

Our ref: SSD-29508870

Andrew Mills
Chair
Independent Planning Commission
GPO Box 3415
Sydney NSW 2001

ipcn@ipcn.nsw.gov.au

17/05/2024

Subject: Birriwa Solar Farm – Referral to the Independent Planning Commission

Dear Mr Mills,

The Department has completed its assessment of the merits of the application for the Birriwa Solar Farm (SSD-29508870).

The application is referred to the Independent Planning Commission for determination as there were more than 50 unique submissions objecting to the proposal and Warrumbungle Shire Council objected to the project.

ACEN Australia (ACEN) proposes to develop a new State significant solar farm located approximately 15 kilometres (km) south-east of Dunedoo in the Mid-Western Regional Local Government Area.

The project would have a generating capacity of approximately 600 megawatts (MW) and includes a 600 MW / 1200 MW-hour battery energy storage system (BESS) and on-site substation. The project would connect to the proposed CWO REZ Merotherie Energy Hub that is being developed by Energy Corporation of NSW.

During the exhibition of the environmental impact statement (EIS) the Department received a total of 89 submissions from the community, in addition to advice from 13 government agencies. The Department also received comment from Mid-Western Regional Council and an objection from Warrumbungle Shire Council on the original EIS. Of the public submissions received during exhibition of the EIS, 85 objected to the project, and four provided comment.

During the exhibition of the amendment report, the Department received a total of 45 submissions from the community, all of which were objections, in addition to advice from 13 government agencies. Mid-Western Regional Council provided further comment, while Warrumbungle Shire Council maintained its objection.

During the assessment process, ACEN amended its application to include a workers accommodation camp. Under the delegation from the consent authority (i.e. the Commission for this development), the Department accepted the amended application for the reasons outlined in the Assessment Report.

ACEN also offered to enter into a voluntary planning agreement with Mid-Western Regional Council to contribute 1.5% of the project's capital expenditure, which has been agreed in principle. This contribution is to be shared across Mid-Western Regional Council and Warrumbungle Shire Council, the final proportions of which are to be determined through separate negotiations between the respective Councils.

In assessing the merits of the project, the Department has considered the environmental, social and economic impacts of the project, submissions on the EIS, relevant environmental planning instruments, the suitability of the site, and the public interest, in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.

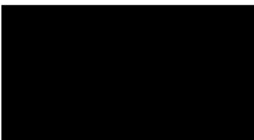
During the assessment process the Department visited the site, and consulted with local residents, Council and relevant government agencies.

Based on this assessment, the Department considers that the project is approvable, subject to the recommended conditions of consent.

I have attached a copy of the Department's assessment report and other relevant documents for the Commission's consideration.

If you have any questions, please contact Iwan Davies on 02 9274 6296 or via email at iwan.davies@planning.nsw.gov.au.

Yours sincerely,



Iwan Davies

Director

Energy Assessments