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20 November 2023

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Dear Ms Brewer

Proposed Valley of the Winds Wind Farm – Response to the Amendment Report (SSD-10461)

1. Introduction

Thank you for the opportunity for Warrumbungle Shire Council ('Council') to address the Valley of the Winds Wind Farm Response to Submissions and Amendment Reports.

Throughout the balance of this correspondence the following terms will be used to refer to the documents found on the Planning Portal:

1. Warrumbungle Shire Council's submission in response to the EIS ('EIS Submission').
2. ACEN's Response to Submissions Report ('RTS').
3. ACEN's Amendment Report ('Amendment'); and
4. This document, being Council's Response to the Amendment Report ('RTA').

Council maintains its objection to the proposal, primarily because:

- a) the impact assessment documentation does not adequately address:
 - i. the long-term impacts caused by the project on local roads and who is to pay for said damage and ongoing maintenance;
 - ii. social costs and what are the benefits being provided to offset such costs;
 - iii. cumulative impacts of this and other REZ projects across the Shire and in adjoining Shires; and
- b) There has been no movement in progressing a Planning Agreement since July 2023.

Details pertaining to this list of matters follows.

2. Cumulative Impacts

The RTS considers Council's objection based on cumulative impacts in section 4.1.8. The Proponent states that the EIS adequately addresses the cumulative impacts by examining large scale mines and infrastructure projects within proximity to the proposal, however, no additional detail was provided. The RTS also states that in March 2023, EnergyCo released *Central West Orana Renewable Energy Zone-Coordinating Community Impacts and Benefits in the REZ* (EnergyCo, 2023). The EnergyCo report outlines the findings of its investigations into how potential cumulative impacts will be mitigated within the CWO-REZ while also providing long-term benefits to the community.

Council does not agree that the EIS adequately addresses cumulative impacts, nor that the EnergyCo 2023 report adds much value. The EnergyCo report, by any objective judgement, is a cursory, first-up attempt to quantify the REZ-wide impacts. Therefore, the issue of cumulative impacts and the role of the Valley of the Winds project within that construct, remains unanswered.

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 the cumulative impact 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.

3. Roads

Under the *Roads Act 1993* Council has sole discretion as the roads authority to ensure traffic safety and meet various level of service criteria, both for project traffic and the travelling public more broadly.

The definition of level of service is not limited to the concept of delay as referenced by TfNSW guidelines, but also includes traffic outcomes for which Council is accountable to its community, such as travel times, road surface hazards, vehicle wear and tear, ride quality, route reliability, equity, and utility of access for all permitted vehicles, cyclists and pedestrians.

Other relevant standards are set by reference documents including (but not limited to) the nationally consistent Austroads Guides, ARRB Best Practice Guides for road network owners, and local Council standards and policies.

The commitments made by the proponent in the EIS, RTS and Amendment are not deemed sufficient to ensure these outcomes will be met across the project lifecycle. The statements by the applicant in the latest RTS in response to requests by Council and other public submissions are generally not legally binding or enforceable, are non-specific, lack quantitative or measurable performance indicators, and in many cases, they are not time-bound or tied to relevant development milestones to guarantee their performance. Council requires certainty on such matters, especially to safeguard the value of these local assets. Council maintains that the likely traffic impacts of the project are reasonably ascertainable now, and that how the contractor(s) undertake the works is unlikely to materially reduce the massive transport task and thus the impacts on Council roads. As such, enforceable commitments are required to be tied to any SSD determination now, not deferred to the post-consent stage. To that end, Council provides in this RTA a list of possible consent conditions, should DPE or the IPC be of the view to grant consent, noting of course that at this stage Council objects to the project.

The project will require haulage of at least several million tonnes of materials along local roads, amounting to hundreds of thousands of vehicle movements when all of its components are considered including (but not limited to):

- greater than 1,700 over size over mass turbine components and electricity transformers, structural steel and power cables,
- large quantities of road and track gravels trench sands and bulk earthworks materials,
- cement deliveries,
- batched concrete,
- water (potable and non-potable),
- site compounds and others.

Council requires its road assets to meet the 'no worse off' test under the NSW planning framework as well as common law is a key consideration, specifically arising from Section 4.15(1)(b) of the EP&A Act and other provisions.

Road Safety Matters

The increase in commuter and heavy haulage traffic during both the extended construction phase, and cumulatively over the unlimited life of the project, is magnitudes greater than the pre-development baseline traffic. The developer's documented assessment is limited in this regard, and road upgrades are required to Council's satisfaction along the designated routes to ensure that minimum standards of safety are met and the assets maintain their value.

Management of Road Pavements

Contemporary pavement engineering science does not support the developer's proposition that a pre- and post- construction dilapidation survey approach, with regular patching and resealing of potholes and failures of the road surface that occur during the construction phase, will leave the roads in a condition 'no worse off' than before the project.

