

16 February 2018

Dear Sir/Madam,

Large-Scale Solar Energy Guideline

Thank you for the opportunity to comment on the Draft Large-Scale Solar Energy Guideline.

NSW has the most significant opportunity of all the States and Territories of Australia to harness renewable energy because it has the best combination of wind and solar resources with the ability to connect into a strong electricity network at the heart of the National Electricity Market.

Further, the NSW electricity generation fleet is still predominantly fossil-fired and old, and several thousand MW is expected to be retired in coming years. The vulnerability to drought of the inland coal fired power stations has been clearly demonstrated in recent years, and the reliability of some thermal power stations is not as high as it used to be. Increasing the supply of generation from renewable energy provides greater opportunities for stable and lower prices which is good for business, the economy, the environment and the communities of NSW.

It is therefore encouraging to see the NSW government state its support for the solar energy industry in NSW and acknowledge the broad support that exists across the community for alternative, renewable, low emission energy generation sources.

Key comments on the Draft Large Scale Solar Guideline

Applicability

It would be useful for the Guideline to be clearer on its applicability. For example, on page 5 under Application of the Guideline it is noted that although the focus of the Guideline is SSD projects, it may also be of use to applicants for non-SSD solar energy projects when undertaking site selection and scoping. This statement along with the footnote to which it refers creates just the kind of confusion for communities that one might hope a new Guideline would seek to avoid.

A 5MW solar PV development out of town in regional NSW (for example) would not require the process outlined on page 19 or necessarily need to go through the referenced "Scoping an EIS" document. Industry and communities seek certainty and consent authorities can also have their lives made simpler where there is no argument about whether they should have employed an SSD approach to a non-SSD, local development application.

It is important that the Guideline does not inadvertently create difficulties and misaligned expectations which impact on the approval of new solar projects. Multiple policy and legislative changes, amendments to planning processes and changes to the expectations placed on Proponents have caused significant delays for wind farms in the state and resulted in NSW falling notably below its potential for wind farm approvals and the associated billions of dollars of investment. It would be regrettable for solar power developments to follow the same pattern.

Site locating

At the heading 'Implications of site selection' (p14) the Guideline states the while the 'key considerations for site selection' is:

"...intended to encourage appropriate solar investment in areas that are more likely to achieve better environmental and planning outcomes, it is acknowledged that there may be specific socio-economic considerations or other factors that determine where an applicant might choose to propose a large-scale solar energy project."

For the avoidance of doubt 'other factors' *always* drive site selection. Other factors are network connection capability, energy yield, land ownership, vegetation and topography.

Under 'Key considerations for site selection' on p13 the final dot point of 7 is "proximity to the electricity network". For most proponents this is the first dot point, underlining that suitable locations for power generation drive site location for power companies. The aspects listed in the guideline are excellent for community power where communities want to be proactive and have a say and ownership of the plant. As most generation in NSW is privately owned and developed to provide least cost electricity, connection, topology and solar irradiation will continue to be the key drivers. Proponents will naturally continue to address all of the consultation and planning aspects and avoid, minimize, mitigate and manage impacts but in the context of the best possible site.

Local interest groups to help decide where to locate the site?

On page 25, Table 1 - Site Selection, - which is a very early part of the consultation process and prior to the lodgement of the scoping study - it is suggested that "...consultation with the relevant council and Chambers of Commerce... could also assist in identifying other key local interest groups that could also input into the site selection decision."

While, as noted early in the document on p6 and reiterated on p12 "solar development is not restricted by geographical or geological circumstances as is the case of mining and wind developments", it is not useful to suggest that key local interest groups could or should provide a better idea for the location of a solar power station than the proponent.

Everyone has an idea about "a better location" for infrastructure be it new residential units, a piggery or a solar power plant and it is generally either onto their land or a long way away from their land. Site selection and negotiation is the job of the proponent, site assessment is the job of planning. There is scant evidence to suggest that community cohesion or social licence are improved by encouraging community groups to suggest alternative locations which, if rejected are likely to have the opposite effect.

It is also late to suggest that "Industry -scale public engagement' might assist the industry to determine the best localities and regions for expanding solar energy development...and identifying communities in NSW that are actively attracting new investments and developments and supportive.."

Current position

According to the NSW Major Projects website, 21 solar farms have been determined in NSW. A further 19 projects have had SEARS issued – two of these were issued this year (2018). These 40 projects plus the 7 actively in the planning process predate this Guideline. The Guideline ought not to apply to any of the 26 projects which have SEARS issued and are not yet through the planning process. However, it would be helpful to clarify if November 2017, the date on the draft version of the Guideline currently out for consultation, is the threshold date for applicability of it or if it will be the final non-draft version that will apply to projects.

The large scale solar projects determined to date have gone through planning in a relatively swift and efficient manner as befits their generally relatively low impacts and significant benefits to the State.

It is therefore not clear why the Guideline is required.

Challenges to entering the planning process

The new planning process detailed in the large scale solar Guideline includes the significant early work normally undertaken outside of the planning process by project proponents including site finding, landholder discussions, council meetings, early stakeholder consultations.

While it is not entirely clear why this pre-work now forms part of the planning process it is important that the proposed system does not slow down or even reject the entry of new large-scale solar projects into the planning system.

Experience with NSW Wind Guidelines

NSW introduced an entry 'Gateway' into the planning process for wind farm projects a few years ago which meant that significant work had to be done before the Department of Planning would determine whether the proponent was allowed to lodge a planning application. Since that time NSW has been almost closed for business for new wind farm developments, which is surely an unintended consequence.

In March 2012 the wind industry in NSW responded to a set of draft wind farm guidelines which it considered had some unworkable aspects, including the proposed gateway process. Over the next **4 years**, workshops and iterations of the guidelines were discussed and finally the 2011 Draft Wind Farm Guidelines were replaced by a new Wind Energy Framework in December 2016. During the 4 year period, uncertainty was unnecessarily increased for communities and for project proponents.

Only one project has managed to get SEARS since the Wind Energy Framework was introduced.

Coal plants will continue to age and will need to be replaced with renewable energy generation. If large scale solar projects follow the experience of wind farm projects with planning requirements so labyrinthine as to stall the development of an industry this is not consistent with the objectives of the discipline of planning nor with the policy objectives of the State of NSW.

It is critical that NSW walks the walk on renewable energy. The current environmental assessment process for large scale solar PV projects is effective and efficient. The proposed Guideline should have clearly stated objectives and applicability and not seek to delay or duplicate parts of the current assessment process.

Epuron acknowledges the challenges in the task and the commitment of the staff of the Department in creating the draft Guideline for public consultation.

We thank you for the opportunity to comment.

Yours sincerely



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