    - SSD BESS – 259 days.

    This represents an average time saving of 218 days when compared to the quickest timeframe for CSSI approvals. As there are no solar, wind, or BESS projects that are CSSI, we are not able to further sub-categorise the CSSI timeframe for a direction comparison based on project type.
- Greater flexibility for modifications. Generally speaking, modifications to SSD consents require the development to still be "substantially the same development", whereas this does not apply to CSSI projects.
- Development control orders and certain other enforcement actions cannot prevent or interfere with an approved CSSI project.
- CSSI projects are not subject to Part 3 of the EP&A Act which establishes environmental planning instruments (which provide for, amongst other things, land use zoning). The key rationale for CSSI projects not needing to comply with Part 3 (and therefore zoning requirements) is that the CSSI pathway is intended for large, and often linear projects. It would be impractical for these projects to need to comply with potentially multiple local environmental plans, which may have conflicting zoning regimes and/or development standards. This is intended to streamline the planning process for projects that are significant to the State for economic, environmental or social reasons. While solar, wind and BESS projects are not necessarily linear projects, they can cover large land areas (sometimes crossing over local government areas), and may have linear components (e.g. road or transmission upgrades).
- Streamlined assessment requirements (however, an EIS is still required).
- Reduced risks of legal challenge due to no merits appeals (however, there is still the possibility of judicial review proceedings).

> "*[a]ppeal risks…present a very high risk of delay that is outside the developer's control. As merits appeals can be made by an objector… they are prone to opportunism and spurious claims.*"
>
> Development Manager of a major wind energy project (Pulse Survey)

Since the 2023 Report, 8 projects have been declared CSSI. Of these:

- **5 have been pumped hydro:**
  - Lake Lyell Pumped Hydro Energy Project
  - Muswellbrook Pumped Hydro Energy Storage Project
  - Stratford Pumped Hydro and Solar Project
  - Yarrabin (Phoenix) Pumped Hydro Project

  - Western Sydney Pumped Hydro Project
- **3 have been transmission infrastructure:**
  - Mount Piper to Wallerawang Transmission Line Upgrade Project
  - New England REZ Transmission Project
  - Victoria to NSW Interconnector West Project.

While it is positive to see that all of the projects declared as CSSI since December 2023 are either renewable energy generation or transmission projects, there is still opportunity for broader use of CSSI and SSI declarations.

The 2024 Wind and Solar Guidelines both confirm that the Planning Minister may consider requests to declare wind and solar energy projects as CSSI if a project includes a significant energy storage system (e.g. a battery with a power capacity of 750 MW and a useable energy storage capacity of 1,500 MWh or more). At the date of this report, no such declarations have been made.

The PRE Bill also provides that the Energy Minister will be able to recommend that certain projects should be declared to be SSI. Legislating a power to declare renewable energy projects as SSI represents a further commitment by the NSW Government to delivering clean energy projects and to streamlining planning pathways.

CEIG recommends at section 5 of this report below that the NSW Government makes CSSI or SSI declarations for major wind energy, solar energy, and BESS projects (without being limited by the storage threshold in the Wind Guideline and Solar Guideline).

Making SSI or CSSI the primary planning pathway for these projects would offer an approximate average time saving of 527 days for determination (when compared to solar, wind, and BESS SSD consent timeframes) and encourage the delivery of more clean energy projects in NSW, which are essential to the State's energy transition and 2030 targets.

See the following related 2026 recommendations in section 5 of this report:

Recommendation #2: Make CSSI or SSI declarations for major wind energy, solar energy, and BESS projects.

Recommendation #8: Limit merit appeal risk for State significant wind energy, solar energy, and BESS projects.

2 Streamline the DA assessment process with improved interagency coordination

Some progress, but more work to do

The 2023 Report identified how the DA assessment process could be streamlined, such as by:

- removing the need for soft lodgements, or reducing soft lodgement timeframes before obtaining SEARs;
- resetting an industry approach that is currently producing long, complex and repetitive EIS documentation; and
- restricting the number of RFIs, and the period for RFIs, during the assessment process.

We are still seeing "soft lodgement" processes and significant numbers of RFIs being issued, which can delay approval timeframes by months.

> *"Assessment reports go through multiple layers for review. Each layer… tends to add edits, seek clarifications, or send issues back to the proponent… Each RFI "stops the clock" but adds months in reality. [The] bottleneck is less about technical complexity and more about referral lag, internal bureaucracy, and resourcing."*
>
> Manager of a solar energy, wind energy and BESS project developer (Pulse Survey)

However, there has been some progress with respect to assessment processes.

Recent changes to the EP&A Act (discussed at section 4 of this report below) have sought to limit assessments only to "significant likely impacts" (rather than all likely impacts). The recently introduced Development Coordination Authority (**DCA**) may also assist in coordinating interagency responses by bringing technical advisory functions within DPHI, however ongoing monitoring will be needed to assess effectiveness. While these changes have the potential to speed up the approval processes for clean energy projects, proponents will need to be mindful of the transitional provisions (which limit the number of projects to which the amendments apply) (see section 4 of this report for further details).

NSW has also maintained its bilateral agreement with the Commonwealth regarding the assessment of controlled actions under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**), which significantly reduces the time and duplication otherwise associated with obtaining approvals at both levels of government.

In addition, the Wind Guideline and Solar Guideline, released as part of the REP Framework, both recognise that whilst DPHI may require additional information, it will use its "best endeavours to limit major information requests… to once per stage of the assessment process." It remains to be seen whether this is adhered to in practice. There are currently no guidelines for standalone BESS projects, which leaves a gap as to the performance standards for RFIs for these projects.

While RFIs can result from incomplete or inadequate assessment documentation, feedback from CEIG members is that RFIs also result from conflicting, accumulating, incomplete, or delayed guidance from agencies. CEIG recommends at section 5 of this report below that to minimise RFIs and streamline interagency interactions, SEARS should be made more prescriptive and agency focused, and that the NSW Government should deliver on its previous commitments to streamline RFIs.

See the following related 2026 recommendations in section 5 of this report:

Recommendation #1: Properly resource the IDA (including related specialist support) and DCA from the outset.

Recommendation #3: Make SEARs more prescriptive with clear outcomes.

Recommendation #4: Deliver on commitments to simplify RFIs.

Recommendation #6: Shift more matters to the post-approval stage and streamline secondary approvals.

3 Allow conditions to do the work (where appropriate) — One to watch

Imposing conditions in a more targeted manner remains a key opportunity for reform. This would enable assessments to be completed at more appropriate points during the approval and post-approval stages, while still securing environmental outcomes and future compliance with respect to the development and/or use of the land.

Despite this, proponents are still being required to front load complex and detailed assessments at an early stage, or are subject to late-stage information requests and design changes.

