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12 February 2024

Mr. Kurtis Wathen
Planning and Assessment Group
Department of Planning Housing and Infrastructure,
Locked Bag 5022, Parramatta
NSW 2124

Kurtis.wathen@dpie.nsw.gov.au

Dear Mr Wathen,

Council's Response to Proposed Liverpool Range Wind Farm – Modification 1 - Amendment 2 -TWA Facility (SSD-6696-Mod-1)

1. Introduction

Thank you for the opportunity for Warrumbungle Shire Council ('Council') to consider the January 2024 report on the Liverpool Range Wind Farm (LRWF) Project's proposed Temporary Worker Accommodation Facility (TWA).

Please note the comments herein relate only to the TWA and must be read in conjunction with all prior submissions made by Council in relation to the full Liverpool Range Wind Farm Modification.

DPHI should therefore note that Council objects to the Modification in totality because, inter alia, it does not satisfy the criteria to be deemed a modification. And, a key component of the project, namely a large greenfield quarry, is yet to be even assessed.

On the specifics of a TWA, Council considers such a facility is essential if the Modification was to be approved by the NSW State Government, despite Council's strong objection. There are however several matters pertaining to the TWA listed herein that require satisfactory resolution.

It is noted that the TWA will comprise:

- A life of four (4) years (servicing construction of the LRWF only).
- A footprint of 6ha.

- Access off Vinegaroy Road (also used as an access point for turbine construction).
- Include 600 rooms, for a construction peak of 550, with additional rooms for 30 operational staff.
- Construction of the TWA will require a peak of approximately 36 workers who will reside on-site (how/details?) unless they are locals with housing nearby.
- Include a gymnasium, bar area and BBQ facilities.
- Construction will be staged to mirror the ramp-up of the Project's construction workforce.
- Traffic movements from the TWA site will align with construction hours for the Project (7am-6pm).
- The TWA will be decommissioned following completion of construction.

2. TWA Technical Specifications and Operations

Based on information provided there appears to be a discrepancy in the footprint proposed for the TWA with both 6 ha and 10 ha being proposed. Council requests clarification of this matter.

It is noted that no dwelling entitlement is permissible for the site under Clause 4.2A under the Warrumbungle LEP, as doesn't meet the minimum lot size requirements. Will a construction certificate (under Part 6 of the EP&A Act) be sought prior to construction?

Council also seeks:

- a) A clear definition as to what the Capital Investment Value of the total wind farm development now is, inclusive of all the alterations arising from the Mod.
- b) More information on security arrangements for the TWA, including details on security fencing and the provision of a gatehouse.
- c) Will shuttle buses be used to transport workers from the TWA to the Project site and into Coolah for key events, and if not, why not?
- d) Have traffic numbers for servicing and supply deliveries of the TWA been included in the traffic numbers?
- e) Rules and procedures for the management of alcohol on site.
- f) Information on whether qualified medically trained staff will be based on site 24/7, and if not, why not? If yes, then details please regarding their likely scope of work.
- g) Will there be land use conflicts with neighbouring agricultural activities such as spray drift?
- h) Will the Coolah community have increased impact from vehicle lights travelling to and from the TWA as they pass through the township, noting this will often fall in night hours?
- i) How will business opportunities be made available for local businesses (as a result of the TWA as per pg. 37) – what will procurement and tendering look like to ensure local businesses are included and have an opportunity?
- j) In Table 3.2 a figure of 125 L/person/day is provided, equating to 75kL/day of water to site (for 600 persons); generating 75kL of waste water per day. This may be an under estimation; as per A/S 1547:2012 Table H2 where the typical domestic wastewater design flow allowances for fixtures is listed as 150L/person/day.

3. Waste Impacts

It is noted that the TWA proposes to dispose of general waste, recycling and wastewater at local waste management and recycling facilities.

As previously advised, Council does not will not be accepting waste or process recycling from REZ projects. All waste generated must be removed to an alternative waste management facility outside the Warrumbungle Shire.

Council's sewerage treatment plants do not have capacity to accept additional wastewater generated by REZ projects.

