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Our Reference: OUT-9530/23



29 November 2023

Office of the Independent Planning Commission NSW
Suite 15.02 Level 15 135 King Street
SYDNEY NSW 2001

Attention: Professor Alice Clark

Dear Sir/Madam,

Bowmans Creek Wind Farm (SSD-10315)

Thank you for the opportunity to provide the Commission with our views on the above project at our meeting held on 28 November 2023.

As discussed, Upper Hunter Shire Council is generally satisfied with the Department's Assessment Report and recommended conditions, however, it would be appreciated if consideration could be given to the following comments:

1. Condition A18 of the recommended conditions of consent incorrectly references an Upper Hunter Shire Council letter dated 6 April 2023. The correct date of the letter is 26 April 2023.
2. We request that the payment details of the General Terms of the Applicant's VPA Offer (Appendix 3) be amended as follows:
 - CPI will be adjusted annually from 1 July commencing on the first anniversary of the date of the development consent.

The reason for this change is that the value of the contribution in real terms will decrease over time without CPI adjustments. Based on the current wording of the condition, any significant delays in the commencement of the development could result in a significant reduction in the value of the contribution. Allowing for CPI adjustments from the date of the development consent would address this issue.

3. We recommend that a condition of consent be imposed requiring the developer to provide a bank guarantee to the consent authority in relation to decommissioning the wind farm and removal of all infrastructure. This would provide some level of security to ensure the site is not abandoned and left in a derelict state at the end of the asset's useful life

All correspondence to:

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Should you have any questions, please do not hesitate to contact Mathew Pringle, Director Environmental & Community Services, on 02 6540 1100 during normal business hours.

Yours faithfully



Mathew Pringle
DIRECTOR ENVIRONMENTAL & COMMUNITY SERVICES