

Notice of decision

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

Application type	State significant development
Application number and project name	SSD-8847 Dunedoo Solar Farm
Applicant	ib vogt GmbH
Consent Authority	Minister for Planning and Public Spaces

Decision

On 2 September 2021, the Director, Energy Assessments granted consent to the development application for the Dunedoo Solar Farm subject to conditions, under delegation from the Minister for Planning and Public Spaces and section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act).

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

Date of decision

2 September 2021

Reasons for decision

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

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the assessment of the development application and additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- advice received from relevant NSW Government agencies and Warrumbungle Shire Council; 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 granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including:
 - contributing to a more diverse local economy;
 - a capital investment of approximately \$76 million;
 - creating up to 125 construction jobs;
 - generating enough electricity to power around 20,000 homes, saving over 116,000 tonnes of greenhouse gas emissions per year; and
 - storage of energy for dispatch to the National Energy Market with the 60.48 MW / 85.88 MWh battery energy storage facility; and
 - assisting in transitioning the electricity sector from coal and gas fired power stations to renewable energy;
- the project is permissible with development consent, under *State Environmental Planning Policy (Infrastructure) 2007*;
- the project is consistent with NSW Government policies and guidelines, including the *Climate Change Policy Framework*, *Net Zero Plan Stage 1: 2020 – 2030*, *Large – Scale Solar Energy Guideline* and *NSW Electricity Strategy*;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- none of the NSW Government agencies objected to the project, and Council is supportive of the project;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest, subject to strict conditions of consent.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 20 October 2020 until 17 November 2020 (29 days) and received 6 submissions, including 4 public submissions (two in support and two objections) and two submissions from special interest groups (one in support and one providing comments).

The Department consulted with government agencies and Warrumbungle Shire Council throughout the assessment process and inspected the site and visited surrounding landowners on 14 April 2021.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report include flooding impacts, land use compatibility and visual impacts on nearby properties and the surrounding landscape.

<i>Issue</i>	<i>Consideration</i>
<p><i>Compatibility of the proposed land use</i></p> <ul style="list-style-type: none"> Perceived incompatibility of the project with the surrounding area. The loss of quality agricultural land for energy production. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The main site accommodating the solar arrays is wholly located on land that is zoned RU1 - Primary Production, while a small portion of land at the southern end of the site required for the Dunedoo substation extension is zoned R1 – General Residential under the <i>Warrumbungle Local Environmental Plan 2013</i>. Solar farms are permissible on land in the RU1 zone under <i>State Environmental Planning Policy (Infrastructure) 2007</i>, and the minor transmission connection and substation works are permitted under Section 4.38(3) of the <i>Environmental Planning and Assessment Act 1979</i>. The Department considers that the loss of 79 ha of agricultural land represents a very small fraction of the agricultural output of the region and would result in a negligible impact on its overall productivity. Although the agricultural output of the land would be reduced for the life of the project, the scale and nature of the project has generally low impacts, and the land could easily be returned to agricultural uses following decommissioning. Approximately 30% of the site would be retained for current agricultural uses, and the Applicant is also proposing to maintain agricultural productivity within the site by implementing appropriate land management measures and grazing sheep on the site during operation where practical. Council and DPI – Agriculture support the project, subject to the recommended conditions of consent. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Maintain the agricultural land capability of the site, including establishing the ground cover of the site within 3 months following completion of construction, maintaining ground cover with appropriate perennial species, weed management, and continuing grazing within the development footprint where practicable. Within 18 months of the cessation of operations, rehabilitate the site to the satisfaction of the Secretary, including the removal or all solar farm infrastructure and restoration of agricultural land capability to its pre-existing use.
<p><i>Visual Impacts</i></p> <ul style="list-style-type: none"> Changing the landscape character. Site visibility from surrounding properties. Visual impacts on motorists. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Existing intervening vegetation, the relatively low height of the infrastructure, and the proposed vegetation buffers would limit visual impacts on residences and public viewpoints within 2 km of the site. Visual impacts on motorists are not considered to be significant. The Department considers that subject to the implementation of visual impact mitigation measures, including vegetation screening, the visual impacts of the project on the landscape and surrounding residences would be minimal. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Minimise off-site visual impacts of the development, including potential glare and reflection; and ensure the appearance of infrastructure blends as far as possible with the surrounding landscape. Establish and maintain a vegetation buffer (landscape screening) to minimise views of the development from surrounding residences. Prior to commencing construction, prepare a landscaping plan in consultation with Council and to the satisfaction of the Planning Secretary that includes a description of measures that would be implemented to minimise views of the development from surrounding residences.

<p><i>Flooding Impacts</i></p> <ul style="list-style-type: none"> Potential flood impacts associated with development. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The site has been characterised as having low flood risk. ib Vogt has committed to implement measures to avoid and minimise soil erosion, sedimentation, and any downstream impacts, including a Soil and Water Management Plan that includes provisions for sediment and erosion control. ib vogt has also committed to a Flood Response Plan encompassing all stages of the development. Subject to the recommended conditions, the Department considers that the project would not result in significant impacts to water resources. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Design, construct and maintain the project to reduce impacts on surface water, ground water and flooding on site. Ensure there is sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.
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