



TotalEnergies Renewables Australia Pty Ltd

Date 04/10/2024

Mr Richard Pearson (Chair)
Dr Bronwyn Evans AM
Dr Sheridan Coakes
Office of the Independent Planning Commission NSW
Suite 15.02, Level 15, 135 King Street
Sydney NSW 2001

Dear Commissioners,

Middlebrook Solar Farm and Battery Energy Storage System (the Applicant): Response to additional questions from IPC (requested 30 September 2024)

The Applicant is pleased to respond to the additional questions from the IPC regarding matters raised at the Public Meeting held on Thursday, 19 September 2024.

A - Neighbour Benefit Program

- 1. At the Public Meeting, speakers raised concern regarding the lack of engagement regarding the Neighbour Benefit Program (transcript, pg. 33 and 52). Please provide further information regarding whether all landholders have been contacted and informed of that framework as part of your engagement program**

The neighbour benefit-sharing offer has been a local initiative from the Applicant. The Applicant established the offer to share some direct benefits locally with the nearby neighbouring residences (identified receivers) within 3km of the Project in response to the feedback received during the consultation period.

Although this offer is voluntary on the Applicant's part, efforts were made to reach out to neighbouring residences within the 3km area individually and by different means. There were 5 neighbouring residences identified up to 1km from the project site and 7 between 1-3km. Of the identified residences, the Applicant has had varying degree of communications regarding the benefit sharing with R24, R15, R10, R5, R6, R4, R13, R12, R14, R8. Several messages were left for R9 and R11 requesting them to contact the Applicant if they were interested in obtaining more information about the Neighbour Benefit Program on offer, but none were received from these two receivers.

The Applicant's effort to inform the neighbours of the offer slowed down during the Exhibition period to ensure no one felt pressured to take up the offer and they could have their say. Although the offer is obligation-free, the Applicant thought some might mistakenly consider the conversations about the neighbour payment related to impacts before they had a chance to review the EIS. Post EIS, follow-up discussions continued, particularly with neighbours who



showed interest. Keeping in mind that this is a voluntary initiative from the Applicant and not a requirement from the project.

In reference to the Speakers noted in the question raised by IPC (transcript, pg. 33 and 52), R24 and R5/6, the Applicant can confirm that there has been a number of discussions related to the benefit sharing with these neighbours. Further details can be provided should IPC require them.

The Project has been significantly refined through extensive consultation with various agencies and the Council throughout the development phase to minimise and eliminate impact as much as possible. The outcome was that the assessments generally concluded a low or very low impact from the Project. Therefore, the Neighbour Benefit Program, a voluntary offer from the Applicant, was offered in good faith, noting that the agreement has no strings attached as it is not an impact-based offer.

The neighbouring residents who choose to accept this obligation-free offer would be required to sign an agreement entitling them to this benefit as an annual payment for the life of the Project (up to 30 years) as long as they are neighbours.

It should be noted that this offer is also in line with the recommendation from the Council, which suggested the Applicant consider ways to assist the neighbouring residents with the rising electricity costs. The current offer can provide some relief on that front and can also be put towards other property improvements or whatever they choose. The neighbours are free to spend the funds as they wish.

B – Voluntary Planning Agreement (VPA)

2. Provide further information regarding the inclusion of the proposed sealing of Middlebrook Road (as outlined in Appendix 4 of the Department’s recommended consent) as part of the VPA offer, in response to Council’s concerns raised in its meeting with the Commission (Council meeting transcript page 15).

The Middlebrook road widening and upgrade has been part of the Applicant’s commitment to the Project. The Project’s initial traffic assessment advised that Middlebrook Road would need to be upgraded but would not be required to be sealed.

In consultation with the Council and in response to their submission to the EIS in which they recommended sealing Middlebrook Road that was to be used for the construction (for safety and dust management), the Applicant agreed to seal Middlebrook Road up to site access 1 and upgrade (but not seal) up to site access 2 as part of the Project’s amendment report.

Sealing the portion of the Middlebrook Road upgrade was not required as advised in the Project’s initial traffic assessment; therefore, sealing the agreed portion was noted in the VPA offer letter to the Council.

The cost of the upgrade (not including sealing) of Middlebrook Road has not been included in the VPA letter or any monetary calculations associated with the VPA.

The cost of the sealing of Middlebrook Road has also not been included in any monetary calculations associated with the VPA, but only mentioned in the letter.



In order to reduce confusion, we would support the removal of the reference to the sealing the surface of Middlebrook Road as outlined in Appendix 4 of the Department's recommended consent. The sealing of Middlebrook Road is already a condition in Appendix 5 of the Department's recommended consent (third row in the table).

C – Middlebrook Road

- 3. At the Public Meeting, speakers raised concerns regarding traffic and dust impacts from the Project. Speakers suggested that Middlebrook Road should be upgraded and sealed up to access point 2. Please also clarify if you have considered grading beyond access point 2 up to the Marsden Park Road intersection as an additional public benefit to surrounding landowners accessing their properties.**

The Applicant can consider the additional road sealing up to site access 2 in line with the Council's submission to IPC.

The Applicant has not considered grading Middlebrook Road for the area between site access 2 and the Marsden Park Road intersection (approx. 2km) because the project has no plans to use this portion of the road and therefore, will not impact or contribute to dust concerns arising from its use.

It was determined that few landowners have access to their properties within the stretch of Middlebrook Road from the Highway to the intersection with Marsden Park Road. There are no farm access points between site access 2 and the intersection with Marsden Park Road that appear to be used often. Consequently, the Applicant does not feel that this may be benefiting the neighbouring landowner's access to their properties.

The Applicant is committed to further consultation with the Council.

Kind regards,

Sherry Mohajerani

Senior Development Manager

TotalEnergies Renewables