> *"A wind energy proponent will be trying to balance multiple technical, economic and social constraints when developing a project, e.g. wind speed, constructability, host landowner preferences, neighbour concerns, council issues, transmission planning, ancillary plant, water, gravel, accommodation. Not all of these constraints are or can be known at the beginning but are developed over several years of effort. Unfortunately, the NSW planning process appears to require that projects arrive fully formed…".*
>
> Director of a major onshore and offshore wind energy project developer (Pulse Survey)

Anecdotal feedback from CEIG members and their advisers indicates that the IPC or objectors in merits appeals raise issues that require proponents to provide highly detailed plans and reports (typically a post-approval step) before a decision is made. This creates a significant burden on proponents, by requiring them to engage experts and expend funds on preparing detailed plans and reports for a project which may not be approved. It can also undermine the intended efficiency of early-stage assessments.

The recently passed Planning System Reforms Act introduces both model and standard conditions which must be imposed by a consent authority when granting or modifying a development consent.

Model and standard conditions (which will be developed in consultation with industry) have the potential to address concerns with needing to front-end project design and assessment. However, the NSW Government has indicated it will prioritise standard and model conditions for housing projects in the first instance.

We note that the transitional provisions of the Planning System Reforms Act might limit the utility of the amendments to projects already within the planning system (see our discussion at section 4 of this report below).

See the following related 2026 recommendation in section 5 of this report:

Recommendation #6: Shift more matters to the post-approval stage and streamline secondary approvals.

4 Improve clarity regarding applicability of draft / interim guidelines

Some progress, but more work to do

At the time of the 2023 Report, the NSW Government had released a *Draft Energy Policy Framework* (November 2023) (**Draft Framework**). The Draft Framework proposed guidelines for wind energy, solar energy, and transmission projects (with accompanying technical supplements), as well as guidelines on benefit sharing and private agreements.

Following public consultation, the NSW Government released the REP Framework on 12 November 2024, comprising:

- the Wind Guideline (plus associated visual and noise impact assessment technical supplement, and a decommissioning calculator);
- the Solar Guideline (plus associated visual impact assessment technical supplement, and a decommissioning calculator); and
- additional guidelines, including the *Transmission Guideline* (November 2024) (plus associated visual impact assessment technical supplement), *Hydrogen Guideline* (March 2023), *Benefit-Sharing Guideline* (November 2024), and *Private Agreement Guideline* (November 2024).

The REP Framework has sought to improve certainty regarding site selection and layout decisions – particularly in relation to visual impact, noise and dwelling entitlement assessments. Prior to the REP Framework coming into effect, proponents experienced considerable uncertainty when interacting with the NSW planning approval process in understanding which guidelines should be considered during assessment (i.e. the *Wind Energy Guideline* (December 2016) (**2016 Wind Guideline**) or the Draft Framework).

Transitional arrangements (which allowed for opt in) were introduced to clarify the projects to which the REP Framework applied. While there was an inherent level of transitional uncertainty associated with the introduction of the framework, these issues have been largely resolved, and the final REP Framework has delivered benefits to the clean energy industry in NSW.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #3: Make SEARs more prescriptive with clear outcomes.

5 Align land clearing standards across the State

No progress

The current biodiversity conservation framework under the *Biodiversity Conservation Act 2016* (NSW) (**BC Act**) and *Local Land Services Act 2013* (**LLS Act**) is complex and produces varying biodiversity outcomes depending on the proposed land use or development.

This has resulted in clean energy and transmission projects being subjected to higher offset costs, while comparable clearing for other purposes (e.g. farming) does not attract the same onerous offsetting obligations.

CEIG is not aware of any changes to the biodiversity framework in NSW which would address this recommendation. For this reason, the recommendation from the 2023 Report that the NSW Government should consider legislative reform in this area remains applicable.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #9: Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes.

6 Improve landscape-scale biodiversity assessments

Some progress, but more work to do

Over the course of 2022 and 2023, Dr Ken Henry AC undertook a mandatory five-yearly review of the BC Act. The review recommended a significant overhaul of the BC Act.

In March 2025, a number of amendments to the BC Act came into force, seeking to implement the recommendations from the review. The most significant of these included provisions to:

- transition the Biodiversity Offsets Scheme from “no net loss” to “net positive” over time;
- introduce changes to offsetting conditions for State significant projects; and
- limit payments into the Biodiversity Conservation Fund.

Whilst these reforms represent substantive progress – particularly in promoting net positive biodiversity outcomes – the term "net positive" remains undefined, creating ongoing commercial and legal uncertainty for industry. The reforms require the NSW Minister for the Environment to develop a strategy (following public consultation) as soon as practicable for transitioning the biodiversity offsets scheme to deliver net positive outcomes. As at the date of this report, a strategy is yet to be released.

Separately, in May 2025, amendments were introduced to the *Biodiversity Conservation Regulation 2017* (NSW) to establish a new measure for certain projects to offset biodiversity impacts. The new pathway, known as a “strategic offset delivery agreement” (**SODA**), allows proponents to enter into an agreement to transfer responsibility for delivery offsets or other measures to the Environment Agency Head.

The use of SODAs is currently limited to:

- priority transmission infrastructure projects or Renewable Energy Zone (**REZ**) network infrastructure projects;
- generation, storage, network or related infrastructure within REZs; and
- infrastructure to which a Long-Term Energy Service Agreement (**LTESA**) applies.

Once a proponent has entered into a SODA, they are taken to have complied with conditions of consent requiring biodiversity offsetting.

SODAs are intended to de-risk biodiversity offsetting for proponents, by ensuring cost and timing certainty for meeting offsetting requirements. SODAs are required to be consistent with any “conservation investment strategy” for a particular region, and are therefore intended to deliver landscape-scale outcomes.

While SODAs will likely help to de-risk biodiversity offsetting, there is still room for government to undertake landscape-scale assessments of cumulative impacts (particularly in designated areas such as REZs). This

would reduce the timing and resourcing burden on individual proponents needing to undertake cumulative impact assessments (and may also speed up assessment).

CEIG recommends at section 5 of this report below that the NSW Government broaden the use of SODAs to all renewable energy projects (and not just those within REZs or to which a LTESA applies).

While outside of the scope of this report, significant reforms to the EPBC Act were passed in November 2025. Notwithstanding the scope of those reforms, the 10 "quick win" recommendations in the "Review of the EPBC Act for Renewable Energy Projects in Queensland, New South Wales and Victoria" report (December 2024) are still relevant.

As mentioned earlier, NSW has maintained its assessment bilateral under the EPBC Act, which will continue to streamline approval processes for proponents.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #7: Broaden the use of SODAs to outside of REZs.

7 Prepare a clear and reasonable dwelling entitlement methodology

Implemented – monitoring for impact

DPHI has clarified when, and how, development rights (previously known as "dwelling entitlements") should be assessed through the Wind Guideline. Relevantly, the Wind Guideline has also defined the period within which a development right can be enlivened, providing greater certainty for proponents when assessing impacts on neighbouring land.

Under the final Wind Guideline, proponents need to assess impacts on development rights only if:

- the land is vacant prior to SEARs being issued (or 12 November 2024, where a supplementary SEAR has been issued); and
- the vacant land would, at the time:
  - be partly or wholly within the visual impact assessment setback of 9 degrees of a person's vertical field of view (i.e., 15 km for a 240 m turbine);
  - experience exceedances of the relevant noise criteria; or
  - be subject to significant risk from blade throw, ice throw or other risks.

