

Notice of decision - Marulan Gas Fired Power Stations Project (MP07_0174-Mod-1)

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	Critical State Significant Infrastructure Modifications
Application number and project name	Modification applications to the Marulan Power Stations Project: MP07_0174-Mod-1 (Common Infrastructure Project) MP07_0175-Mod-1 (Marulan Power Station 1 Project) MP07_0176-Mod-2 (Marulan Power Station 2 Project)
Applicant	EnergyAustralia Development Pty Ltd
Approving authority	Minister for Planning and Public Spaces

Decision

The Minister for Planning and Public Spaces has, under section 5.25 of the *Environmental Planning and Assessment Act 1979* (**the Act**) approved the request to modify the critical State significant infrastructure (CSSI) approval for the Marulan Gas-Fired Power Station, consisting of the Common Infrastructure, Marulan Power Station 1, and Marulan Power Station 2 projects.

A copy of the Department of Planning, Industry and Environment's Assessment Report and Instrument of Modifications is available [here](#).

Date of decision

8 October 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters required under the Act, including the objects of the Act;
- all information submitted to the Department during the assessment of the request;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for approving the modification are as follows:

- the project remains critical for NSW, as it would:
 - increase energy security and reliability as existing coal-fired power stations are progressively closed over the next 20 years; and
 - facilitate the transition towards renewable energy by delivering dispatchment electricity to supplement intermittent renewable energy sources, such as wind and solar;
- there have been no material changes to the impacts of the project since it was originally approved, and the existing and updated conditions of approval provide a robust framework for managing and mitigating the impacts of the project; and
- the significant benefits of the project outweigh any impacts associated with extending the lapse date of the existing conditions of approval.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification requests from Wednesday 30 October 2019 until Wednesday 13 November 2019 (14 days) and a total of 65 public submissions across all three applications. All the public submissions objected to the proposed modifications.

The key issues raised by the community and considered in the Department's Assessment Report relate potential impacts on the amenity of the local area and climate change impacts associated with continuing use of fossil fuels to generate electricity.

<i>Issue</i>	<i>Consideration</i>
• Impacts on the rural landscape including visual amenity • Traffic impacts associated with the development • Climate change and transition to renewable energy and strategic justification for the project • Environmental impacts, including biodiversity, soils, water resources, air pollution and noise	<i>Assessment</i> • The project was originally approved by the then Minister for Planning in 2009 as a critical State significant infrastructure and essential for NSW due to its economic, environmental or social considerations in accordance with the Act. • The issues raised in submissions largely relate to the impacts of the original project, which was the subject of a comprehensive merit-based assessment, rather than the modification request to extend the lapse date. • Apart from seeking an extension to the lapse date, the modification applications do not seek to change any other aspects of the Project, the main strategic drivers that informed the original merit assessment and approvals remain largely unchanged, and there has not been any significant changes to the local land use around the site that would constrain development and operation of the Project. • Delays in developing the project relate to uncertainty in the national gas and electricity markets over the last 10 years. • The strategic context for the development of gas-fired power stations has improved significantly, and it would not be reasonable, or in the broader public interest, to allow the project approvals to lapse without providing additional time to allow EnergyAustralia to develop the project. <i>Conditions</i> • The existing project approval already sets strict requirements for the mitigation and management of environmental and amenity impacts raised in submissions. • However, the administrative aspects of the conditions have been updated to reflect contemporary guidelines, agency names and reporting requirements.