

**COMMUNITY OBJECTION
GUIDE****DA 26/0352 (SQE2 + Battery System)**

Re-exhibited application for a 16.5 MW gas expansion and 30 MW battery system — 30 Douglas Road, Moss Vale
NSW (Lot 40 DP 1288692)

SUBMISSIONS CLOSE: 5:00 PM, MONDAY 31 AUGUST 2026

The applicant (Nakar Property Pty Ltd, trading as Cloud Carrier / Square Energy) has submitted revised plans for DA 26/0352, after Wingecarribee Shire Council's assessment report recommended refusal. Because the changes are substantial, the application has been re-exhibited for public submissions. Submissions made during this period become part of the evidence before the NSW Land and Environment Court.

HOW TO USE THIS GUIDE

1. **Write a short personal introduction.** Share who you are and how this proposal affects you, your family, your business or your health. The Land and Environment Court gives real weight to genuine lived experience and local context.
2. **Pick 2–4 topics** from those below that matter most to you.
3. **Personalise the basic information** in your own words.
4. **Use the technical detail** provided for each topic to support your submission — you can copy it directly or reword it in your own voice.

OBJECTION TOPICS

- Battery Size and Safety Checks
- State Pollution Limits
- Splitting the Project into Smaller DAs
- Moving the Creek & Flood Risk
- Bushfire Risk
- Water Use & Sydney's Drinking Water
- Exhaust Stack Heights
- Train Line Safety
- 24/7 Noise & Low-Frequency Hum
- Night Security Lighting

1 Battery Size and Safety Checks**IN SHORT**

The application describes the 30 MW battery as a minor extension to an existing building, rather than a standalone power facility. This classification means the independent safety, fire and environmental checks that would normally apply to a battery of this size may not be triggered.

SUPPORTING DETAIL

Statutory threshold. Clause 7, Schedule 3 of the Environmental Planning and Assessment Regulation 2021 classifies battery storage facilities capable of supplying more than 30 MW as Designated Development. The battery capacity proposed in the revised application is 30 MW — immediately below this threshold.

How it's described. The revised Statement of Environmental Effects (SoEE V2.0) describes the Battery Energy Storage System (BESS) as a "Site Load Management System" (SLMS), categorised as ancillary "alterations and additions" to Data Building 2 (DB2).

Legal Ground. A 30 MW industrial lithium-ion battery array is substantial utility infrastructure. Categorising it as an ancillary building alteration may mean risks such as lithium-ion fire and toxic firewater runoff are not independently assessed as a standalone electricity storage facility.

2 State Pollution Limits**IN SHORT**

The combined physical output of the gas engines proposed for this site may exceed State pollution limits. The application proposes to manage this through software that limits engine output — but State pollution laws are generally triggered by the physical capacity of the machinery installed, not by software settings.

SUPPORTING DETAIL

Statutory requirement. Schedule 1, Clause 17 of the Protection of the Environment Operations Act 1997 (POEO Act) provides that electricity generation works with a total physical capacity exceeding 30 MW constitute a Scheduled Activity requiring an EPA Environment Protection Licence.

Physical output. The hardware proposed in DA 26/0352 (5 × 3.3 MW continuous generators) equals 16.5 MW, bringing continuous site capacity to 30.5 MW when combined with the approved 14 MW Stage 1 plant (SQEI). Including standby units, total installed capacity reaches 41.1 MW. This figure was set out by Council's Environmental Health Officer in the official Council Assessment Report.

Software throttling. The applicant proposes an automated Energy Management System (EMS) to limit operational dispatch to 16.0 MW. Because POEO Act licensing thresholds are generally assessed against installed nameplate capacity rather than operational dispatch limits, this raises a question about whether an Environment Protection Licence is required.

3 Splitting the Project into Smaller DAs

IN SHORT

The applicant is pursuing this DA in the Land and Environment Court for a 16.5 MW gas plant, while a separate application is before the State Government for a 673 MW power station on the same property. Assessing the site through separate applications may make it harder for Council and the community to see the full combined impact.

SUPPORTING DETAIL

Concurrent applications. DA 26/0352 is being prosecuted in the NSW Land and Environment Court at the same time as Secretary's Environmental Assessment Requirements (SEARs) are being sought for a 673.2 MW State Significant Development (SSD-102795459) on the same property.

