To Whom It May Concern:


It is our understanding from the discussion paper that the Planning and Design Code for South Australia and the Planning, Development and Infrastructure Act are intended to introduce streamlined processes for the planning system in South Australia through unified guidelines for local councils while providing a considerably more efficient platform for development applications to the end-user.

As a company who engages regularly with various local councils, we can see great benefit to guidelines which are consistent and provide a clear understanding to the requirements of development across the state.

Yates Electrical Services are South Australia’s largest developer of small-scale solar farms, having built nearly 50% of the renewable energy projects currently registered in South Australia. Yates Electrical Services specialise in ground-mounted solar farm developments which range in size from 30kW to 1000kW capacity, occupying a footprint of between 0.5 of an acre up to 5 acres, with 90% of our developments occupying approximately 1 acre and around 200kW capacity. Attached are images of three completed solar farms constructed by Yates Electrical Services in the Riverland.

Since late 2016, Yates Electrical Services have been working with landowners throughout South Australia to reactivate redundant land parcels which are no longer viable to be farmed using traditional farming practices. We have assisted numerous horticulture and viticulture businesses to diversify their enterprise by incorporating renewable energy solutions into their existing business structure to generate supplementary revenue streams, reduce their reliance on primary production markets, create local employment opportunities and boost local economies by retaining generated revenue within regional communities.

With over 60 large scale developments throughout regional South Australia built to date, and many more developments of this nature and size to continue into the future, Yates Electrical Services must be mindful of any policy changes which may adversely affect our ability to continue delivering these projects to landowners and farmers throughout the state.

Of particular concern to us are the proposed policy changes which focus on setback distances for future proposed solar farm developments.
As outlined in the executive summary of the Discussion Paper and expressed within Infrastructure and Renewable Energy Facilities DTS/DPF 9.3 in the General Development Policies Section of the Code, the proposed introduction of setback distances in relation to solar farm developments is as follows:

- 500 metres from conservation areas;
- 100 metres from township boundaries; and
- 30 metres from neighbouring land.

Whilst we consider these proposed policies fair and reasonable when applied to utility scale developments (greater than 5MW), there doesn’t seem to be any alternative guidelines which specifically pertain to developments which occupy a considerably smaller footprint, such as the projects which Yates Electrical Services have rolled out throughout regional communities.

In most cases, Yates Electrical Services have been engaged by landowners to develop these small-scale developments within the bounds of the landowners existing farming practice, where it is imperative to consider the impact on the existing business, particularly in terms of the footprint a solar farm occupies. It is not uncommon for landowners to request a solar farm be built close to a boundary to have minimal impact on the remaining land, allowing the landowner to maximise the practical use of the land. In these cases, a setback of 30 metres as proposed would be significantly detrimental to a landowner, as it would require between 1,500 to 3,300 square metres of additional land be made available - almost doubling the required land for a 200kW installation, solely to account for the setback of the solar farm.

The Australian Energy Market Operator (AEMO) classify renewable energy developments based on the overall AC capacity of the development, as outlined below:

- 30MW and above: Market, Semi-Scheduled;
- 5MW - 30MW: Non-Market, Semi-Scheduled; and
- Below 5MW: Non-Market, Exempt.

This is to ensure that the capacity and size of the project is considered when aligning policies and procedures throughout the registration and development phase.

South Australia Power Networks (SAPN) classify grid-connected generating assets based on the DC capacity of the asset, as outlined below:

- Technical Standard TS-129 - Small Inverter Energy Systems (IES) - Capacity not exceeding 30kW;
- Technical Standard TS-130 - Inverter Energy System (IES) above 30kW and up to or equal to 200kW; and
- Technical Standard TS-131 - Inverter Energy System (IES) above 200kW or any size rotating generating system.

It is noted that the draft Code refers to ‘small-scale ground mounted solar power facility’ but this is not defined within the land use definitions in the Code. This has the potential to result in confusion and discrepancies in how smaller scale facilities such as those developed by Yates Electrical are processed by various Councils. It is recommended that the Code utilise the AEMO and SAPN classifications/categories listed above and to differentiate between small and larger utility scale facilities.
‘Renewable Energy Facility’ is the only term defined within the Code. It is noted that the definition excludes domestic systems with a capacity of under 5MW that supply power to uses upon the site. In our experience it is very rare for a solar facility of up to 5MW to be utilised only for the supply of power to the site upon which it is located. Most solar farms, and other forms of renewable energy facilities, export power to the grid and therefore would be caught within the definition of a Renewable Energy Facility. Within the Rural Zone, where most of these facilities are located/proposed, this would result in such applications being assessed against all the relevant provisions of the Code regardless of their size/capacity. It is our submission that solar facilities of less than 5MW (or at a minimum under 200kW) be separately defined within the Code and included within Table 3 of the Rural Zone to have a specific set of policies against which they are assessed.

