

Explanatory Note

Draft Planning Agreement for the Uungula Wind Farm

The purpose of this explanatory note is to provide a plain English summary to support the notification of a draft Planning Agreement for the proposed Uungula Wind Farm, located approximately 14km east of Wellington.

1 Introduction

Clause 25E of the *Environmental Planning and Assessment Regulation 2000* (the **Regulation**) requires a planning authority proposing to enter into a Planning Agreement under clause 7.4 of the *Environmental Planning and Assessment Act 1979* (the **Act**) to prepare an explanatory note about the Planning Agreement.

This explanatory note relates to the Planning Agreement proposed to be entered into between Dubbo Regional Council and Uungula Wind Farm Pty Ltd in respect of the Uungula Wind Farm, which consists of up to 97 turbines and ancillary infrastructure, located approximately 14km east of Wellington.

This explanatory notes has been prepared jointly by Dubbo Regional Council and Uungula Wind Farm Pty Ltd as required by Clause 25E of the Regulation.

2 Parties

The Parties to the Planning Agreement are:

- Dubbo Regional Council (ABN 53 539 070 928) of Corner Church and Darling Street, Dubbo NSW 2830 (**Council**); and
- Uungula Wind Farm Pty Ltd (ABN 68 143 399 295) of Suite 1.01 Level 1, 17 Moore Street, Canberra ACT 2601 (**the Company**).

3 Background and description of the development

A development application has been submitted to the NSW State Government Department of Planning, Industry and Environment (reference SSD-6687) for the construction, operation and decommissioning of a wind farm, located approximately 14km east of Wellington, comprising:

- up to 97 turbines and ancillary operating infrastructure including access tracks and road upgrades;
- electrical infrastructure including battery storage, electricity cabling, substations and grid connection; and
- temporary facilities including site offices and compounds, rock crushing and concrete or asphalt batching plants, stockpiles and materials storage compounds, and Meteorological Masts.

The development footprint is shown in Figure 1-1 at the end of this note.

The Ungula Wind Farm is expected to have an electricity generation capacity of approximately 400MW at the point of connection, producing enough clean energy to power the equivalent of 170,000 average NSW households per year.

The proposed development is classified as State Significant Infrastructure as it has an overall Capital Investment Value in excess of \$30 million.

4 Summary of objectives, nature and effect of the Planning Agreement

The main objective of the Planning Agreement is to require monetary contributions to be paid to Council for the purpose of funding strategic projects and community enhancements throughout the local government area, and strategic analysis and road maintenance projects in the area surrounding the subject site.

The Planning Agreement would result in Council receiving up to \$320,973 per annum (subject to CPI increases) over the project's 25 year life span. The Planning Agreement:

- allocates to Council the amount of \$3,309 per annum per turbine constructed or under construction;
- allocates the monetary contributions across four funding streams as follows:

Funding part	Focus area	Percentage (%) Expenditure Allocation of the Total	
		Years 1-5	Year 6-onwards
Funding Part 1	Strategic analysis	15	0
Funding Part 2	Strategic projects	38	45.5
Funding Part 3	Community benefit fund for projects carried out within the LGA	38	45.5
Funding Part 4	Road maintenance works	9	9

- provides for the expenditure of monetary contributions to be administered by a committee established by Council.

Clause 5 of the Planning Agreement sets out the timing for the payment of the Monetary Contributions. The Company must pay to Council for each Committed Turbine to be constructed, and Operating Turbine, during the preceding year. The Planning Agreement will cease on the date on which the last of the Operating Turbine is decommissioned.

5 Assessment of the merits of the Planning Agreement

5.1 The planning purpose served by the Planning Agreement, and whether it provides for a reasonable means of achieving the planning purpose

The Planning Agreement facilitates the provision of public amenities, community enhancements, road maintenance and services through four funding parts, and is a reasonable means for achieving these planning purposes.

5.2 How the Planning Agreement promotes the public interest and objects of the Act

The Planning Agreement promotes the public interest and objects of the Act by securing monetary contributions for the purpose of strategic projects, community enhancements and road

maintenance projects. The Planning Agreement will provide a significant contribution to improving public assets in both the local government area and general locality of the subject site, with consequential positive impacts over the life span of the development.

The Planning Agreement promotes the objects of the Act by:

- promoting the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, towns and villages;
- promoting the orderly and economic development of land; and
- providing increased opportunity for community participation in the development of the Planning Agreement.

5.3 How the Planning Agreement promotes elements of the Council's charter under the Local Government Act 1993

The Planning Agreement promotes elements of Council's charter by:

- providing effective and efficient services to meet the diverse needs of the local community in a way that provides the best possible value for residents and ratepayers;
- investing in responsible and sustainable infrastructure for the benefit of the local community;
- providing a means that allows the wider community to make submissions to the Council in relation to the Planning Agreement; and
- managing lands and other assets so that current and future local community needs can be met in an affordable way.

5.4 How the Planning Agreement conforms to Council's capital works program

The works identified in the Planning Agreement directly address and respond to strategic priorities identified within relevant Council strategies, plans and delivery programs.