If an assessment is required, the assessment itself will differ depending on the condition of the vacant land at the time SEARs are issued. In particular:

- if the vacant land is:
  - subject to a lodged but not yet determined DA; and/or
  - had been granted development consent or issued a complying development certificate but development had not yet physically commenced;

  the proponent should consider methods to mitigate the impacts on development rights. Mitigation methods include screening, or helping affected landholders to modify an existing development consent or to seek a new development consent to minimise impacts. Importantly, it is not to be treated as an existing dwelling for the purpose of the visual and noise assessments; and
- if development had physically commenced on the land, the development should be treated as an existing dwelling for the purpose of visual and noise impact assessments.

While the REP Framework does make progress, its scope and application may still be tested in merits appeal legislation.

8 Explore further improvements to visual impact assessment

Implemented – monitoring for impact

The *Technical Supplement for Landscape Character and Visual Impact Assessment* (November 2024) for both State significant wind and solar energy projects provides significant further detail in comparison to the 2016 Wind Guideline and the Draft Framework. However, the level of assessment required still appears to front-load a significant amount of technical analysis at an early project stage when preparing a scoping report.

While the REP Framework does make progress in some respects, its scope and application may still be tested in merits appeals. Initial judicial consideration of the Solar Guideline in *Faulks v Independent Planning Commission* [2026] NSWLEC 1032 at [84] indicates that the clarified visual impact assessment methodologies are considered to be comprehensive and appropriate (although we note that the decision in *Faulks* was a Commissioner decision and is currently on appeal).

9 Streamline SEARs and/or appropriately use approval conditions

One to watch

The 2023 Report recommended excluding express references to dwelling entitlements in SEARs (and instead using appropriate conditions to manage impacts on dwelling entitlements).

While there has been some progress in respect of dwelling entitlements generally (see the discussion in relation to original recommendation 7 above), the recent reforms to the EP&A Act may also assist with this recommendation by introducing model and standard conditions. As the precise form of the model/standard conditions have not been released, it remains to be seen the extent to which these will address dwelling entitlements and their impacts on the location of project infrastructure.

The DCA may also have a role to play in streamlining SEARs, by coordinating agency advice to ensure that SEARs are sufficiently prescriptive and address all relevant assessment areas. Having sufficiently prescriptive SEARs should help to minimise RFIs raised later during the assessment process.

See the following related 2026 recommendations in section 5 of this report:

Recommendation #1: Properly resource the IDA (including related specialist support) and DCA from the outset.

Recommendation #3: Make SEARs more prescriptive and agency focused.

Recommendation #6: Shift more matters to the post-approval stage and streamline secondary approvals.

10 Establish a robust consultation framework

No progress, but one to watch

The EP&A Act works alongside the *National Parks and Wildlife Act 1974* (NSW) (**NPW Act**) to regulate impacts on Aboriginal objects and places. It is an offence under the NPW Act to harm or desecrate an object or place that the person knows is an Aboriginal object or place without the authority of an Aboriginal heritage impact permit, unless exceptions apply.

While approved State significant projects do not require an Aboriginal heritage impact permit, cultural heritage impacts still requirement assessment, including by reference to the various guidelines, such as *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010).

The 2023 Report noted that a key challenge for clean energy and transmission projects was achieving comprehensive participation by cultural owners and determining whether sufficient consultation has occurred.

CEIG is not aware of any changes made in response to the recommendation in the 2023 Report to update longstanding guidance on cultural heritage assessment, including establishing a comprehensive consultation framework that sets clear processes and timings and expectations with respect to engagement with Traditional Owners. To that end, from the recommendation in the 2023 Report still stands.

However, the issue is "one to watch" in light of the NSW Government's launch of a new draft heritage strategy in May 2025, as well as the anticipated introduction of a standalone Act with respect to cultural heritage. The draft strategy aims to set a vision and direction for protecting heritage in NSW and establishes a broad set of actions the NSW Government proposes to carry out to achieve that vision over the next 5 years. Actions include (but are not limited to):

- strengthening alignment between the heritage and planning systems;
- establishing a more robust State Heritage Register; and
- modernising the heritage framework.

At this stage, it is unclear whether the NSW Government's actions following the implementation of its strategy will lead to an improved consultation framework. While the draft strategy does not provide clarity on this point, it does indicate the potential for broader reforms that could include consultation measures – such as developing guidance and other resources to support climate change preparedness and simplifying approval systems and related guidance.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #9: Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes.

11 Assess connection to Country

No progress, but one to watch

The importance of conducting an assessment with respect to Country, alongside archaeological assessment of Aboriginal objects and places, is critical to the proper assessment and approval of clean energy and transmission projects in NSW.

The 2023 Report recommended that DPHI refresh the investigation and consultation guidance material relating to Aboriginal cultural heritage, as discussed under original recommendation 10 above. The 2023 Report also identified some longer-term opportunities, including to complete reform of the NPW Act and other relevant legislation to provide a modern framework with improved processes and outcomes for cultural heritage.

No progress has been made, and therefore the recommendations from the 2023 Report remain valid. However, this is similarly an issue "to watch" as the NSW Government considers the introduction of a standalone Act with respect to cultural heritage.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #9: Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes.

12 Strengthen local social licence

Some progress, but more work to do

For clean energy projects, there is a key opportunity to strengthen social licence with local communities and landholders.

The 2023 Report recommended that the NSW Government and DPHI could continue to assist proponents of clean energy and transmission projects to establish and build a social licence in local communities, including through assisting with local council engagement and establishing community benefit sharing arrangements that maintain strong links back to the relevant development through the life of the project.

The NSW Government has implemented a comprehensive benefit sharing policy framework through the Benefit Sharing Guidelines, released as part of the REP Framework, to support community acceptance and participation. While the Benefit Sharing Guidelines was a positive step, strengthening social licence for projects is an ongoing shared responsibility of and proponents *and* government.

Government can continue to strengthen local social licence by investing in independent community liaison resources and monitoring and fostering regional forums.

Industry continues to have a central role in establishing and building social licence for projects through honouring commitments made during planning processes, maintaining open lines of communication with affected landowners and communities and delivering on benefit sharing arrangements.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #9: Deliver further on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes.

13 Secure land and transmission routes and deliver strategic solutions upfront

No progress

Renewable energy projects face challenges when it comes to securing appropriate land. The NSW Government is supporting the development of REZs as centres which combine electricity generation, transmission, storage and systems in concentrated locations.

The 2023 Report identified that there were opportunities to explore options for securing land and transmission routes at an early stage that would allow for strategic solutions at scale to resolve expected future impacts relating to proposed development(s) within a similar area, including impacts such as visual and noise, biodiversity and offsets, and other matters. CEIG is not aware of any specific progress in relation to this recommendation, and therefore considers that it remains valid.

See the following related 2026 recommendation in section 5 of this report:

Recommendation #9: Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes.

14 Address industry feedback on the draft private agreement template

Implemented – monitoring for progress

Before the final *Private Agreement Guideline* (November 2024) came into force, DPHI released a draft version for consultation. The draft version contained a template private agreement designed for use by the public.

The operative guideline now in force does not contain a template agreement, which is consistent with recommendations made in the 2023 Report.