4. Road and Traffic Impacts

On the matter of local roads, as the road's authority under the *Roads Act 1993* and related laws, all road works, safety, service criteria and traffic management in connection with the development are required to meet with Council's formal approval prior to starting work.

Based on the location of the proposed TWA, Coolah is likely to experience reduced impact by congestion from light vehicles during peak times, compared to those in Mod-1, however the overall pavement impact is unlikely to change.

It is important to note that Council disagrees with the proposition that much of the workforce will use internal project roads to commute to and from work fronts. To counter numerous light vehicles on the public roads carrying perhaps just a driver, Council supports the use of workforce shuttle buses and requests a commitment by way of appropriate conditions of consent.

By concentrating the movement of light vehicles on local roads between the TWA and work fronts, road safety becomes even more of a concern. Stated in **Attachment 1**, are Councils requested Conditions of Consent arising from our deliberation of the TWA report.

The rationale for said conditions is to ensure the project proceeds in a way that is consistent with Council's requirements and environmental, social and economic costs for the whole of the TWA construction, operation and decommissioning phases are fully offset.

5. Cumulative Impacts

The TWA report includes limited assessment of the cumulative impacts.

The cumulative impacts of all proposed projects within the CWO-REZ are significant for local communities and are a major, defining matter for Council.

With some 40 energy generation projects plus a major transmission line planned for the REZ, (10 generation and one transmission project in Warrumbungle LGA) Council is very disappointed that identification, assessment and mitigation of cumulative impacts has not been adequately addressed.

Furthermore, this gap in the assessment process is the primary reason why Council has lodged an objection to most REZ projects. Yet our call, and that of Mid-Western Regional Council, goes unanswered.

Council notes that Tilt Renewables has proposed that Council use development contributions paid via the Planning Agreement for local health initiatives, especially in Coolah and Cassilis.

Council will be applying the planning agreement funds to local projects in accordance with the EP&A Act Regulation and following input from affected communities and Tilt Renewables. It is noted that the State Government has primary responsibility via NSW Health for the provision of public health services.

6. Update the Planning Agreement

A Planning Agreement for the original LRWF Project was signed on 23 July 2019. That project was not constructed.

Since then, in 2022, a Modification was tabled and subsequently, in 2023, Amendment 1 to the Modification was announced. Then Modification 2 was tabled.

As per provisions in the signed planning agreement, Council requires Tilt Renewables to urgently re-open negotiations with intent to vary the agreement, mindful of changes to the scope and extent of the proposed wind farm.

To be clear to both the Developer and DPFI, it is essential to Council that variations to the planning agreement be secured prior to any contemplation by DPFI or the IPC of issuing a modified development consent.

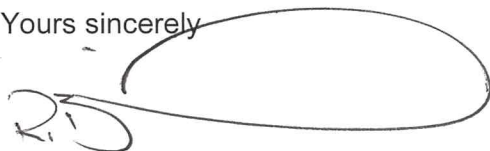
By way of background:

- On 3 July 2023 Council tabled draft Key Terms with the Developer. Council is yet to receive a response.
- On 13 October 2023 (a meeting) the Developer advised it was waiting on the “refreshed” Wind Farm Guidelines and the situation regarding Access Fees.
- On 23 November 2023 the Developer advised it would address the planning agreement “very early in the new year”. Nothing has yet occurred.

7. Conclusion

Council looks forward to engaging with Tilt Renewables and DPFI to address the matters articulated herein. If you have any queries, please don't hesitate to contact the undersigned.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Bailey', written over a large, hand-drawn oval shape.

