



Policy:

**Renewable Energy
Community Benefit**

2023

INFORMATION ABOUT THIS DOCUMENT

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Document History

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UINT/23/13320	19 September	Creation of Draft Policy
UINT/23/18399	28 November	Adopted by Council 17.11/23
UINT/23/18399	26 March 2024	Adjustments made and presented to Council
UINT/23/18399	26 March 2024	Adopted by Council with changes 39.03/24

Further Document Information and Relationships

List here the related strategies, procedures, references, policy or other documents that have a bearing on this Policy and that may be useful reference material for users of this Policy.

Related Legislation*	Environmental Planning and Assessment Act 1979 (EP&A Act) Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)
Related Policies	
Related Procedures/ Protocols, Statements, documents	

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

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1. PLANNING AGREEMENTS

Uralla Shire Council will use the planning agreement provisions of the EP&A Act to deliver the objectives of the Policy.

A planning agreement is a voluntary agreement between Council and a developer, who has made the development application, under which the developer is required to dedicate land free of cost; pay a monetary contribution; provide any other material benefit to be used or applied towards a public purpose.

2. LEGISLATIVE CONTEXT

Section 1.3 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* provides the legislative basis for the Policy.

Subdivision 2 of the EP&A Act provides the legislative basis for planning agreements.

3. OBJECTIVES

The Renewable Energy Community Benefit Policy (Policy) will support the promotion of benefit sharing strategies associated with the development of state significant and regionally significant renewable energy projects in the Uralla Shire Council Local Government Area (LGA) that:

- Secure off-site benefits for the community so that renewable energy development delivers a net community benefit;
- Ensure that the wider community shares in the benefits resulting from renewable energy development in the local government area; and
- Ensure that the costs and benefits of renewable energy development will be equitably distributed within the community and inter-generationally.

4. COMMUNITY BENEFIT

Community benefit excludes that which is required to mitigate adverse impacts of development including (but not limited to) host and adjoining landowner payments required to obtain consent or prescribed by legislation.

The financial value of community benefit will vary from project to project, however, the minimum community benefit threshold for Uralla Shire Council is \$850 per MW per annum for solar energy development, and \$1050 per MW per annum for wind energy development, paid over the life of the development and indexed to CPI.

5. PUBLIC PURPOSE

The public purpose that funds will be applied to includes works to embellish public spaces, the provision of spaces for public recreation and community facilities, the provision of affordable housing and works to rehabilitate or conserve biodiversity values, or some other public purpose if the Council reasonably considers that the public interest would be better served by applying the funds towards that other purpose.

6. GOVERNANCE AND INTER-GENERATIONAL EQUITY

Council will ensure a governance structure that as far as possible reflects the needs and concerns of the immediate communities of impact and the broader local government area to assist with determining the public purpose for funds.

Councils will manage funds to ensure that they benefit future generations as well as the present generation.

A Community Advisory Body will provide advice to Council on the projects to which community benefit funds will be allocated.