



APPENDIX

D

Consultation

D.1 Correspondence with Mid-Western Regional Council



AA | LAN900138

2 February 2023

Cédric Bergé
ACEN Australia
Hub Customs House, 3rd Floor, Customs House, 31 Alfred St
Sydney NSW 2000

Dear Cédric

SUBJECT: MID-WESTERN COMMUNITY FUNDING AGREEMENT - Birriwa Solar Farm

I am writing to you regarding a proposed Mid-Western Community Funding Agreement between ACEN Australia and Mid-Western Regional Council (Council) in relation to Birriwa Solar Farm.

The impact of this project and other major developments in the Mid-Western region is significant. The introduction of a high volume of construction workforce into the region will have a negative impact on a range of social and economic services in the region. An increased population will further strain water, sewer and waste services. Further, the upgrading of roads for construction, will result in an increased maintenance schedule for Council for now and into the future.

It is due to the above impacts and the additional knock-on effects on the social fabric of the region, that Council requests that ACEN Australia provides the following support to Council to manage these:

- 1.5% of Capital investment to be paid to Mid-Western Regional Council
 - 50% of which would be provided upfront once construction commences; and
 - Remaining 50% to be paid per annum over the life of the project.
- Funds will be utilised by Council to support and manage the impacts on the community as an outcome of this project and will go towards activities identified by the community in the Community Plan and Delivery Plan strategic documents developed after extensive engagement across the region.

The next steps will be for you to prepare a Mid-Western Community Funding Agreement which will be placed on public exhibition for 28 days in accordance with the legislative requirements under the Environmental Planning & Assessment Act.

I am happy to discuss this further if you wish.

A handwritten signature in black ink, appearing to read "BRAD CAM".

BRAD CAM
GENERAL MANAGER

Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156 MUDGEE NSW 2850

12 July 2023

Dear Brad

Subject: Outcomes from meeting between ACEN Australia and Mid-Western Regional Council on 26 June 2023

As you are aware, ACEN Australia is planning several projects in the NSW Central-West Orana Renewable Energy Zone (CWOREZ). Through this work, we have committed to sustainable development in the region. We are working with stakeholders and communities to balance the impacts and opportunities that a growing renewable energy industry can bring. We continue to value the input of Mid-Western Regional Council (the Council) as we progress through the assessment process for our proposed projects.

Our meeting on 26 June 2023 was an important opportunity to ensure the delivery of ACEN Australia's Birriwa Solar and Battery Energy Storage System (BESS) project balances the opportunities and impacts for communities in the region. We appreciate your feedback that ACEN Australia has responded to the comments you provided in your public submission for Birriwa Solar (9 November 2022) and our previous meeting (19 January 2023) through:

- Proposing a 500 person temporary worker accommodation camp that avoids significant social and environmental impacts. This will be presented in the Response to Submission report and the Amendment Report.
- Informing the Council that the camp will be accessed via an internal road from the Birriwa Solar site, with no changes to the access route and access point presented in the EIS.
- Agreeing to enter into a Planning Agreement with Council such that ACEN Australia makes financial contributions to the community over the lifetime of the project.
Note: We acknowledge that contributions may be calculated at 1.5% of Birriwa Solar and BESS project's capital expenditure.

These matters are discussed further overleaf. ACEN Australia request Council's formal response to this letter to confirm our understanding of these matters.

ACEN Australia
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Battery Point, TAS 7004

ACN 616 856 672
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Temporary workers accommodation camp

ACEN Australia is preparing the Birriwa Solar and BESS project Response to Submission report and the Amendment Report. This follows consultation with stakeholders and the community, including a community meeting on the proposed workers accommodation camp held Thursday 6 July 2023 (see Attachment A for the publicly available Information Sheet).

These reports will propose a temporary construction worker camp on a site that is in close proximity to the solar project, on property associated with the Birriwa Solar and BESS project. The reports will include environmental and social impact assessments, community and stakeholder consultation in accordance with section 4 of the EP&A Act and the relevant guidelines.

The site will be capable of accommodating the equivalent of peak construction workforce of Birriwa Solar and BESS (500 people). Further expansion (approximately up to an additional 500 people) may be assessed as part of the future Narragamba Solar EIS if required. Our intention is to avoid any material overlap of peak workforce in the construction of our projects in the CWOREZ and to minimise the total capacity of the workers camp.

