

# Notice of decision

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

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD 9264 Tamworth Solar Farm
<b>Applicant</b>	Tamworth Solar Farm Pty Ltd
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

On 30 November 2020, the Executive Director granted consent to the development application for the Tamworth 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 are available [here](#).

### Date of decision

30 November 2020

### 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);
- applicable NSW Government policies and guidelines;
- all information submitted to the Department during the assessment of the development application;
- advice from relevant NSW Government agencies and Tamworth Regional Council; and
- the views of the community about the project (see Appendix 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 \$104 million;
  - creating up to 200 construction jobs;
  - generating enough electricity to power around 30,000 homes, saving over 131,000 tonnes of greenhouse gas emissions per year;
  - storage of energy for dispatch to the National Energy Market with the 19 MW / 19 MWh battery 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 relevant NSW Government policies, including the *Climate Change Policy Framework*, *Net Zero Plan Stage 1: 2020 – 2030*, *Large-Scale Solar Energy Guideline* and *New England North West Regional Plan 2036*;
- 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 submission 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 29 January 2020 until 26 February 2020 (28 days) and received 5 submissions, including 1 objection and 4 in support of the project.

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

<i>Issue</i>	<i>Consideration</i>
<i>Compatibility of the proposed land use</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The project is located on land zoned RU1 – Primary Production under the Tamworth Regional LEP, and the project is permitted with consent within this zone.</li> <li>• The Department considers that the loss of 148 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.</li> <li>• The project is consistent with the <i>New England North West Regional Plan 2036</i>.</li> <li>• Council and DPI – Agriculture support the project, subject to the recommended conditions of consent.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Restore land capability to pre-existing use (at least Class 4 Land Capability under the <i>Land and Soil Capability Mapping in NSW</i> (OEH 2017))</li> <li>• All solar farm infrastructure to be decommissioned and removed prior to site rehabilitation.</li> </ul>
<i>Traffic Impacts</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The proposed road upgrades have been designed in consultation with Transport for NSW (TfNSW) and Tamworth Regional Council. Council and TfNSW are satisfied that the proposed road upgrades and maintenance conditions would address road safety.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• Prepare a Traffic Management Plan in consultation with TfNSW and Council, including measures to minimise traffic impacts during construction, upgrading or decommissioning works.</li> <li>• All road upgrades must be carried out to the satisfaction of the relevant roads authority.</li> </ul>
<i>Visual Impacts</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Existing vegetation, the relatively low height of the infrastructure, and the proposed vegetation buffers would limit visual impacts on residences and most public viewpoints within 2 km of the site.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• Implement vegetation buffers around the site.</li> <li>• Prepare and implement landscaping plan to minimise visual impacts.</li> </ul>