Assessment gap. Wingecarribee Shire Council's formal assessment report noted the applicant had not adequately assessed cumulative impacts with the existing approved SQEI facility. A concurrent SSD application may compound this gap, making it harder for consent authorities to evaluate the true environmental, acoustic, visual and traffic impacts of the combined 703.2 MW proposal.

4 Moving the Creek & Flood Risk

IN SHORT

The proposal involves realigning part of a natural creek line to make way for a concrete battery platform. The plans do not appear to include the flood modelling that would normally be required for a change like this. In a heavy storm, chemical spill or battery fire, unmodelled water flows could affect the Wingecarribee River and species that depend on it, including the Macquarie Perch, Southern Heath Frog and Koala.

SUPPORTING DETAIL

Physical encroachment. The proposed Battery Energy Storage System (BESS) pad is located on mapped Category 3 waterfront land, requiring earthworks to realign around 15 metres of natural watercourse into an artificial channel and expand wetland storage to 31,900 m².

Flood modelling. The revised plans do not appear to include the 2D ARR-based hydraulic modelling and DRAINS catchment modelling that Council engineers have indicated is required to assess downstream flood, velocity, erosion and bank stability impacts.

Downstream receptors. Surface flows from the site have a hydrological pathway to the Wingecarribee River corridor towards Berrima. The applicant's Statement of Environmental Effects states that no EPBC assessment is required because the site itself contains no significant vegetation or fauna. Without baseline riparian ecological assessment or modelling of downstream flood and spill scenarios, it is unclear whether potential impacts on downstream Matters of National Environmental Significance have been considered, including: Macquarie Perch (Endangered) — inhabits DPI Fisheries Type 1 Highly Sensitive Key Fish Habitat downstream; Southern Heath Frog (Endangered) — sensitive to hydrological change and water quality; and Koala (Endangered) — relies on the Wingecarribee River riparian corridor for habitat and movement.

5 Bushfire Risk

IN SHORT

The proposal places a gas power plant and industrial battery within a mapped bushfire risk zone, despite earlier planning documents stating the site was not bushfire-prone.

SUPPORTING DETAIL

Initial claim. The applicant's Statement of Environmental Effects (SoEE) initially stated the site contains no bushfire-prone land.

RFS referral. Council planners and the NSW Rural Fire Service returned the DA referral on 23 September 2025, noting the development footprint interfaces with mapped Vegetation Category 3 Bushfire Prone Land with a Vegetation Buffer overlay.

Fire risk advice. Endeavour Energy's submission to Council advises against placing combustible materials near electricity infrastructure, noting that lithium-ion batteries can present intense, difficult-to-extinguish fires. Locating a 30 MW battery array within a mapped Vegetation Buffer may not align with this advice.

6 Water Use & Sydney's Drinking Water

IN SHORT

The application's water use figures appear to cover only staff amenities (toilets, sinks), not the larger volume of water likely needed to cool a data campus of this scale, on a site within Sydney's protected drinking water catchment.

SUPPORTING DETAIL

Declared demand. The applicant's civil documentation declares potable water demand of 0.5 kL/day, calculated for basic staff amenities. This does not appear to include water for cooling, dust suppression or emergency systems across the wider data campus.

Council's position. Wingecarribee Shire Council's Water and Sewer Development Engineer formally objected, stating insufficient information had been provided on average and peak daily water usage to properly assess the development's impact on Council's water and wastewater infrastructure.

Catchment status. The property lies within the Sydney Drinking Water Catchment. Under Chapter 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021, development within the catchment must demonstrate a Neutral or Beneficial Effect on water quality. Statutory concurrence from Water NSW does not appear to have been included with the application.

7 Exhaust Stack Heights

IN SHORT

The proposed 23.5-metre exhaust stacks are taller than local height limits allow, and would be visible across the surrounding rural landscape.

SUPPORTING DETAIL

Proposed height. The industrial exhaust stacks reach 23.5 metres in height — 15.5 metres above the building ridge line.

Height limits. This exceeds the 20-metre building height limit under the Moss Vale Enterprise Corridor Development Control Plan (DCP), and the 12-metre maximum height limit under the Southern Highlands Innovation Park (SHIP) Masterplan.

