

1. Purpose

The Central West Orana Renewable Energy Zone (CWOREZ) was formally declared on 5 November 2021. The declaration formalises the zone under section 19(1) of the *Electricity Infrastructure Investment Act 2020* (NSW) (EII Act) and sets out its intended network capacity, geographical area and specified network infrastructure. For the CWO REZ, the intended network capacity is 3 GW with Dunedoo located at the geographic centre.

The purpose of this Policy is to outline Council's position on renewable energy generation, storage and transmission projects (including associated infrastructure), associated environmental, social and economic benefits, and costs expected to be generated from such development.

2. Objectives

The objectives of this policy are to:

- Ensure our communities positively benefit from large scale renewable energy development;
- Manage and seek to ameliorate the adverse environmental, social and economic impacts associated with large scale renewable energy development;
- Provide opportunities for proponents to proactively and positively add to the betterment of our communities.

3. Scope

This policy applies to all renewable energy generation, storage and transmission projects (and associated infrastructure) that will impact the Warrumbungle Local Government Area. This extends to wind farms, solar farms, pumped hydro, battery energy storage systems, hydrogen generation, transmission lines or any other form of renewable energy project or infrastructure.

4. Legislation and Associated Documents

ASSOCIATED POLICIES	<ul style="list-style-type: none"> • Nil
ASSOCIATED LEGISLATION	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act, 1979.</i> • <i>POEO Act</i> • <i>Warrumbungle Local Environmental Plan 2013</i> • <i>Electricity Infrastructure Investment Act 2020 (NSW) (EII Act)</i>
ASSOCIATED DOCUMENTS	<ul style="list-style-type: none"> • DPE Large Scale Wind Farm Guidelines • DPE Large Scale Solar Guidelines • DPE Planning Agreement Guidelines

5. Policy Statement

This policy guides the Council's impact assessment of renewable energy projects seeking to robustly and transparently consider and plan for broader community impacts – both beneficial and detrimental.

The NSW Planning System allows for the consideration of the impacts of development on the community through the Planning Agreement process under the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Council commits to being duly diligent in identifying and examining the full suite of environmental, social and economic costs and benefits as they relate to its communities.

5.1 Planning Agreement

A Planning Agreement is a legal document created under the EP&A Act between a developer and Council where the developer agrees to provide Development Contributions for public purposes that will ensure the provision of a public benefit.

'Public purposes' are defined to include:

- the provision of, or recoupment of the cost of providing, public amenities or public services, affordable housing, or transport or other infrastructure,
- the funding of recurrent expenditure in relation to such things,
- the monitoring of the planning impacts of development, and
- the conservation or enhancement of the natural environment.

The Developer Contributions that are the subject of a Planning Agreement reflect that there are broad tangible and intangible environmental, social and economic costs arising from the Development and the said contributions will assist the Council to provide needed material public benefits to its communities, as well as addressing broader community social impacts.

Planning Agreements are intended to promote a number of elements of Council's Charter under section 8 of the *Local Government Act 1993* (NSW). In particular, a Planning Agreement, through the delivery of public purposes and material public benefits, allows the Council to:

- provide adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- exercise community leadership;
- be mindful that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible; and
- keep the local community and the State government (and through it, the wider community) informed about its activities.

Development Contributions provided for in a Planning Agreement are not required to bear the same nexus with development as required for section 7.11 local contributions. However, Planning Agreements should provide for public benefits that are not wholly unrelated to development.

5.2 Funding Target

Proponents of each renewable energy project (and associated infrastructure) will be required to enter into a Planning Agreement with Warrumbungle Shire Council with funding requirements to be a minimum of 1.5% of the Capital Investment Value (indexed annually as per CPI) of the project as a total value. Proponents will be required to pay 10% of total quantum (of the 1.5% of CIV) upfront (to Council) within 30 days of signing Planning Agreement.

6. Community Benefits Fund

Council encourages developers to also engage directly with community groups and other not for profit organisations on sponsorship arrangements for community projects.

7. Related Legislation

Under the provisions of the *Warrumbungle Local Environmental Plan 2013*, Electricity Generating Works are defined as follows: “a building or place used for the purpose of—(a) making or generating electricity, or (b) electricity storage”.

8. Responsibilities

The Director Environment and Development Services will be responsible for the implementation of this policy.

9. Getting Help

The staff member/s who can assist with enquiries about the policy are:

Position: Director Environment and Development Services, Manager Planning and Regulation, Town Planner

Department: Environment and Development Services

10. Version Control

DEPARTMENT	Environmental and Development Services		
RESPONSIBILITY	Director Environmental and Development Services		
VERSION CONTROL			
Policy Name	ID No and Version	Resolution	Date Adopted
Renewable Energy Benefit Policy	1		
Next Review Date	By September 2025		