**ROGER BAILEY
GENERAL MANAGER**

Attachment 1

**SSD-6696-MOD-1 Liverpool Range Wind Farm Modification 1
January 2024 TWA Amendment Report
Warrumbungle Shire Council
Recommended Consent Conditions
(to be read in conjunction with previously provided Conditions of Consent)**

Appendix 6 Schedule of Required Road Upgrades

Schedule 6.1 Warrumbungle Shire Public Road Upgrade Timing

<p>The Warrumbungle Shire public road upgrades required by this consent shall be staged and completed in accordance with this Schedule.</p>
<p>1. Early works can commence any time before public road works are deemed practically complete and include (without limitation):</p> <ul style="list-style-type: none">- Pre-construction minor works as defined in the consent (for example investigations, minor vegetation removal, site access and compound establishment, fencing and environmental activities),- Heavy haulage required to complete the public road upgrades, and- Any other works which Council agrees to on a temporary basis, for example under a Traffic Management Plan.
<p>2. Generally otherwise, significant haulage of soil or quarry products, over dimensional components, structural components or other bulk materials is not to occur on a given road segment until the public road upgrades specified by this consent along that segment are deemed practically complete.</p>
<p>3. Temporary concession for speed zone reductions</p> <p>Despite the above requirements, bulk haulage can commence before the relevant public road segment upgrades are practically completed, provided all of the following:</p> <ul style="list-style-type: none">- The relevant road works on that segment are substantially commenced and are proceeding,- A temporary traffic management plan which will acceptably reduce speeds and other hazards along the segment has been approved by Council under the Roads Act, and- The road works on that segment shall be practically completed, and the standard traffic conditions restored, within 6 months of commencement on that segment (unless otherwise agreed where a specific construction element requires additional program).
<p>4. If the works no longer comply with these requirements (e.g. at expiry of six months) and if Council so directs under the Roads Act approvals, bulk haulage on that particular road segment for private roads and turbines must temporarily halt until the relevant road segment upgrades are deemed practically complete.</p> <p>Reasons for conditions: to ensure public road works construction timeframes at each location are minimised as much as reasonably practicable, and to maximise effectiveness of traffic management (administrative) controls which may otherwise unacceptably reduce safety, if used over extended time periods or distances.</p>

Schedule 6.2 Warrumbungle Shire Public Road Upgrades

<p>Notes to this Schedule:</p>
<p>a. All works require detailed design approval first be obtained from Warrumbungle Shire Council under Sections 87, 115 and 138 of the <i>Roads Act 1993</i> and other laws.</p>
<p>b. Council consent must be obtained before existing or required bitumen seals may be interfered with, altered or temporarily removed or omitted</p>

<p>during the construction phase. Consent may or may not be granted at Council's discretion, and subject to all of the following:</p> <ol style="list-style-type: none"> i. Adequate community consultation and notification has occurred, ii. The impacts on local residents and their private access to property, and broader community impacts, are deemed by Council to be acceptable, are of limited duration and are adequately mitigated, and iii. The roads are restored to the pre-existing or better condition with the widths referenced in this Schedule, before the project construction phase is concluded.
<p>c. The works shall not reduce the standard of pre-existing Council Road infrastructure (e.g. carriageway or seal width), unless with prior written agreement from Council in each individual case.</p>
<p>d. Council may agree to reduce or waive any of these requirements by giving notice in writing.</p>
<p>e. Ancillary public works arising from developer works may be required to meet current standards at the developer's cost including (but not limited to) vegetation clearing, drainage channels, culverts, batter slopes and retaining structures, delineation (line markings and signage), utility and pole relocations and road reserve widening land acquisition.</p> <p>Works must be as per relevant specifications and guides including the Austroads Guide to Road Design (AGRD03 in particular), ARRB Unsealed Roads Best Practice Guide, Council specifications, TfNSW and RMS specifications and supplements, to the satisfaction of Council.</p>
<p>f. Refinement of the project traffic movements may result in reduced impacts and allow for reassessment of the works required, by agreement.</p>
<p>Upgrades Required:</p>
<p>1. Staging areas for OSOM vehicles: if required as part of the approved Construction Traffic Management Plan (CTMP), designate or provide regular staging areas for Over Size Over Mass (OSOM) vehicles to hold outside of the road carriageway and form into platoons, to minimise delays. Council approval for the use of existing road layover areas is not required, except to the extent traffic management measures are required on public roads and/or physical works are proposed.</p>
<p>2. OSOM swept path encroachments / obstacles: OSOM swept path studies are to be provided for all WSC-managed road segments. Vegetation clearing or pruning, widening cuttings, and providing hardstands under wheel paths are permissible subject to Council's prior approval. Windrows, boulders and/or other temporary or permanent but removable barriers shall be designed and installed to prevent public road users performing unsafe or undesirable movements or behaviours at areas where road facilities are widened, or obstacles cleared.</p> <p>Council shall not be required to maintain these facilities as fit for the purpose of accommodating OSOM movements for the life of the development. They remain the responsibility of the consent holder to maintain, remove and reinstate after any OSOM movements, at its cost. Traffic management plans and design changes shall require Roads Act approval from Council.</p>
<p>3. Structures generally: The consent holder shall inspect, report and upgrade all WSC-managed bridges, major and minor culverts, causeways and grids to accommodate all OSOM, and Higher Mass Limits (HML) truck combinations up to and including 26m B-doubles (and equivalent Performance Based Standards / PBS combinations), to the prior written satisfaction of Council.</p>
<p>4. Intersection turning treatments: Upgrade intersections to provide the following widening treatments to Austroads <i>Guide to Road Design Part 4 and</i></p>