ACEN Australia selected this site to reflect Council's submission and its preference (discussed at the 19 January 2023 meeting) for a purpose-built temporary construction worker camp that is:

- Located away from townships
- Serviced independently of Council water, electricity and sewerage infrastructure
- Designed to accommodate peak non-local workforce numbers, assuming the local workforce is 10% of the total workforce.

We appreciate Council's in principle support for the proposed site. We look forward to the Council's comments on our detailed proposal, which will be provided via the Birriwa Solar and BESS project Response to Submission report and the Amendment Report in the coming months.

Access to the workers camp

The proposed temporary construction worker camp site will be accessed via an internal road within the private property between the proposed development footprint of the Birriwa Solar project and the proposed workers camp. The Amendment Report does not propose any changes to the access route and the access point to the project outlined in the EIS; there will be no access proposed from Merotherie Road in the Amendment Report.

Planning Agreement

We understand Council has realised significant benefits in the past for local communities by delivering projects funded through Planning Agreements. You shared that such projects have included a youth officer grant program, a mobile library, improvements to walking tracks and maintenance of heritage buildings. The contributions to these projects by Developers has been recognised in signage and/or acknowledged in other ways by Council or community beneficiaries.

As discussed during our 26 June meeting, ACEN Australia agrees to enter into a Planning Agreement with Council to make financial contributions at an amount equalling 1.5% of Birriwa Solar and BESS project's capital expenditure. This amount will be paid through a

series of instalments over the lifetime of the project. ACEN Australia and Council agree to discuss the payment mechanism prior to commencement of construction generally in accordance with any future guidelines relevant to Planning Agreements for this type of projects. It is understood that the key commercial terms outlined in this paragraph will be included in our Response to Submission report and the Amendment Report and may form part of the project's Development Consent.

We confirm our understanding that contributions are invested in activities that reflect community needs and priorities, and underpinned by a governance framework that provides assurance to community, Council and the Developer.

We also confirm our understanding that the contribution will be distributed between Mid-Western Regional Council and Warrumbungle Shire Council to reflect the degree to which these communities are impacted by the Birriwa Solar and BESS project. This distribution will be agreed between the Mayors and General Managers of the Councils. The Planning Agreement for the Birriwa Solar and BESS project will be agreed between Council and ACEN Australia, without further involvement from other local Councils. However, for transparency and in response to other Council's submissions, ACEN Australia will provide Warrumbungle Shire Council and other relevant stakeholders with information related to the key commercial terms of the Planning Agreement. This was further discussed with and confirmed by Warrumbungle Shire Council during a project update meeting held on 10th of July 2023.

While this commitment is made, ACEN Australia notes that this Planning Agreement contribution is significantly above the value recommended by the NSW Department of Planning and Environment Large-Scale Solar Energy Guidelines which recommend the total funding for benefit sharing (including Planning Agreements and any other programs facilitated by the applicant) should be between \$200 and \$300 per megawatt per annum.

ACEN Australia looks forward to receiving the legal template Council noted is in development to underpin this agreement and working with Council to further define the Planning Agreement. Separate to this agreement, ACEN Australia will continue to work with the Council to identify legacy opportunities to fund and/or deliver projects that will support the local community.

In conclusion, ACEN Australia looks forward to a continued close partnership with Council as we further progress our proposed projects in the region.

Yours sincerely

DocuSigned by:

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Cédric Bergé
NSW Solar Team Leader
ACEN Australia



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Office of the General Manager

LP | LAN900138

24 July 2023

Cedric Berge
ACEN Australia
3rd Floor
Customs House
31 Alfred St
SYDNEY NSW 2000

Dear Cedric,

SUBJECT: Outcomes from meeting between ACEN Australia and Mid-Western Regional Council on 26 June 2023 – Birriwa Solar and BESS (Battery Energy Storage System) project

Thank you for your time on the 23rd of June, and for the follow up letter on the 12th of July. It was beneficial to discuss the key challenges related to your developments in the Central West Orana REZ (Renewable Energy Zone), in particular the Birriwa Solar and BESS project.

I am pleased to confirm that your letter accurately summarises the key points discussed during our meeting regarding the development of the Birriwa Solar and BESS project. The information pertaining to the accommodation strategy, planning agreement, and access route for the project aligns with the points we discussed during our meeting.