Visual assessment. A Visual Impact Assessment (Urbaine Design Group, July 2026) submitted for the appeal describes the visual impact as acceptable. In our view, this does not adequately address the scale of the height breach or its impact on the surrounding rural landscape.

8 Train Line Safety

IN SHORT

The site is located near an active railway line. The application does not appear to include the safety studies that would normally be required to assess the risks of gas infrastructure and high-voltage batteries operating near passing trains.

SUPPORTING DETAIL

Statutory trigger. The site is near an active rail corridor, which would ordinarily trigger referral and assessment under Sections 2.77 and 2.98 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

Documentation. Council's Assessment Report notes that a Rail Corridor Interface Assessment and pipeline safety risk study do not appear to have been submitted, to demonstrate that high-pressure gas infrastructure and lithium-ion storage do not present operational hazards to rail infrastructure.

9 24/7 Noise & Low-Frequency Hum

IN SHORT

Running gas engines around the clock creates a constant low-frequency hum and vibration. Prevailing westerly winds are likely to carry noise and emissions east, toward homes in Burradoo and Moss Vale, and toward the Garvan Institute.

SUPPORTING DETAIL

Prevailing wind. Meteorological records show prevailing wind directions in the Southern Highlands blow predominantly west to east — toward the residential areas of Burradoo and northern Moss Vale.

Low-frequency noise. Continuous operation of reciprocating piston engines and high-capacity HVAC systems generates low-frequency mechanical noise. The applicant's own Noise Impact Assessment applies a 5 dB penalty for Low-Frequency Noise at nearby receptors, which suggests the proposed acoustic measures may not fully contain it.

C3 zone interface. The northern boundary of the site adjoins C3 Environmental Management land. Continuous 24/7 operation of heavy gas infrastructure may sit uneasily with the acoustic and ecological objectives of this adjoining zone.

Garvan Institute. The site is less than 1 km from the Garvan Institute's Australian BioResources (ABR) facility, a nationally funded medical research centre. Low-frequency noise is known to affect sensitive laboratory animals, and the potential impact of 24/7 operation on this facility's breeding programs and research does not appear to have been assessed.

10 Night Security Lighting

IN SHORT

Operating a 24-hour security compound will require night lighting, which could spill onto neighbouring farms and affect residents, livestock and nocturnal wildlife.

SUPPORTING DETAIL

Inconsistency. The applicant's Statement of Environmental Effects lists external lighting as "N/A" in its compliance tables, while also confirming the facility requires "integrated security systems... [including] lighting & CCTV."

Missing assessment. Council's Assessment Report notes that an External Lighting Layout Drawing and Light Spill Impact Assessment do not appear to have been submitted, as required under Section 3.9 of the Moss Vale Enterprise Corridor DCP. Without this, the potential impact on the neighbouring C3 Environmental Management zone and surrounding agricultural and rural-residential land is unclear.

HOW TO LODGE YOUR OBJECTION

Closing date for submissions: 5:00 PM, Monday 31 August 2026

You can lodge your formal objection with Wingecarribee Shire Council in three ways:

Option 1: Online via the DA Tracker (recommended)

- Go to the [Wingecarribee Council DA Tracker](#).
- Search for application number **26/0352** (or search "30 Douglas Road, Moss Vale"). You can view all documents, plans and technical reports related to this DA here too.
- Click "Lodge a Submission" and follow the prompts to paste in your objection.

Option 2: By email

- Send to: mail@wsc.nsw.gov.au
- Subject line: *Objection to DA 26/0352 – LEC Proceedings No. 2025/448084 – 30 Douglas Road, Moss Vale*
- Address to: The General Manager, Wingecarribee Shire Council

Option 3: By post

- The General Manager, Wingecarribee Shire Council, PO Box 141, Moss Vale NSW 2577
- Quote reference: DA 26/0352 / LEC Proceedings No. 2025/448084

Legal requirement for email & postal submissions: under NSW planning law, if you submit your objection by email or post, you must attach a signed copy of Council's [Political Donations and Gifts Declaration Form](#). If this form is not included, your objection may be rejected. (If you submit online via the DA Tracker, this declaration is completed digitally at checkout.)

Include in your submission:

- Your full name
- Your postal address
- Your email address and contact telephone number

Questions? Message us on Facebook (facebook.com/StopTheGasPlantSH) or email admin@stopthegasplant.com – we're glad to help.