Overall, this is a positive step as it allows private parties to negotiate and tailor bespoke commercial agreements without public influence. The final guideline still contains some key model clauses and provides other useful guidance, such as explaining what the different types of agreements are in this context (e.g. a licence, an option, land purchase agreements and landholder and neighbour agreements). These will need to be monitored over time to ensure relevancy.

4 Recent changes to NSW planning and energy laws

There have been a number of recent changes made or proposed to planning and energy legislation in NSW. A brief overview of the key changes is below.

Changes introduced by the Planning System Reforms Act

Changes to the objects of the EP&A Act

- The Planning System Reforms Act amends the objects of the EP&A Act, including by introducing two new objects (being to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention, and to promote a proportionate and risk-based approach to environmental planning and assessment).
- **Why this matters for clean energy projects:** Assessments of environmental impacts of projects generally have regard to the objects of the EP&A Act, and whether a proposed development facilitates those objects. By expressly including climate change resilience and preparedness as an object, the NSW Government is signalling an intention to facilitate projects which will help to meet these objectives. Amending the objects of the EP&A Act to include proportionate and risk-based assessments also signals an intention to streamline assessments to consider the most significant impacts. To assist proponents, DPHI have published the "Assessment of impacts under section 4.15 of the EP&A Act" practice note.

Introduction of new authorities (HDA, DCA, IDA)

- The Planning System Reforms Act enshrines the previously announced Housing Delivery Authority (**HDA**) (intended to speed up the approval of significant housing projects). The Investment Delivery Authority (**IDA**), while also previously announced, has not been addressed by the Planning System Reforms Act or enshrined in legislation. The Planning System Reforms Act does, however, establish a new DCA. The DCA is slated to be a "single front door" to improve interagency coordination and centralise decision-making where multiple agencies are involved.
- **Why this matters for clean energy projects:** As identified in the Pulse Survey, whether the IDA will assist clean energy projects is yet to be determined. Survey respondents indicated that only 60% of their projects would meet the $1 billion threshold for IDA assistance. With the IDA only able to assist approximately 30 projects a year (not all of which would be clean energy), there was initial concern about the impact the IDA would have on speeding up clean energy approvals. On 4 March 2026, the NSW Government announced that it had endorsed 16 projects to go through the IDA, of which 13 were clean energy generation or storage (or clean energy adjacent) projects. The focus on pumped hydro and BESS projects suggests a focus on system reliability and firming capacity. In relation to the DCA, this is not a new agency per se, but will be a new function of the Planning Secretary. The DCA has a broad ambit of potential functions under the amendments, but also has a specific role in assisting interagency coordination where 'other approvals' (e.g. heritage, environmental licensing) are required for development. As most major clean energy projects in NSW are SSD, these types of approvals are either not required, or cannot be refused (see sections 4.41 and 4.42 EP&A Act).

Targeted assessment development

- The Planning System Reforms Act introduced a new planning pathway known as Targeted Assessment Development (**TAD**). The TAD pathway is intended to bridge a gap between complying development and a full DA process.
- While a DA is still required for TAD projects, assessment of environmental impacts, site suitability and the public interest are not required, on the basis that (a) only "low risk" development would be assessed through the TAD pathway, and (b) the development would have to meet certain criteria in State Environmental Planning Policies (**SEPPs**) which would incorporate prior strategic assessments.
- The NSW Government has indicated that the TAD pathway could reduce assessment timeframes for eligible projects by up to 50%.
- **Why this matters for clean energy projects:** The TAD pathway currently excludes "designated development" (which includes electricity generation and battery storage projects over 30 megawatts), meaning large-scale clean energy projects generally would not be eligible for the pathway.

Only assessment of "significant" impacts will be required

- Prior to amendment by the Planning System Reforms Act, the EP&A Act only required assessment of "likely" impacts. However, the Planning System Reforms Act narrows this to "significant likely impacts".
- **Why this matters for clean energy projects:** The intent behind this change appears to be to streamline assessments by only requiring consideration of *significant* impacts, rather than any impacts. While this has the potential to reduce the time and cost for proponents in preparing an EIS, we expect that this may create some uncertainty in the short term.

  Although the NSW Government has published a new practice note on the assessment of impacts under section 4.15 of the EP&A Act, we expect there will be court appeals to determine the scope of what is a "significant impact" (as occurred for the similarly worded test in the EPBC Act). It is also not clear whether DPHI still expects proponents to assess all impacts, and DPHI then only has regard to what are significant impacts (or whether proponents need only assess significant impacts).

  Proponents might accordingly take a conservative approach and still assess all impacts (to avoid appeal risks).

Standardised consent conditions

- The Planning System Reforms Act standardises consent conditions, by introducing "model and standard conditions" into specified SEPPs. Model conditions will contain directions as to the form and content of a particular condition, or the circumstances in which the condition will be used.
- **Why this matters for clean energy projects:** The types of development that will be subject to model conditions are not yet known. While model conditions have the potential to streamline approval processes, this also needs to be balanced with ensuring that bespoke conditions for complex projects (such as major clean energy projects) can still be imposed to cater for the specific needs of each project.

  Consultation with industry, and regular reviews of, any model conditions will be important to ensure such conditions are fit for purpose.

Streamlined modifications

- The Planning System Reforms Act streamlines modification applications, particularly for those that have no environmental impact. The Planning System Reforms Act amends the EP&A Act so that modifications with no environmental impacts can be made by a consent authority without public exhibition (currently, this is only available to modifications to correct a minor error or misdescription). Consent authorities will also only have a limited time period to refuse minor modification applications (after which the application must be granted as soon as practicable, and not refused). To assist proponents, DPHI have published the "Modifications under section 4.55 of the EP&A Act" practice note.
- **Why this matters for clean energy projects:** This is a positive step and is likely to benefit clean energy projects (particularly where modifications are sought for design or layout changes that are not likely to have any environmental impacts).

Assessments for ancillary infrastructure

- Over the last two years, there have been a number of changes to how ancillary infrastructure is to be assessed for major projects. Typically, proponents would "carve out" ancillary infrastructure (such as roads or transmission lines), to be determined under a separate planning pathway (generally for timing reasons, or because the infrastructure was owned by government entities). The courts had taken the position that, notwithstanding that ancillary infrastructure might be assessed through a separate pathway, the environmental impacts of the ancillary infrastructure still needed to be considered when assessing the main DA (*Hoxton Park Residents Action Group Inc v Liverpool City Council* [2011] NSWCA 349).
- However, in 2024, the NSW Court of Appeal found that ancillary or enabling infrastructure needed to be assessed *with* the main application (in that case as SSD) (*Bingman Catchment Landcare Group Incorporated v Bowdens Silver Pty Ltd* [2024] NSWCA 205). In response to this decision, the NSW Government introduced legislation giving the Planning Secretary power to decide whether ancillary infrastructure should be assessed as part of the one development or separately.
- The Planning System Reforms Act further clarifies this position by providing that significant likely impacts of "other development" are declared to be factors that "are not of relevance" (i.e. they do not need to be assessed).
- **Why this matters for clean energy projects:** The change is likely a positive one for clean energy proponents, in that the impacts of ancillary infrastructure do not need to be assessed as part of the main DA. However, the change will likely be controversial with environmental and community groups, as it effectively limits the extent of cumulative impact assessment required. We expect that there may be further court decisions regarding the scope and operation of these provisions.