Part 4A for safer turning movements, to the satisfaction of Council. Realign minor leg approaches to perpendicular (so far as is practicable), provide adequate Safe Intersection Sight Distances in all directions, improve delineation and signage to current standards, seal approaches and shoulders and rationalise redundant pavement to limit vehicles cutting corners unsafely.

- a. Full Channelised Right (CHR) and Auxiliary Left (AUL) treatments:
 - i. MR618 Vinegaroy Road turn movements into Rotherwood Road
 - ii. MR618 Vinegaroy Road turning into the D1 Cluster and Temporary Workforce Accommodation access (private road approx. 2km east of Coolah Creek Road intersection)
- b. Short Channelised Right (CHR/S) and Short Auxiliary Left (AUL/S) treatments:
 - i. MR618 Vinegaroy Road turning into Turee Vale Road
- c. Full Channelised Right (CHR) and Basic Left (BAL) treatments:
 - i. MR618 Vinegaroy Road turning into Coolah Creek Road
- d. Basic Right (BAR) and Basic Left (BAL) treatments:
 - i. Coolah Creek Road turning into Oakdale Road and State Forest Road (2 locations)
 - ii. Pandora Road turning into Gundare Road (east) at Pandora Pass
 - iii. Each turn movement into a Cluster site access gate from
 - Rotherwood Road (in WSC Local Government Area / **LGA**, west of Talbragar River)
 - Turee Vale Road
 - Coolah Creek Road, and
 - Pandora Road / Pandora Pass Road.

5. **Realign intersection** of Rotherwood Road with Norfolk Road just west of Talbragar River. Amend the minor leg to meet perpendicular to the Rotherwood Road major through traffic movement, meet minimum Safe Intersection Sight Distances, bitumen seal approach for at least 40m, improve delineation and signage (including sight boards and road names).

6. **Upgrade road formations generally to meet minimum route standards specified below.** Widen on curves if required to accommodate swept paths for OSOM vehicles, 26m B-doubles and equivalent Performance Based Standards / PBS combinations, mark centre and edge lines (if seal is at least 5.5m wide) and install any make-up guideposts and pavement markers to meet TfNSW Delineation Specifications.

- a. Minimum 8m sealed width and 9m formation (3.5m lanes and 0.5m sealed plus 0.5m unsealed shoulders on both sides) [Austroads AGRD03 500-1000 vpd sealed road]:
 - i. MR618 Vinegaroy Road between the Talbragar River (LGA boundary) and Coolah Creek Road.
- b. Minimum 7.2m sealed width and 8.2m formation (3.6m sealed lanes and 0.5m unsealed shoulders) [Austroads AGRD03 150-500 vpd sealed road]:
 - i. Rotherwood Road, between Vinegaroy Road and Talbragar River (LGA boundary).
 - ii. Coolah Creek Road, between Vinegaroy Road and Oakdale Road.
- c. Minimum 7.2m sealed width of formation (3.6m sealed lanes / shoulders) [Austroads AGRD03 <150 vpd sealed road], with allowable reduction to minimum 6m sealed width of formation where sight distances between oncoming vehicles are adequate and