We appreciate your commitment to open and transparent communication throughout this development, and we value the cooperation demonstrated by your team.

Once again, I extend our thanks for your cooperation and for providing a comprehensive summary of our discussions. Should further developments or clarifications arise, we look forward to continuing our dialogue.

Yours sincerely,

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BRAD CAM
GENERAL MANAGER

D.2 Meeting minutes with RFS (Orana Fire Control Centre)

RFS meeting notes 19 July 2023

Meeting held at Orana Fire Control Centre - 8 Judy Jakins Drive, Dubbo 2830

- Inspector. Mark Pickford (RFS)
- Corinne Ilievski (RFS)
- Dan Pedersen (Cool Burn)
- Dallas Milburn (Cool Burn)

Agenda:

Open forum to get a better understanding of how the RFS perceive risk associated with the REZ infrastructure development and cumulative impacts, and to identify what RFS would like to see considered in new developments for increased bush fire protection.

REZ development is detailed as Solar Farms (panels arrays and buildings); Wind Farms (turbines); BESS; transmission lines; workers accommodation camps.

The cumulative effect of REZ development has direct and indirect impacts for bush fire management, and can be considered as creating both positive/beneficial outcomes for bush fire management (e.g. better access, water, bush fire awareness) and negative outcomes for bush fire (increased density population, more ignition source potential).

Community consultation and REZ perception:

The new REZ based developments are dividing the community, particularly rural landholders:

- Some landholders are either accepting offers to lease land to install RE infrastructure.
- Sometimes adjoining landholders are not willing to take up offers, but they will be indirectly (and possibly directly) affected by neighbouring land use for RE development.
- Land prices have soared due to demand for RE land use, and pricing has become 'out of reach' for developing rural enterprises.
- Could be an increased pressure on existing infrastructure and resources (roads infrastructure, emergency management capacity).
- Will these state significant and national assets have higher priority for bush fire protection planning than the existing community and privately owned assets (e.g. rural homes, hay sheds etc.) – again requires fire fighting resource capacity (appliances and trained/dedicated personnel).

Community bush fire threat concept:

- Increased ignition sources:
 - The introduction of energy production, storage and transmission infrastructure could provide for multiple sources of ignition (example given of a solar farm that had multiple fires (7 fires) associated with short circuiting and ignition of grasslands within arrays – likely due to sub-standard wiring connections and checking);
 - Could the increased population associated with the REZ development result in more potential ignition through human error, unaware, etc?
 - The BESS infrastructure is an unknown risk to bush fire ignition?
 - The increased transmission lines an increased ignition source?

Bush fire fighting and protection capacity:

- These rural areas rely on volunteer RFS brigades.
- Brigades (sheds) are often located at regional localities OR appliances can even be stored (parked) at rural landholders properties.
- There are fewer and fewer community members (particularly with the younger aged community) available to support the volunteer RFS brigades. This is exacerbated by increased RE land ownership and land owners leaving local communities.
- Aggrieved landholders/RFS volunteers may not engage fires associated with RE developments.

- **Opportunities:** The introduction of the increased density workforce required to construct and maintain the REZ infrastructure could increase firefighting capacity – but this should be planned in a strategic and coordinated way to increase RFS response capacity:
 - More volunteers could potentially be acquired through increased workers population during construction and ongoing maintenance;
 - Better quality access roads and ongoing road monitoring and maintenance associated with REZ projects can provide access assurance and compartmentalise larger fires, which can be perceived as a better outcome;
 - Level of landscaping management to ensure REZ assets are protected from bush fire (as conditioned in the approvals process) provides inherent fuel 'breaks' across the landscape
 - More capacity in fire fighting vehicle appliances associated with any project managed 'first response' appliances associated with REZ projects;
 - Larger water supplies strategically located at the REZ projects can be adapted for broader community and emergency service use. This water supply for community accessibility could be at perimeter locations so as the fire services do not need to enter into and through RE project sites;
 - The strategic bush fire emergency planning for the cumulative REZ could enhance bush fire protection for the region and districts (e.g. advantage for campaign fires?).
- Aerial firefighting operation and Wind Farm REZ development is a highlighted concern, and needs to be planned in detail with all fire management agencies.