Transitional provisions

- Where a DA was lodged, but not finally determined before the commencement of the Planning System Reforms Act:
  - the amended objects of the EP&A Act will not apply; and
  - the amendments to sections 4.15 and 4.17 (see boxes above on assessment of "significant" impacts and standardised conditions), will not apply. However, the transitional provisions relating to section 4.15 and 4.17 will cease to have effect 12 months after the Planning System Reforms Act commences.
- We note that an application is "finally determined" when any first instance judgment in the NSW Land and Environment Court has been received (or the limitation period for such proceedings has expired).
- **Why this matters for clean energy projects:** While the Planning System Reforms Act has introduced a number of changes with potential to positively impact clean energy projects, the transitional provisions mean their impact of the amendments might not be felt immediately.

  For example, projects already in the system will not benefit from decision makers needing to consider the objects of the EP&A Act (which have been amended to expressly include climate change adaptation and resilience, which would weigh in favour of approving clean energy projects).

  Further, the more limited environmental impact assessment in section 4.15, and introduction of standardised conditions in section 4.17, will only apply to applications being lodged after commencement of the amendments (existing projects will need to wait for 12 months before the provisions apply). To assist proponents, DPHI have prepared a summary document on the savings and transitional provisions for the reforms.

Proposed Climate Change and Natural Hazards SEPP

New Climate Change and Natural Hazards SEPP

- In February 2026, the NSW Government foreshadowed releasing a new Climate Change and Natural Hazards SEPP. The SEPP would replace the current *Resilience and Hazards SEPP* 2021 (NSW) and support the new objects in the EP&A Act to better respond to climate risks and make decisions that reflect the level of risk involved.
- Under the SEPP, applicants of more significant development would be expected to rely upon the Climate Change Scenario Guidelines exhibited with the EIE, apply one of the minimum emissions scenarios drawn from the Intergovernmental Panel on Climate Change's sixth Assessment Report (2021-2023), prepare existing hazard studies and supporting documentation where site specific hazard assessment, environmental impact assessment or a site scoping report is required.
- The proposed policy was exhibited from 17 February to 16 March 2026 and is currently under consideration by DPHI before it proceeds to finalise the SEPP.
- **Why this matters for clean energy projects:** The SEPP will require greater assessment of climate change and hazard related risks when seeking development consent.

Changes proposed by the PRE Bill

The PRE Bill proposes amendments to the ES Act and EP&A Act, with a view to establishing streamlined planning approval pathways for priority energy infrastructure projects. The key amendments proposed in the first print of the PRE Bill and their relevance to clean energy projects are outlined below.

Ministerial power to declare "Priority Energy Projects"

- The Minister administering the ES Act will have the power to declare specific energy projects, or classes of energy projects, as Priority Energy Projects (**PEPs**). Eligible project types include:
  - transmission and distribution infrastructure;
  - renewable energy generation; and
- energy storage or firming infrastructure, encompassing battery storage, gas-fired firming generation and pumped hydro, but excluding storage or firming infrastructure reliant on coal-fired or nuclear energy generation.
- **Why this matters for clean energy projects:** A PEP declaration is the gateway to a range of additional benefits and ministerial powers exercisable by the Energy or Planning Ministers (addressed below). For clean energy proponents, securing PEP status could be a critical step in unlocking streamlined approvals and other regulatory advantages.

Planning Minister's power to request IPC public hearings for PEPs

- The Planning Minister will have the power to request that the IPC hold a public hearing in respect of a PEP.
- **Why this matters for clean energy projects:** A public hearing conducted by the IPC extinguishes merit appeal rights for both proponents and objectors (unlike a public meeting, which preserves those rights). For clean energy proponents, this is a significant benefit, as it substantially reduces both the legal and timing risks associated with merit-based challenges to project approvals.
- It is worth noting that the Planning Minister already holds the power to request public hearings for renewable energy projects, with three SSD wind farms having been referred for public hearings earlier this year. However, the express legislative entrenchment of this power for PEPs may signal the NSW Government's intention to deploy it with greater regularity – which, for clean energy proponents, could represent a meaningful and more reliable procedural protection as projects progress through the approvals process.

Streamlining the SSD declaration process for PEPs

- Under the EP&A Act, the Planning Minister may declare specified development on specified land to be SSD, but only after first obtaining and making publicly available advice from the IPC regarding the State or regional planning significance of the development.
- The PRE Bill will exempt PEPs from this requirement, removing the obligation to obtain IPC advice prior to an SSD declaration being made.
- **Why this matters for clean energy projects:** This exemption streamlines a key procedural step in the approvals pathway for clean energy proponents. By removing the requirement to obtain IPC advice before an SSD declaration can be made, the PRE Bill aims to reduce both the time and administrative burden associated with bringing a PEP within the SSD framework. The NSW Government's decision to align PEPs with the existing exemption for residential accommodation also sends a clear signal that PEPs are regarded as having inherent State planning significance.

Energy Minister's power to recommend SSI declarations for renewable energy projects

- Currently, the IPC has power to recommend to the Planning Minister that development be declared as SSI. The PRE Bill will confer an equivalent power on the Energy Minister to make such recommendations directly to the Planning Minister.
- **Why this matters for clean energy projects:** The SSI planning pathway offers a number of advantages for clean energy proponents, including:
  - the Planning Minister is the consent authority;
  - Part 3 of the EP&A Act (including zoning requirements) does not apply, which is of particular importance for large-scale or linear projects spanning multiple local government areas;
  - merit appeal rights are not available; and
  - broader post-approval modification powers are available.
- The NSW Government previously contemplated CSSI declarations for wind and large-scale solar projects with significant battery storage (e.g. ≥750MW project capacity and ≥1,500MWh useable energy storage capacity) under the Wind Energy and Large-Scale Solar Energy Guidelines, but no such declarations have been made to date.
- Legislating a power for the Energy Minister to recommend SSI declarations for renewable energy projects may signal a stronger commitment by the NSW Government to using streamlined planning pathways to facilitate clean energy approvals.
- Whilst this is a welcome development, proponents should note that securing SSI status still requires both a recommendation from the Energy Minister and a formal declaration from the Planning Minister. The practical utility of this pathway will depend on a clear and consistent Ministerial mandate to make recommendations and actively deploy the SSI pathway in support of clean energy projects. The existing pathway for the IPC to recommend SSI declarations remains available in parallel.

Planning Minister's power to set minimum or maximum public contributions for planning agreements

- The Planning Minister will be able to determine or direct other planning authorities (including local councils and the IPC) by setting the minimum or maximum amount of land to be dedicated, monetary contributions to be made, or other material public benefits to be provided under a voluntary planning agreement (**VPA**) pursuant to the EP&A Act. The Planning Minister will further be empowered to direct the methodology by which the extent of any such contribution is to be determined.
- **Why this matters for clean energy projects:** For clean energy proponents who are required to negotiate a VPA as part of the approvals process, the ability of the Planning Minister to set contribution parameters has the potential to bring greater certainty and efficiency to what can otherwise be a protracted and complex negotiation. In particular, the setting of maximum contributions could serve to reduce the cost associated with public benefit obligations. However, proponents should remain mindful that the setting of minimum contributions carries the corresponding risk of increased costs, and the practical impact of this power will ultimately depend on how and when the Planning Minister elects to exercise it.

