

Mr Timothy Kirk
Project Development Manager
UPC/AC RENEWABLES AUSTRALIA
Level 14, 77 King Street
SYDNEY NSW 2000

11/02/2021

Dear Mr Kirk

**New England Solar Farm (SSD-9255)
Biodiversity Offsets**

I refer to your request dated 29 January 2021 seeking the Planning Secretary's approval to vary the timing of the retirement of biodiversity credits beyond the commencement of the development under condition 10 of Schedule 3 of the development consent for the New England Solar Farm (SSD 9255).

The Department has carefully reviewed your request for additional time to meet the offset obligations under the development consent in order to allow works not subject to the current modification application to proceed.

The Department notes that:

- a modification application (Modification 1) for revised road upgrades is currently under assessment by the Department and should it be approved, this modification would result in a variation to the number and type of biodiversity offset credits required for the project;
- to avoid further delays to the commencement of construction, you propose to delay the retirement of the offset credits until after the modification application is determined to consolidate retirement of the biodiversity credits;
- you intend to commence development works for the portion of the development not subject to the modification application as soon as permissible in accordance with the obligations under the consent; and
- you intend to retire your biodiversity credits by making payment into the Biodiversity Conservation Fund within two weeks of determination of the modification application.

The Department is satisfied with the proposed approach to your offset obligations, on the condition that you have an approved Biodiversity Management Plan for the works being undertaken.

Accordingly, the Planning Secretary approves the commencement of development of works prior to the retirement of biodiversity credits required under condition 10 of Schedule 3 of the development consent, subject to the following conditions:

- works that are the subject of Modification 1 would not commence unless and until approved; and
- you retire your biodiversity credits 31 March 2021.

If you wish to discuss the matter further, please contact Lander Robinson on 02 9274 6052 or at lander.robinson@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'NB', with a long horizontal line extending to the right.

Nicole Brewer
Director
Energy Assessments

As nominee of the Planning Secretary