The Austroads guides stipulate that the full depth of the **underlying pavement structure can only tolerate a finite number of heavy vehicle movements before that pavement reaches the end of its effective life and widespread failures are likely to regularly occur as it breaks apart.**

At that stage of deterioration, the pavement either requires frequent and costly 'reactive' maintenance patching, or a full depth renewal (rehabilitation) to reset its effective life. Both options are very costly compared to the preferred scenario of up-front planning to have a pavement that is properly designed and proactively maintained to cater for the expected traffic use.

The deterioration referred to above may take some years to materialise after the intensive construction phase, often well after the investment is crystallised and the developer may have sold the project, **despite the damage being a direct result of that developer's heavy vehicle loading.**

The roads impacted by the project are generally rural regional roads and laneways historically constructed and maintained for comparatively low levels of town and village traffic, as well as seasonal use by heavy vehicles from farms (e.g. harvest time). They are historically fit-for-purpose. However, they are definitely not suitable for the types and volumes of traffic proposed for the REZ.

The likely project material quantities to be transported give rise to a high-level pavement impact estimate in the tens of millions of dollars based on the industry best-practice Austroads 'Equivalent Standard Axles' model of pavement effective life.

Critically therefore, maintenance of service levels on the project-affected roads over the unlimited life of the development represents a potential major negative cash flow for Council and its ratepayers and communities over the multi-decade forward planning horizon.

These predictable adverse economic impacts are simply not acceptable to Council and must be mitigated by either the applicant, through cash contributions via a Planning Agreement, or some other financial arrangement, or by the State Government.

In the absence of a Planning Agreement or some other offer acceptable to Council, minimum upgrade requirements to 'renew' the road pavements' effective lives have been specified in **Attachment 1** to this letter to achieve a 'no worse off' result. The upgrade requirements are proportionate to the large increase in project traffic and thus the road network risks and liabilities during the construction, operational and decommissioning phases.

4. Planning Agreement

Council is pleased that ACEN has stated its intention to commit to a financial contribution equivalent to 1.5% of the project's capital investment value in line with the Council Policy. However, there has been no engagement in relation to the Planning Agreement since a meeting on 10th July 2023.

Council subsequently provided ACEN with the Key Terms document on 12th July and there has been no response to date. Council seeks urgent talks with the Developer to progress the Planning Agreement and for it to be secured prior to the DPE contemplating the issuing of any Project Approval.

The RTS states *"This contribution will be administered under a Planning Agreement with Council, or other appropriate means to ensure the money is being spent within the impacted community"* (Page 35). Council is puzzled by this statement as it holds the position, as stated in the EIS response submission, that "Council is of the view that the total quantum of development contributions be provided to it and it will manage the finances and determine how decisions are made, in accordance with standard practice widely adopted by Councils across rural NSW on many other energy and mining projects".

To be clear, the local community will be represented when decisions are made as to how funds are be allocated.

5. Employment of Locals

In the EIS Submission Council requested the Proponent meet with it to reach an agreement on the percentage of local employment that will be committed to, and the associated training, with undertakings that the contractor will adhere to these requirements. Those discussions are yet to occur.

The RTS and Amendment do not address this issue with any relevant details. The commitments to local employment percentages are stated to be deferred to the Detailed Design Phase, with a new mitigation measure (S12) included which states that a Local Participation Plan (LPP) and Aboriginal Participation Plan (APP) will be developed.

Council does not support the deferring of important decisions such as this to the post consent stage, as by then the developer has little appetite to secure best practice as it already has its project development consent and as a consequence Council has little or no leverage.

6. Temporary Worker Accommodation

The EIS Submission stated as a salient issue that Council requests details on the accommodation plans for the construction workforce. Whilst several of the EIS Technical Papers suggest a firm location has been decided for the accommodation camp, the RTS and Amendment state that accommodation solutions are still at the options stage, and no definitive details are provided. Council notes that a new mitigation measure (S14) has been

included, which states ACEN intends to continue to work with Council to develop an Accommodation and Employment Strategy (AES).

The assessment information provided by the applicant in relation to the accommodation facilities is sparse and deficient, and is on par with the minimalist approach taken by Tilt Renewables for the nearby proposed Liverpool Range Wind Farm (Mod). In the latter case the DPE requested further information by mid November 2023. Council believes the same requirement should be placed on ACEN.

Specifically, Council requires details of the proposed development including (but not limited to):

- Proposed site layout, including i nearby land features, constraints, and cadastral boundaries.
- Proposed traffic generation, traffic impacts on the public road network, details of the access connection point to the public road network, and proposed mitigation measures for nearby public road carriageways and intersections that will be significantly changed by construction and operation of the development.
- Management systems for potable and non-potable water supply, wastewater and solid waste collection, treatment, and disposal.