5 Opportunities to enhance reform

The Planning System Reforms Act is a step in the right direction, and some aspects of the reform package will assist the delivery of clean energy projects in NSW. However, as a reform packaging targeted at housing, there remains scope to provide greater assistance to other sectors, including energy.

In addition to the recommendations in the 2023 Report, CEIG has identified the following key opportunities to facilitate faster and more certain planning approvals, and streamline post-approval steps, for State significant clean energy projects.

**Note: These recommendations were developed to accelerate clean energy project planning approvals while still appropriately balancing environmental and social considerations. For example, we explored expanding the TAD pathway so that clean energy projects are either explicitly eligible or not excluded solely due to the inclusion of a BESS component. However, this was not put forward as a formal recommendation, given that the pathway does not assess environmental impacts, site suitability, or the broader public interest.*

Recommendations marked with this symbol indicate potential NSW State Budget funding opportunities for June 2026.

1 Properly resource the IDA (including related specialist support) and DCA from the outset

- The IDA (including related specialist support) and DCA both have the potential to streamline and speed up approvals for clean energy projects. However, in order to do so, they must be adequately resourced.
- Without adequate funding, these authorities risk becoming a “roadblock” or another layer of assessment that proponents must go through in order to obtain approval. The IDA and DCA must be able to act quickly and decisively.
- The amendments to the EP&A Act also contemplate that the DCA may engage experts or other persons it may require in order to exercise its functions. Ensuring the DCA has access to relevantly qualified individuals will also be key to its effectiveness.
- Further, there may be an opportunity for the DCA to be involved in post-approval processes (e.g. approving management plans and strategies). This would streamline project delivery and provide a speed up approvals processes for the full lifecycle of projects, particularly where CSSI or SSI declarations are made.
- The implementation of this recommendation would also support recommendations 6 and 10 below.

2 Make CSSI or SSI declarations for major wind energy, solar energy, and BESS projects

- As discussed in section 3 of this report above, although the Wind Guideline and Solar Guideline both confirm that the Planning Minister may consider requests to declare major wind and solar energy projects with a significant energy storage system as CSSI, none have been declared as at the date of this report.
- Notwithstanding the commentary in the Wind Guideline and Solar Guideline that the Planning Minister will consider requests to declare projects CSSI if they have a significant energy storage system, the Minister has a broad power under section 5.13 of the EP&A Act to make CSSI declarations for projects that are “essential for the State for economic, environmental or social reasons.”
- Further, the PRE Bill proposes to introduce a mechanism whereby the Energy Minister can recommend to the Planning Minister that certain renewable energy projects are declared to be SSI.
- In light of the above, we recommend that:
  - as a primary position, the Energy Minister should use their new powers (if passed) to recommend the declaration of projects as SSI. For example, the Minister could seek to declare a

category of renewable energy projects as SSI (based on project value or generating capacity). This would avoid the need for project-specific declarations, which can take considerable time to obtain; or

  - alternatively, the Planning Minister should consider CSSI declarations on a project-by-project basis in accordance with section 5.13 of the EP&A Act with a reduced energy storage requirement for State significant wind and solar energy projects.

- This recommendation is one of a spectrum of recommendations that could help to address the additional time and cost associated with going through the IPC process. Making CSSI or SSI declarations for clean energy projects would likely have the most significant timing and cost benefits, given that this not only turns off merit appeal risk, but has other benefits such as greater flexibility for modifications and more streamlined assessment requirements. However, other recommendations such as 5 (change IPC thresholds for State significant clean energy projects) and 8 (limiting merit appeal risk through other means such as the public hearing pathway) would also assist in this area, albeit without the added benefits of the CSSI/SSI pathways.
- If the NSW Government is minded to expand the use of CSSI/SSI for clean energy projects, we would recommend that:
  - adequate funding be provided to the DPHI approvals team to allow projects to be assessed and determined in a timely fashion; or
  - limits are placed on the projects that are eligible (e.g. so that it is only eligible for projects that have received REZ access rights, or that have been endorsed by the IDA),

  so that CSSI/SSI remain as fast-track pathways.
- CSSI declarations should continue to be made for other clean energy projects, including pumped hydro.
- If the Planning Minister is not minded to make CSSI declarations for major wind energy, solar energy and BESS projects, we consider that utilising the public hearing pathway for projects referred to the IPC would have a similar timing benefit to the extent that merit appeals would be "turned off" (and thereby also ensuring finality for proponents).

3 Make SEARs more prescriptive with clear outcomes

- The purpose of SEARs is to specify the matters which proponents must assess in the EIS for a particular development. As a guide, DPHI has developed a number of industry-specific SEARS. However, SEARs are also developed on a project-specific basis.
- While relevant NSW Government agencies may provide advice on draft SEARs, there continues to be a high risk of RFIs from those agencies during the assessment process. This can lead to substantive RFIs being issued while a project is being assessed and after submission of the EIS. Preparing responses to RFIs can cause significant delay to the planning approval process, particularly where additional studies are required that were not anticipated at the time of preparing the EIS.
- NSW Government agencies should be adequately resourced to be able to review draft SEARs to ensure they address any agency concerns for a particular project, and can be sufficiently prescriptive so as to minimise gaps in assessment by proponents. This would reduce delays and costs associated with responding to RFIs.
- The DCA would be well-placed to assist with delivering more prescriptive and coordinated SEARs (which reinforces why it should be adequately resourced). CEIG will continue to monitor progress of the DCA on this issue.
- As discussed in section 3 of this report above, feedback from CEIG members and their advisers indicates that objectors in merits appeals raise issues that require proponents to provide highly detailed plans and reports (typically a post-approval step). Improved direction in SEARs (or more broadly under the NSW planning framework) on the expected level of assessment prior to determination, and what is suitably addressed at the post-approval stage (e.g. under conditions and management plans), would provide greater clarity to proponents and the community, and may assist to reduce court appeal risk.

4 Deliver on commitments to simplify RFIs

- In the Wind Guideline, Solar Guideline, and *Transmission Guideline* (November 2024), the NSW Government committed to assessing projects within 100 days following exhibition. The guidelines each indicated that this timeframe did not include the time taken to respond to any major requests for information.
- The Wind Guideline and Solar Guideline indicate that DPHI would endeavour to limit major RFIs (meaning requests that are material to the assessment of a project) to once per stage of the assessment process. However, anecdotal feedback from CEIG members is that this is not being consistently achieved in practice, with proponents continuing to experience multiple and late-stage information requests.
- CEIG members have indicated that RFIs cause significant delay and costs for proponents.
- We are hopeful that the DCA will assist in reducing RFI timeframes by facilitating improved coordination between agencies. CEIG will continue to monitor progress of the DCA on this issue.
- We recommend that DPHI quantitively measure performance against the standards set out in the guidelines, to promote accountability and ensure improvement.

