



31 March 2016

Executive Director
Resources Assessment & Business Systems
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Sir/Madam,

Clean Energy Council submission to the draft Community Consultative Committee Guidelines – State Significant Projects

The Clean Energy Council (CEC) is the peak body for the clean energy industry in Australia. We represent and work with hundreds of leading businesses operating in solar, wind, energy efficiency, hydro, bioenergy, energy storage, geothermal and marine along with more than 4,000 solar installers. We are committed to accelerating the transformation of Australia's energy system to one that is smarter and cleaner.

The CEC welcomes the opportunity to make a submission to the draft Community Consultative Committee Guidelines – State Significant Projects (the draft CCC guidelines).

The CEC supports the development of detailed CCC guidelines which will provide clarity and certainty for communities, landowners, developers, local councils and state regulators. The CEC also supports the draft CCC guidelines' consistent treatment of wind farms and other state significant projects.

The CEC has some concerns with details in the draft CCC guidelines which are described in more detail below. To summarise,

- the Committee should not be responsible for any monitoring, assessment or reporting that should be undertaken by the regulator, and should only request reasonable information
- the Company¹ should not fund training for Committee members, and
- when requesting information and reports the Committee should take into account the project development timeline and should not request information that has not yet been compiled.

¹ 'the Company' is used consistently with the draft CCC guidelines, wherein it refers to the project proponent or approval holder.

Purpose of the Committee

The CEC is concerned that the draft CCC guidelines suggest that responsibility for key project reviews and inspections should sit with the Committee; where in practice these functions should be undertaken by the regulator, which has relevant expertise. The purpose of the Committee should be primarily the dissemination of information to the community and the provision of feedback to the Company. The Committee should not make technical project decisions, and the draft CCC guidelines should make this clear.

Care should be taken to ensure requests by the Committee of the Company are reasonable and not vexatious, and do not involve information that is of a confidential or financial nature. The draft CCC guidelines could include words to this effect.

Under the section ‘The Committee may’, the CEC recommends the removal of points 3, 5, and 8.

Committee training

The CEC does not support Company funded training for Committee members. Having relevant skills should be a prerequisite for becoming a member of the Committee, and it should not be the responsibility of the Company to provide upskilling for Committee members.

The CEC recommends that this section is removed from the final CCC guidelines.

Provision of information by the Company

The draft CCC guidelines emphasize transparency and the provision of information by the Company to the Committee, which is a positive and important part of the Committee’s purpose. The CEC supports the early formation of CCCs in order to facilitate interaction between the Company and the local community during the project design and development phase. However, the CEC suggests that the project development process be taken into account when reports are being requested by the Committee.

For example, most large project developers will not have prepared full engineering drawings or environmental management plans before they’re sure that the project can proceed. Page 9 of the draft CCC guidelines document suggests that

The Company shall respond in a timely fashion to any questions asked or advice given by the Committee about the Company’s environmental performance or community relations.

The CEC suggests that this should only apply where it is reasonable that the Company has access to the information requested, taking into account the project’s development timeline.

Community engagement and the wind industry

The wind energy industry in Australia is committed to positive community engagement and participation. The CEC has worked closely with its wind industry members over the past three years to fund, develop and implement a set of best practice community engagement guidelines² and raise the bar for strong engagement methodologies across the industry. These guidelines, launched in mid-2013, describe several methods for effectively interacting with members of the community as well as some models for sharing the financial benefits of the project through such mechanisms as the establishment of community funds.

A wind farm is part of a community for twenty years or more. History shows that projects inject substantial direct and indirect economic benefits to these communities both during the construction and ongoing operational phase of the wind farm. The wind sector is continuing to explore and implement different models for sharing the benefits these projects bring.

The New South Wales planning framework needs to be fair, transparent and efficient

The NSW Government has the opportunity to develop a competitive advantage over other states when attracting wind investment by ensuring its planning framework is fair, transparent and efficient.

The wind industry has already made a significant contribution to the Australian economy, with direct and indirect investment worth more than \$10 billion and major employment opportunities delivered to rural and regional parts of the country. Projects built under the Renewable Energy Target will be those that deliver the most competitive Large-scale Generation Certificates (LGCs) to the liable parties. Competitiveness is influenced by a combination of factors including resource quality, electricity market conditions and the planning regime.

Several companies actively developing projects in NSW are also pursuing projects in a number of states, some of which have a better wind resource than NSW. These projects are in competition for construction and associated investment within the limited LGC market. The NSW Government can attract more projects to the state by ensuring an efficient and fair planning system that isn't unreasonably restrictive.

The wider NSW planning system encourages investment and development, especially in regional areas. A merit-based planning approach should always ensure that proposed developments are considered based on the interests of the wider community and not a select few.

The Baird Government has a great opportunity to position NSW as a leader in a sector that is innovative and can support real employment in rural and regional areas. A clear, transparent and fair Community Consultative Committee Guidelines – State Significant Projects is one effective way to demonstrate a commitment to the industry.

² Available at: <http://www.cleanenergycouncil.org.au/technologies/wind-energy/community-engagement-guidelines.html>

Finalising the NSW wind farm guidelines which have been in draft since 2011 is another important step that will boost investor confidence about the longer term intent of the Baird Government.

If you have any further questions or wish to arrange a meeting to discuss this submission please contact Alicia Webb via telephone on 03 9929 4100 or by email at AWebb@cleanenergycouncil.org.au. For media inquiries, please contact Mark Bretherton on 0413 556 981.

Yours sincerely,

A handwritten signature in grey ink, appearing to read 'A Webb', with a stylized flourish at the end.

Alicia Webb
Policy Manager
Clean Energy Council