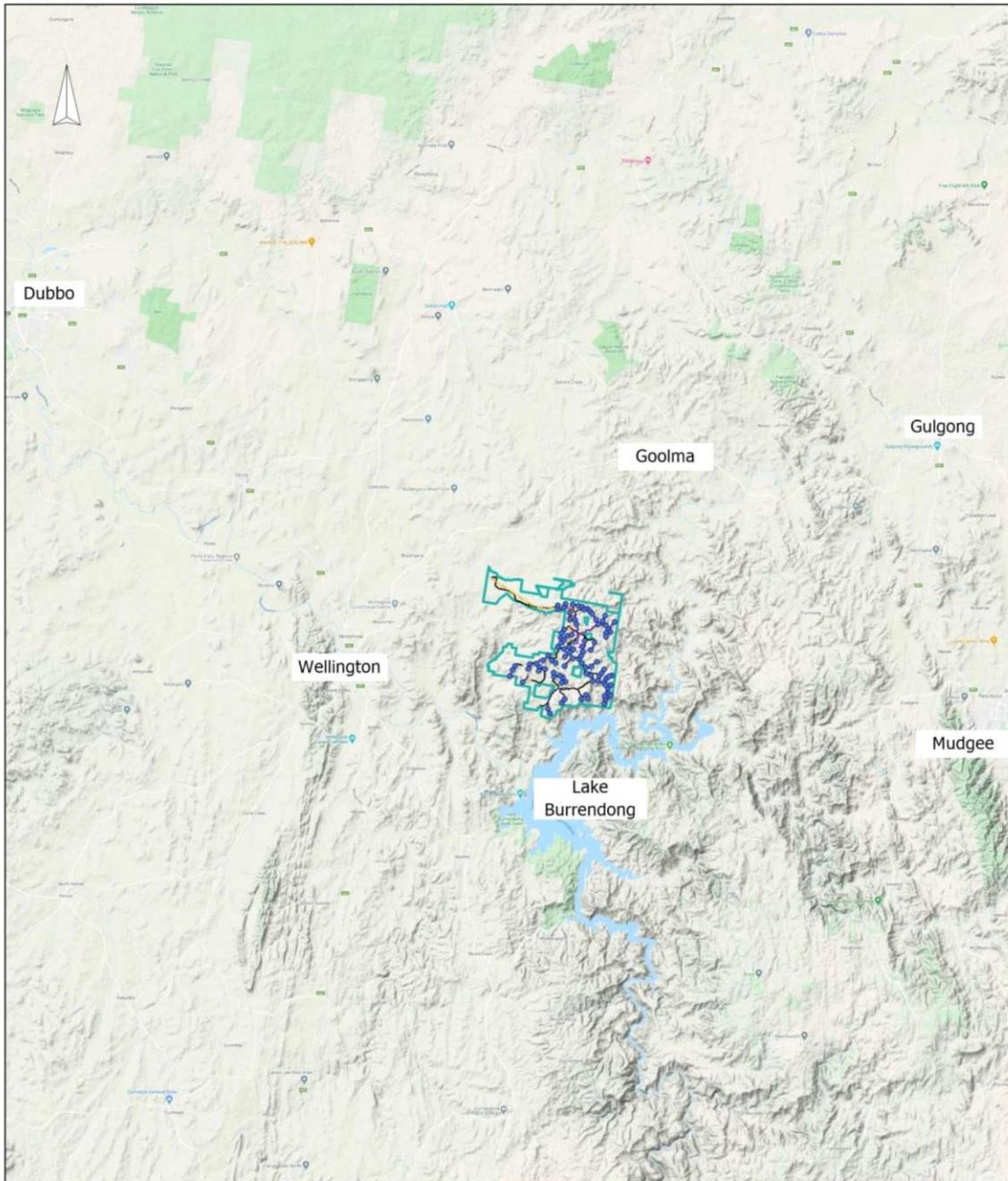
5.5 Whether the Planning Agreement specifies certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued.

The Planning Agreement does not specify any requirements that must be complied with before the issuing of a construction certificate, occupation certificate or subdivision certificate.

Clause 4 of the Planning Agreement sets out the requirements for when the Planning Agreement becomes operative and binding, being the Construction Commencement Date.

6 Notes

This explanatory note is a summary only, and is not to be relied upon as a complete description or used as an aid in construing the Planning Agreement.



LEGEND <ul style="list-style-type: none"> ● Wind Turbine Generator (97) Project Site Wind farm access tracks Site Compound Substation Energy Storage Facility 	COMPANY UUNGULA WIND FARM PTY LTD				
	TITLE Project Location				
SCALE BAR 	DATE 28/09/20	SCALE 1:420000	DWG NO UWF-048	REV B	VER 1
	DRAWN BY J PETERSEN	CHECKED BY M FLOWER	SHEET 1 OF 1	JOB NO 110247	SIZE A3
Proposed Powerlines: Underground (medium to low voltage) Overhead (medium to low voltage) ——— Overhead (high voltage)					

Figure 1-1: Project location