5 Change IPC thresholds for State significant clean energy projects

- As discussed in section 2 of this report above, referral to the IPC can add a number of months to the planning approval process. Depending on whether the IPC holds a public meeting or a public hearing, proponents can still be left to face a court appeal following the extensive assessment process, including determination by the IPC.
- Projects can be referred to the IPC if:
  - 50 or more unique public objections are made;
  - the Local Council objects to the development; or
  - a reportable political donation has been made in connection with the development.
- The NSW Government recently changed the thresholds for IPC referral for various types of housing developments, by only requiring referral where there was a reportable political donation.
- We consider that a similar change could be made in respect of clean energy projects. On the one hand, this would reduce the time and cost associated with going through the IPC without needing to introduce new, or change existing, planning pathways (as for recommendation 2 above). On the other, however, it means projects would not obtain the additional benefits of the CSSI pathway. In the alternative, at a minimum, we recommend that if the current threshold is maintained, the public objector trigger is refined so that submissions from persons in close geographic proximity to projects is given greater weight than more generic submissions.
- The second reading speech for the PRE Bill acknowledged delays arising from current IPC thresholds. The PRE Bill introduces amendments to the EP&A Act enabling the Planning Minister to request public hearings by the IPC for declared PEPs. The Planning Minister stated that, to restore proportionality, DPHI will prepare supporting amendments to the Planning Systems SEPP to rationalise and streamline referral triggers and delegations for energy projects that could be subject to IPC determination. We welcome these proposed reforms as a positive step toward improving efficiency and proportionality in the assessment of clean energy projects.
- In addition, there is also an opportunity to utilise public hearings (which limit appeal risk) for clean energy projects (see our discussion in section 2 of this report above).

6 Shift more matters to the post-approval stage and streamline secondary approvals

- As discussed in section 4 of this report above, the Planning System Reforms Act proposes to introduce new model and standard conditions that are to be specified in SEPPs, and must be imposed by a consent authority when granting or modifying a development consent.
- As recommended in the 2023 Report, these conditions should, where appropriate, allow for assessment at relevant times within the lifecycle of a project (rather than upfronting detailed assessments, which can increase costs and cause delays).
- This has the potential to improve timeframes for obtaining planning approval for renewable energy projects. While management plans and strategies would still need to be prepared, there may be improvements in timeframes for obtaining primary planning approval (which would assist with private sector investment in projects). The streamlining of post-approval requirements (as discussed at recommendation 10 below) would further support this approach.

7 Broaden the use of SODAs to outside of REZs

- As discussed in section 3 of this report above, SODAs have the potential to provide significant timing and cost benefits for proponents in respect of meeting their offset obligations, as well as delivering landscape-scale biodiversity outcomes. However, SODAs are currently only available for:
  - priority transmission infrastructure projects or REZ network infrastructure projects within the meaning of the *Electricity Infrastructure Investment Act 2020* (NSW) (**EII Act**);
  - generation, storage, network or related infrastructure in a REZ within the meaning of the EII Act; or
  - infrastructure to which a LTESA within the meanings of the EII Act applies.
- We recommend that SODAs be an available biodiversity offset mechanism for all clean energy projects (irrespective of whether they are in a REZ or not). We consider that this is an appropriate and measured change given that (a) SODAs would still only apply to a subset of all major projects in NSW, and (b) offsetting is still required and is to be carried out by the Conservation Programs, heritage and Regulation branch.
- There may be opportunities to explore the use of SODAs to address both State and Commonwealth offsetting liabilities.

8 Limit merit appeal risk for State significant wind energy, solar energy, and BESS projects

- One of the key risks for clean energy proponents in obtaining planning approval is the risk of a merits appeal once an approval has been obtained. Appeals for complex major projects would generally take (at a minimum) 12 months to resolve, but potentially longer.
- At least two of the eight wind farms approved in the last five years have been subject to litigation due to a merits appeal by an objector. There was also a recent merits appeal of the Wallaroo Solar Farm (with the first instance decision now also being under appeal).
- Removing the merits appeal pathway would reduce this risk (as is the case for CSSI and SSI projects). If the Planning Minister is not minded to make SSI/CSSI declarations for major solar and wind clean energy projects, an alternative could be to explore reducing merit appeal pathways for these types of projects. The primary mechanism that already exists to reduce merit appeal risk (without SSI/CSSI) is to have a public hearing by the IPC, which can limit exposure to third-party merit appeals but also removes the proponent's ability to appeal an unfavourable determination, creating both advantages and trade-offs for project proponents. While projects would not obtain all of the benefits of CSSI (such as fast-track assessment and greater flexibility), this could significantly reduce delay and risk for getting clean energy projects commenced.

- We would also recommend that BESS projects be removed from the list of "designated development". Designated development is development that is generally considered to have a high level of environmental impact. Accordingly, it is subject to additional requirements (such as having an EIS, going on public exhibition for 28 days, and being subject to a merits appeal by way of an objector (rather than just a proponent)). Removing BESS from the list of designated development would reduce appeal risk (as only project proponents would be able to appeal a decision, rather than objectors).
- Further, greater use of the Planning Minister's power to request an IPC public hearing (which turns off merit appeal rights for applicants and objectors), may help to limit merit appeal risk. We note that there are both benefits and risks to this approach (the key benefit being reducing merit appeal risk and creating certainty and finality for proponents, but the key risk being that proponents also do not have a right to appeal). Accordingly, this might also need to be accompanied by change to the current regulatory framework so that proponents can appeal a decision after an IPC public hearing (in the event of a refusal).
- With the recent amendments to the EP&A Act, we expect to see both merit appeals and judicial review proceedings commenced to test the edges of what constitutes a "significant" impact (under the amended section 4.15). This further supports seeking to limit merit appeals for clean energy projects.

9 Deliver on original 2023 recommendations regarding cultural heritage, land clearing, social licence, and transmission routes

- The 2023 Report recommended that the NSW Government look for opportunities to:
  - improve cultural heritage outcomes through robust consultation frameworks and assessments of connection to Country;
  - align land clearing standards across the State;
  - strengthen local social licence for clean energy projects; and
  - secure appropriate land and transmission routes for projects.
- These are still areas where the NSW Government could help to improve outcomes for clean energy projects, provide a level playing field for different sectors, and speed up approval and assessment processes for State significant projects.
- Key benefits of doing so would include fostering greater local community and Traditional Owner support, reducing merit appeal risk, and allowing for more robust cumulative impact assessments.

10 Provide greater timing certainty and whole-of-government support for post-approval steps

- The planning reforms discussed at section 4 of this report above have a clear focus on supporting faster assessment and determinations of DAs (particularly for the housing sector).
- CEIG considers that the same support should also be provided at the post-approval stage for major clean energy projects to provide a pathway for the timely construction and operation of projects.
- To achieve this, we recommend that the NSW Government:
  - adopts a whole-of-government approach and empowers DPHI, IDA, DCA or another agency to provide improved post-approval support to proponents and direct greater coordination between agencies to provide secondary approvals;
  - explores opportunities to allow for secondary approval processes to be progressed by proponents concurrently with State significant assessment processes; and
  - implements statutory or agreed interagency timeframes for the issue of secondary approvals and other key post-approval steps (e.g. the Secretary's approval for management plans).

