



13 June 2024

Cédric Bergé
Project Development Manager
ACEN Australia

via email: [REDACTED]

Dear Cédric,

Birriwa Solar Farm (SSD-29508870)
Questions on Notice and Request for Additional Information

I refer to the State significant development application for the Birriwa Solar Farm (SSD-29508870) (**Application**), currently before the NSW Independent Planning Commission (**Commission**) for determination.

Following the Commission's site inspection on 4 June 2024 and public meeting on 5 June 2024, the Commission is seeking a response from ACEN Australia (**ACEN**) on the following matters:

1. The Commission heard concerns from community members regarding:
 - a. the risk of potential fires caused by solar farms and associated infrastructure. Can ACEN please provide further information on this potential risk, detailing any knowledge or experience of incidents where solar farms and associated infrastructure have caused fires and/or have been at risk of causing fires? What mitigation measures will ACEN adopt to manage any fire risks on site? Has ACEN consulted with Fire and Rescue NSW and the NSW Rural Fire Service on the project, including if they can/will access the site?
 - b. solar panel degradation, and the implications of potential release of materials and/or contaminants into the environment. Can ACEN please provide further information on how solar panels degrade over their lifetime, and whether any subsequent materials, contaminants, chemicals or the like have the potential to be hazardous to the environment and human health?
 - c. the project's impact on local waterways and their water quality, particularly during times of heavy rain. What mechanism would ACEN adopt to monitor the quality and quantity of water run-off from the site over the life of the project? Is the concentration of water runoff from the solar panels and associated infrastructure likely to increase erosion risk? What construction and mitigation methods would be implemented to prevent soil compaction and ground cover loss during and post construction?



- d. the lack of certainty that employment and/or materials will be sourced locally. What is ACEN's policy on sourcing workers, contractors, sub-contractors and/or materials from the local community and how is the policy to procure locally enforced throughout the contracting chain? Can ACEN provide further information on how such a policy has been implemented on other projects?
 - e. workforce using (and subsequently adversely impacting on), the local road network. Can ACEN provide information on how/if ACEN has dealt with this matter in the past where the use of local roads by employees, contractors and sub-contractors are prohibited/restricted? How is this proposed to be monitored and enforced in the case of the proposed project?
 - f. the viability and logistics of using the land post-construction for livestock grazing. Can ACEN provide information on how it is proposed to implement livestock grazing on the site post-construction, including providing proposed livestock numbers, grazing regimes, associated infrastructure and how livestock grazing has been implemented at other ACEN solar projects?
 - g. potential for an extended construction period in the event of workforce shortages. Can ACEN provide information on the likelihood of workforce shortages and how/if this could impact on the proposed construction timeframe?
 - h. the accuracy of photomontages depicting views from neighbouring properties provided in the visual impact assessment. Can ACEN please address concerns raised by community members that such photomontages were modified to illustrate the development as less prominent.
 - i. screen planting and management to ensure its viability. How will ACEN monitor and maintain plantings which are intended to provide viable screening? How long after planting will the plantings achieve the desired screening effect?
2. The Commission viewed the locations of the proposed landscape screen planting during the site inspection, though it is unclear how the extent of the proposed screen planting was determined. How did ACEN decide on the extent of the proposed screen planting, and what are the constraints, if any, on extending them? Can screen planting be provided within the setback area to the north of associated dwelling A2 and/or within any road reserves?
 3. During any final design development process for the layout of the solar panels, what opportunity is there for isolated trees and remanent vegetation within the development footprint to be retained?



4. The Commission notes that one (1) of the Battery Energy Storage System (BESS) options includes a large-scale dedicated building. Can ACEN please provide further information of the proposed built form and materials for this structure and an indicative layout of the proposed operational infrastructure area, including any screen planting? Can ACEN advise how the environmental impact of each BESS design option has been considered?
5. What are the proposed subdivision allotment areas?
6. Can ACEN advise how the movement of livestock on public roads by surrounding landholders who hold authorised stock permits will be accommodated?

The Commission requests that ACEN provide a response by **5pm on Wednesday 19 June 2024**. This letter and your response will be made publicly available on the Commission's website.

Should you require any clarification in relation to the above or wish to discuss further, please contact Geoff Kwok via [REDACTED] or 02 9383 2137, or Kendall Clydsdale via [REDACTED] or 02 9383 2101.

Yours sincerely,



Stephen Barry
Planning Director