

From:



Subject:

FW: Orange Grove Solar Farm (SSD 8882) - Section 7.12 Contributions (Formally s94A)

Date:

Wednesday, 24 July 2019 1:03:02 PM

Attachments:

[image001.png](#)

[image002.png](#)

[image003.png](#)

[image004.png](#)

Dear Sam

I refer to the recent email from Brad James regarding the consideration of developer contributions for the Orange Grove Solar Farm.

I can confirm that the Department considered the need for developer contributions in its assessment of this project and whether it would create any additional demand on public services and infrastructure.

The assessment found that the only material additional demand on services and infrastructure related to roads, and the Department recommended conditions requiring road and intersection upgrades and maintenance. These conditions have been agreed with the Applicant and Gunnedah Shire Council.

The Department also considered the demand created by the construction workforce (up to 100 workers), and concluded that there is sufficient accommodation available to house workers during the construction period, even if this occurs at the same time as the nearby Gunnedah Solar Farm. It is noted that once construction is complete, the operational workforce would be very low (approximately 3 workers). Gunnedah Shire Council has advised it has no concerns about the ability of the region to cater for the short term influx of workers during construction of the project.

It is noted that Gunnedah Shire Council has a Section 94A Contributions Plan (2013), and has requested consideration of a condition requiring the Applicant to pay Council a levy of 1% of the development cost of the project in accordance with Section 7.12 of the EP&A Act.

While the Contributions Plan is a relevant matter for consideration by the consent authority, it is not binding on State Significant Developments. Further, as outlined above, the Department has considered the demand on public services and infrastructure and is satisfied that its recommended conditions address the only material impact of the project on these matters (i.e. roads). Consequently, the Department does not consider that a Section 7.12 levy is either necessary or warranted in this case.

The Department also notes there are no large scale solar farms in NSW where a Section 7.12 levy has been imposed in conditions, including the nearby Gunnedah Solar Farm which was determined recently by the Independent Planning Commission.

Finally, I can advise the Commission that the Department is liaising further with local councils and the industry about development contributions more broadly, and this may result in further guidance for stakeholders in due course.

I trust this clarifies the Department's current position on this matter. However, if you have any further questions, please don't hesitate to contact me.

Regards
Mike Young

Mike Young
A/Executive Director
Energy and Resources



From: Bradley James
Sent: Monday, 15 July 2019 4:37 PM
To: [Redacted]
Subject: Orange Grove Solar Farm (SSD 8882) - Section 7.12 Contributions (Formally s94A)

Afternoon Iwan,

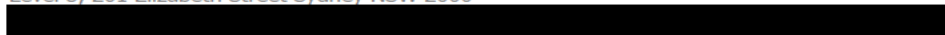
I refer to the Orange Grove Solar Farm (SSD 8882) Project currently before the Commission for determination.

I note that there is no reference to development contributions in the Department's Assessment Report.

The Panel would like the Department to confirm whether S7.12 contributions were considered as part of the assessment process and whether they are applicable for this type of Project?

Regards,

Brad James | Senior Planning Officer
Independent Planning Commission NSW
Level 3, 201 Elizabeth Street Sydney NSW 2000



New South Wales Government
Independent Planning Commission

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