11 Reduce and clarify State significant DA fees

- In NSW, DAs are subject to the payment of a lodgement fee (*Environmental Planning and Assessment Regulation 2021* (NSW) (**EP&A Regulation**), Part 13 and Schedule 4). For SSD projects, DA lodgement fees are determined by the Planning Secretary (within 14 days of submitting the DA on the NSW Planning Portal) by reference to the estimated development cost for a particular project. This means lodgement fees can be in the millions of dollars for major projects, particularly wind energy projects.
- SSD projects are also subject to other fees under the EP&A Act and EP&A Regulation. For example:
  - **EIS exhibition:** A fee is imposed for making the EIS publicly available (section 265 and Schedule 4 EP&A Regulation).
  - **Planning reform contribution (PRC):** The Planning Secretary may require payment of a PRC fee for SSD and SSI/CSSI projects (section 267 EP&A Regulation). The fee is expressed as being a discretionary amount (i.e. it *may* be imposed by the Planning Secretary), and that it is taken *from* DA fees. However, anecdotal feedback from CEIG members is that the PRC fee is applied in most circumstances and in addition to, and at the time of, the confirmation of DA lodgement fees. This can substantially increase statutory fees associated with a DA.
  - **IPC public hearing:** The IPC is required to hold a public hearing on request by the Planning Minister (section 2.9(1)(d) EP&A Act). The fee payable (section 263 and Schedule 4 EP&A Regulation) for the public hearing is a base amount of specified fee units, plus an additional fee determined by the Planning Secretary for the estimated cost to the IPC of the public hearing.
- As an indicative guide, assuming a project with an estimated development cost of $1 billion, we expect that the DA lodgement fees below would apply across jurisdictions (noting differences in assessment scope, service offerings and regulatory requirements):

State	Indicative maximum application fee (rounded to nearest dollar)	Statutory basis for fee calculation	Fee calculation
New South Wales	$725,001	*Environmental Planning and Assessment Regulation 2021* (NSW) (EP&A Reg), Sch 4 Part 5, item 5.1 (Applies to projects over $400 million)_	Base fee of $341,001 (2,993.86 fee units x $113.90); plus $384,000 ($0.64 x ($600,000,000/$1000))
Queensland	$15,032	*Planning Regulation 2017* (Qld), Schedule 10 Parts 16AA (solar), 21 (wind) or 2 (BESS) (Application fee for development Assessment (SARA) if declared coordinated project and requiring EIS)	13,715 fee units x $1.096
Victoria	$65,458	*Planning and Environment (Fees) Regulations 2016*, reg 9, Class 16 (Fees for applications for permits under section 47 of the *Planning and Environment Act 1987*)	3,894 fee units x $16.81
Western Australia	$69,382	*Planning and Development (Part 11B Fees) Notice 2024* (WA), Schedule 1, item 1(g) (Significant development pathway)	N/A

- The applicable DA lodgement fee in NSW is considerably larger than other Australian jurisdictions.
- Further, we understand that EIS exhibition and PRC fees may also be payable at DA lodgement in NSW. For the above scenario (assuming a project with an estimated development cost of $1 billion):

  - this would require clean energy proponents to pay additional EIS exhibition and PRC fees of over **$643,000**; and
  - it would follow that expected total fees payable at DA lodgement would be approximately **$1,368,000**.
- We recommend that the NSW Government explore ways to make fees less of a burden for proponents, for example by considering staging of payments. In particular, the timing for imposing substantive fees on proponents should be re-evaluated to more closely align with the operational stage for a clean energy project. One option would be to introduce a staged payment framework based on project milestones, such as:
  - Lodgement of the development application;
  - Response to submission report; and
  - Final Investment Decision.
- NSW's DA fees are closely tied to project costs. However, increased project costs do not always result in increased assessment requirements for Government. We recommend the NSW Government explore different ways of calculating fees (for example, base DA fees on MW capacity with scaled marginal rates).
- This will have flow on effects for encouraging greater clean energy investment in NSW in comparison to other Australian jurisdictions.

Attachment 1
State significant projects approved between 1 March 2021 and 1 March 2026

Wind energy

- Projects factored into the calculations in this report include Uungula Wind Farm, Yanco Delta Wind Farm, Bowmans Creek Wind Farm, Thunderbolt Wind Farm, Spicers Creek Wind Farm, Valley of the Winds Wind Farm, Pottinger Wind Farm, and Hills of Gold Wind Farm.
- We note that the Hills of Gold Wind Farm and Valley of the Winds Wind Farm projects were subject to merits appeals in the Land and Environment Court of NSW during this timeframe. The approval timeframe for these projects was taken to be the time between the scoping report and the date of the consent authority's determination of the applications, plus the time between commencement of court proceedings and 1 March 2026.

Solar energy

- Projects factored into the calculations in this report include Culcairn Solar Farm, Wellington North Solar Farm, Stubbo Solar Farm, Dunedoo Solar Farm, Tilbuster Solar Farm, Silverleaf Solar Farm, Wollar Solar Farm, Forest Glen Solar Farm, New England Solar Farm, Blind Creek Solar Farm, Marulan Solar Farm, Oxley Solar Farm, Glenellen Solar Farm, Glanmire Solar Farm, Daroobalgie Solar Farm, Peninsula Solar Farm, Birriwa Solar Farm, Goulburn Solar Farm, Wallaroo Solar Farm, Gunning Solar Farm, Middlebrook Solar Farm, Summerville Solar Farm, Muswellbrook Solar Farm, and Tallawang Solar Farm.
- We note that Wallaroo Solar Farm was subject to a court appeal. The approval time for Wallaroo Solar Farm was taken to be the time between the scoping report and the consent authority's determination of the application, plus the time between commencement of court proceedings and judgment being delivered on 29 January 2026.

BESS

- Projects factored into the calculations in this report include Broken Hill BESS, Liddell Battery and Bayswater Ancillary Works, Wallerawang BESS, Coleambally BESS, Apsley BESS, Muswellbrook BESS, Great Western BESS, Orana BESS, Beresfield BESS, Awaba BESS, Wellington South BESS, Bellambi Heights BESS, Smithfield BESS, Woodland BESS, Calala BESS, Tomago BESS, Mt Piper BESS, Silver City BESS, Ridgey Creek BESS, Yanco BESS, Armidale BESS, and Deniliquin BESS.

Projects approved by the IPC

- Projects determined by the IPC and considered in this report include:
  - 6 wind energy projects, being: Bowmans Creek Wind Farm; Thunderbolt Wind Farm; Hills of Gold Wind Farm; Spicers Creek Wind Farm; Valley of the Winds Wind Farm; and Pottinger Wind Farm.
  - 10 solar energy projects, being: Culcairn Solar Farm; New England Solar Farm; Oxley Solar Farm; Glenellen Solar Farm; Glanmire Solar Farm; Birriwa Solar Farm; Wallaroo Solar Farm; Middlebrook Solar Farm; Muswellbrook Solar Farm, and Tallawang Solar Farm.
  - 2 BESS projects, being: Yanco BESS and Deniliquin BESS.

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June 2026