<p>provided passing opportunities of 7.2m width at spacings no greater than 1 km apart:</p> <ul style="list-style-type: none"> i. Turee Vale Road, between Vinegaroy Road and end of existing bitumen seal section (approx. 7km). ii. Coolah Creek Road and Pandora Road segments, between Oakdale Road and the last (northernmost) Cluster site access gate. iii. State Forest Road, between Coolah Creek Road and the last (easternmost) Cluster D turbine (this subclause only applies to those segments which may have previously been sealed by Council, noting sealing may or may not occur from Feb 2024 onwards). <p>d. Minimum 6m unsealed gravel width of formation including shoulders [ARRB Unsealed Roads Best Practice Guide Category 4C Road 10-50 vpd]:</p> <ul style="list-style-type: none"> i. Oakdale Road, between Coolah Creek Road and end of Council maintained section (north end). ii. Turee Vale Road, from end of sealed segment (approx. 7km from Vinegaroy Road) to final Cluster site gate or Council maintained section (whichever occurs earlier). iii. State Forest Road (any unsealed sections), between Coolah Creek Road and the last (easternmost) Cluster D turbine. iv. Short Council maintained section of Bounty Creek Road (approx. 100m length) from Talbragar River (LGA boundary) to private property access gate.
<p>7. Provide threshold treatments generally at the end of all Council maintained road segments to be used by project traffic, and private road junctions with public roads. Threshold treatments may include delineation, gates, grids, signage, monuments and so on to reinforce the end of maintained public roads and entry to private roads, to prevent changes in road maintenance expectations over the project life. May include signs to the effect “End of Council Maintained Road” or “Private Road”.</p>

1.1. **Renew road pavements by end of construction phase:** Prior to commissioning the project or any sub-stage or cluster, designs for renewal of all WSC-managed road pavements providing access to that stage in accordance with this condition shall require approval by Council under the Roads Act, to ensure road works can be completed without delay following commissioning.

Within 12 months of commissioning any stage or cluster and prior to Council refunding applicable bond securities, the developer shall overlay, reconstruct or rehabilitate the pavement to renew the full design life lost due to construction traffic (using Austroads methods for Equivalent Standard Axles, **ESA**), and offset the future likely estimated design life that will be lost due to operational and decommissioning traffic, or provide at least the minimum design ESA values below (whichever method results in the higher design life), for the full length of the designated WSC-managed public haulage routes that provide access to that cluster or stage.

Road Segment	Location	Reconstruction or rehab specification (Note 1)
Classified Regional roads: <ul style="list-style-type: none"> • Vinegaroy Rd 	Between Talbragar River (shire boundary) and Coolah Creek Road	1,000,000 (1x10 ⁶) ESAs

Sealed local roads: <ul style="list-style-type: none"> • Rotherwood Rd, • Sealed segment of Turee Vale Rd, • Coolah Creek Rd • Pandora Rd, and • Pandora Pass Rd 	Between Vinegaroy Rd and the furthest project site access gate or end of Council maintained segment (whichever occurs first)	1,000,000 (1x10 ⁶) ESAs
Unsealed local roads including: <ul style="list-style-type: none"> • Short segment of Bounty Creek Rd (west of Talbragar River / shire boundary) • Unsealed segment of Turee Vale Rd, • State Forest Rd, and • Oakdale Rd 	Between the higher-order road and the furthest project site access gate or end of Council maintained segment (whichever occurs first)	200,000 (2x10 ⁵) ESAs

If subsequent construction stages have commenced or are soon to commence, and construction traffic is or will be using that road segment, Council may (at its discretion) agree in writing to defer the reconstruction of that road segment until completion of the subsequent stage(s), in recognition that reconstructing the road after project construction traffic has concluded may be desirable in order to maximise long term pavement life.

(End of Attachment) _____