In relation to the Rural Zone the following comments are provided, and changes sought:

- As noted above ‘small scale ground mounted solar power facility’ is listed in Table 3 and within DTS/DPF 1.1 but is not defined;
- Given the clear intent for the development of renewable energy facilities within the current rural type zones across numerous Development Plans ‘Renewable Energy Facility’ should be listed within DTS/DPF 1.1 as an envisaged use within the zone;
- PO 9.2 notes that small scale solar facilities should support rural production or value adding industries. This is our experience however such facilities predominately support these activities and industries by exporting power to the grid to achieve a supplementary income alongside other rural uses. This is not reflected in DTS/DPF 9.2 which restricts such facilities to 30kW and does not allow for the export of power and therefore places a direct limit on the ability of a farmer/land holder to make a return on their investment;
- The rationale for the desired setback within DTS/DPF 9.2 of 100 metres from a neighbouring dwelling is unknown and does not appear to correlate to the intent of PO 9.2; and
- In relation to the Procedural Matters within the zone it is noted that all renewable energy facilities are to be notified other than solar farms under 30kW. We request that the notification trigger be lifted to 200kW DC to align with the AEMO and SAPN classification of solar facilities as outlined above.

In relation to the General Infrastructure and Renewable Energy Facilities provisions it is noted that under the heading ‘Renewable Energy Facilities (Solar Power) PO 9.1 is specifically directed at solar facilities over 5MW. The majority of provisions within this section are best directed towards the larger scale facilities however PO 9.2 and DTS/DPF 9.3 would be applicable to any solar farm regardless of their size. It is requested that this section be specifically directed towards solar farms greater than 5MW because it is at this scale that impacts in relation to wildlife movement and visual amenity start to become a concern and require further direction and guidance within the Code. Under this size the scale of the farms is such that these issues are less prevalent and can be easily assessed and accommodated with a lower level of prescription within the Code.

Yates Electrical Services has regularly committed to planting screening vegetation to minimise visual impacts where a main road or neighbouring dwelling is within proximity. To date this has proven to be an effective approach and a preferred option by all involved to the designated setback distances sought within the Code. I have attached several images of screening vegetation that has recently been planted at a 4MW site in Port Pirie as condition by Council and agreed to by Yates Electrical Services and the adjoining neighbour. A consistent approach to the use and need for landscape screening around solar facilities should be incorporated within the new Code.
As there are so many variables in the development of a solar farm which should be taken into account throughout the application process, a single set of policies which covers developments across the board - while suitable for utility scale projects - is prohibitively unsuitable for smaller scale projects, and would likely render many of these projects financially unviable.

To demonstrate how this policy would have affected past developments for Yates Electrical Services, I have attached previous site plans outlining how the proposed policies would have affected the delivery of these projects (Appendix A). In most cases, a policy calling for a 30 metre setback would have resulted in the majority of these developments never proceeding. We have not received any complaints in relation to the proximity of panels or impacts post-construction, evidence that the proposed setbacks are unnecessary for developments of this scale.

It is our view that the State Planning Commission should adopt similar policies to industry partners by adapting their guidelines to suitably account for variables such as solar farm size and capacity, while also considering the effectiveness of existing screening practices over the requirements for large setback distances on smaller scale developments.

Taking these factors into consideration would allow local councils to continue to support these developments without unreasonable restrictions which were evidently proposed for much larger scale projects, allowing local and regional landowners to continue the strong uptake of renewable energy assets into their farming practices, complimenting their business structures and alleviating financial pressures on our growers.

Thanks and Regards

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APPENDIX A

The following images display currently established solar farm developments which were completed in 2019, with the proposed 30 metre setback overlaid (shown in red). As shown, a 30 metre setback on these properties would have resulted in these projects not proceeding.