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16 October 2023

Ms Nicole Brewer
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Dear Ms Brewer

Response to Proposed Liverpool Range Wind Farm – RTS-Amended Project (SSD-6696-Mod-1)

Thank you for the opportunity for Warrumbungle Shire Council ('Council') to address the proposed Liverpool Range Wind Farm Amendment to the Modification Application ('Mod'), now called the RTS-Amended Project.

Please read the feedback herein alongside the detailed commentary provided in Council's 10 October 2022 submission in response to the EIS for the proposed Modification 1 to the original project, which was approved five years ago (2018), but not built.

Council maintains its objection to the proposal for the following reasons:

a) Adverse impacts on Council's road assets:

The proposed Amended Project will require upgrades to approximately 80 kms of Council's roads. Negotiations have a long way to go on this matter.

At this point in time Council has no certainty that its local road assets, to be impacted by the development, will be protected from deterioration, both over the short and longer term.

Based on forensic traffic analysis of the RTS-Amended Project Council estimates that the Developer's presented 103,000 construction-phase one-way heavy vehicle movements (206,000 movements counting both directions) represents the least-case likely number of movements, it is likely, based on our analysis, that actual heavy vehicle movements will be at least double and possibly three times higher due to a wide range of

uncertainties including, inter alia, sources of materials (e.g. water, sand and gravel) and the delayed impacts of project construction on subsurface conditions.

As a consequence, the total road maintenance costs are predicted to be tens of millions of dollars, when the project traffic is considered over the four-year construction period and a (minimum) 30-year operational period and a decommissioning period. This is based on global best-practice methods (Equivalent Standard Axles) as per the Austroads Guide to Pavement Technology. The costs include proactive and reactive maintenance, reseals, patching, regrading, re-sheeting, and/or full rehabilitation and renewal.

The costs do not include upgrade or widening works by the developer required for safety or other functions, or the cost of regrading and repairing failures during the construction period (which the Developer is responsible for), as those treatments do not by themselves renew and reset pavement effective life.

Without pavement renewal being funded and committed, significant sections of the road can be expected to fail prematurely and enter unsafe and unserviceable states (including potholes, rutting, corrugations, etc). The legacy of the very high project traffic during construction and decommissioning will likely be reflected in Council's financial and road operations for years to come.

Council is also seeking a Planning Agreement and other funding arrangements to offset the future road maintenance costs.

The plans to remove seal from 15 kms of local roads for the developer's convenience prior to project construction will also require a comprehensive and sympathetic collaboration process with affected local residents, and Council as the Roads Authority reserves the right to approve or refuse the request. Mitigation measures relating to noise and dust will need to be addressed with affected stakeholders.

b) Temporary Worker Accommodation

The RTS-Amended Project documentation contains no detail as to how and where the construction workers will be accommodated. It limits commentary to stating there may be one or two temporary camps (SIA report page 37). Before any contemplation of project approval is considered, Council requires full details of what/where/how temporary worker accommodation camps (TWA) are planned to be built.

The RTS also suggests up to 95 current local beds will be used by construction workers but that this won't impact the temporary accommodation needs of others. Council rejects this assertion.

Council notes the DPE now requires details pertaining to TWA facilities and assessed impacts (including traffic) by 16 November 2023. Council requests to be provided with the opportunity to review and evaluate the information provided at that time by the Developer.

The Developer advised Council on 13th October 2023 that it intends to package the TWA (one or two sites, 500+ beds) and a 500,000 tpa x 4-year quarry to be established on a greenfield site, as a 'Second Amendment' to the RTS Project, whereas all other matters would be submitted as the 'First Amendment'. Council strongly objects to this strategy.

Council recommends all aspects of the RTS-Amended Project should be in the one package, together with all the predicted impacts and mitigation measures. Splitting the project assessment will create confusion in the community, risk overlooking project-aggregated impacts and create yet more demands on Council's assessment team.

Regardless, the general public and Council wishes to see the full impact assessment documentation of the TWA camps and the quarry before the DPE has any contemplation of issuing consent.

If the developer splits up the assessment of the amended project Council will be reviewing its legal options.

c) Planning Agreement

The documentation states *“Tilt Renewables is currently consulting with WSC and UHSC to determine how the VPA could be revised in a mutually agreeable way that will benefit the communities in/around Coolah and Cassilis”* (Page 98 Main Report). Council rejects this statement as it has had no interaction with Tilt Renewables on progressing a Planning Agreement since we tabled our Planning Agreement Key Terms in early July 2023.

Council is very concerned that the DPE is considering this proposal to be a modification and may ‘roll over’ the existing VPA. With the proposed significant increase in traffic volumes, possibly as high as seven times the original consent, the Planning Agreement must be renegotiated. Council is keen to promptly enter detailed negotiations with Tilt Renewables on a Planning Agreement.

The Developer also advised Council on 13th October 2023 that it has deferred Planning Agreement negotiations because it is seeking direction from the DPE’s soon-to-be released ‘refreshed’ Wind Farm Guidelines. The Developer advised it is also waiting on knowing what the Access Fees payable are likely to be, because it seems to believe the total benefits package is what is more important, and thus the Planning Agreement quantum may be reduced.

Council strongly objects to what appears to be a ‘muddying of the waters’ by attempting to roll other funding arrangements into the Planning Agreement calculation.

Council is adamant that the Planning Agreement quantum is to be 1.5% of the CIV, consistent with the joint policy position established with the three main REZ Councils. Furthermore, several other developers have already shown leadership and committed to the 1.5% x CIV. They should not be disadvantaged by being an early mover.

The developer also informed Council that it may be early 2024 before it is prepared to negotiate the Planning Agreement.

d) Cumulative Impacts

The RTS-Amended Project documentation hints at the uncertainty regarding who is responsible for addressing the cumulative impacts arising from ten (10) electricity generation and transmission projects in the Shire.

For instance, page 51 of the Main Report states:

- The State Govt is “actively addressing” cumulative impacts associated with accommodation, services, social and economic matters; and
- In relation to traffic impacts, the State Government is addressing this matter as it “cannot be addressed by individual proponents in isolation. Requires action by NSW Government”.

As the front-line Government entity responsible for managing the affairs of the Shire, Council strongly urges the NSW Government (both DPE and EnergyCo) to do even more

on this front to ensure the local population is not burdened with environmental, social and economic costs that rightfully should be carried by the Developer or the State itself.

e) Not 'Substantially the Same Development'

As referenced in its Mod EIS submission, Council asserts the Mod does not pass the 'Substantially the Same Development' Test. A key reason is that the 'existing environment' for the project had changed significantly, namely from a long-established farming area to the gazetted Renewable Energy Zone, a planned semi-industrial zone for electricity generation and transmission, with ten (10) projects in the Shire and 35 across the CWO REZ. In addition, traffic impacts have been significantly understated, and a major greenfield site quarry is to be established.

Council looks forward to engaging with the Proponent and DPE to address the concerns 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 read 'R. Bailey', is written over a large, empty oval shape that serves as a placeholder for a stamp or seal.

**ROGER BAILEY
GENERAL MANAGER**