To be clear, Council requires full details of what/where/how temporary worker accommodation camps are planned to be built prior to Project Approval being contemplated.

7. Waste quantities

Council acknowledges that the issue of waste disposal has been adequately addressed from its perspective, confirming that no waste will be disposed at Council's waste management facilities.

8. Disposal and treatment of sewage

Council notes the Proponent has provided an update to the sewage quantities predicted for the proposal. However, the Developer states options for disposal and treatment are still being investigated, with no definitive decision evident. Again, Council requires details as to disposal of said wastes.

9. Potable and non-potable water supplies

In the EIS submission Council sought talks with the proponent regarding the planned source of water for concrete batching and other construction activities. Council notes that the RTS and Amendment still use indicative water quantities, which apparently won't be finalised until detailed design.

It is pleasing to note that the proponent recognises the high water demands required for the placement of concrete, conditioning of pavement gravels, and dust suppression on hundreds of kilometres of project-affected unsealed roads.

That said, Council remains concerned that the construction water demands may yet be underestimated, and particularly the demands for potable water which presumably will be sourced from existing Council town water supplies which have limited capacity.

Whilst the potential sources of non-potable water have been provided, the ownership of the groundwater bores identified as providing a significant quantity of water for construction, concrete and dust suppression is not specified.

Details of likely yields from bores appear not to have been provided. Council urges relevant State Authorities to verify that extraction from natural (untreated) surface and subsurface water sources will not compromise the downstream community's water needs, considering the high likelihoods of drought and hotter, drier conditions with the current El Niño climate.

For a critical resource like water which the local environment, economy and community of farmers, businesses and residents relies on, it is not appropriate to leave resolution of these issues to market forces at the post-consent stage, especially in the context of the multiple renewable projects planned across the REZ.

In the event that groundwater yields are insufficient, bulk transport of potable and non-potable water has a disproportionately high impact on the pavement maintenance issues discussed earlier (e.g. number of movements, Equivalent Standard Axle loads, etc) and further supports the need for comprehensive assessment of the materials haulage quantities and distances to inform pavement rehabilitation designs and costs.

Council needs to know if any of the potential water sources are linked to Council infrastructure or services – both potable and non-potable.

10. Social costs and benefits

In the EIS submission Council requested “definitive actions to enhance positive social cohesion between the proposal and local community”. The RTS and Amendment do not address this issue.

It is a requirement of the SEARs that the EIS must include an assessment of the social and economic impacts and benefits of the project for the region and the State as a whole, including consideration of any increase in demand for community infrastructure services.

The EIS SIA acknowledges that the introduction of new groups of people to an area can alter existing values and sense of community. However, the only mitigation measure proposed for the Shire is the employment of one locally based person prior to and during construction, with experience in community relations and workforce engagement. The employment of this person in and of itself will not effectively mitigate the impacts of changes to community composition and character.

To be clear, Council requires the Developer to clearly articulate what exactly are the specific and tangible social benefits its project will bring to the district.

Likewise, Council sought greater clarity on any increase in demand for community infrastructure services. The SIA is very general in its assessment in section 8.2.5, with broad-brush statements about the potential increase in demand for health, welfare, water, and sewerage services. The SIA notes that to achieve a positive social outcome, some of the identified initiatives and processes would need to be implemented early and prior to the influx of workers, to ensure the benefits can be realised.

Council believes that currently the EIS, RTS and Amendment do not adequately identify or detail these initiatives, nor are there any commitments to funding, timeframes, or management.

Council requires details of clear, definitive actions which will be implemented prior to and during construction and operation.

In conclusion, Council acknowledges that the Valley of the Winds project is just one of nine projects proposed to be located in the Shire and one of approximately 35 across the CWO

REZ, thus the State Government needs to be leading the co-ordination and planning for this very substantial once-in-a-century change in a rural region.

Council urges ACEN, the DPE and EnergyCo to continue detailed talks with it to address the range of matters articulated herein.

Council will consider reviewing its objection to the proposal if the matters flagged herein are addressed to its satisfaction.

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, empty oval shape that serves as a placeholder for a stamp or seal.

**ROGER BAILEY
GENERAL MANAGER**

WSC Attachment 1

SSD-10461 Valley of the Winds Wind Farm (as at RTS Phase 18 November 2023) Warrumbungle Shire Council Recommended Consent Conditions

Introduction

If, despite Council's objection, the DPE/IPC is of the view that the SSD application be approved, Council requests the DPE/IPC incorporate the following requirements as conditions of consent.

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 are fully offset by benefits provided to residents and ratepayers. On the matter of local roads, as the roads authority under the *Roads Act 1993*, Council requires all road works, safety, service criteria and traffic management requirements to meet with its formal approval.

As the local government authority charged with providing local infrastructure and services including water, wastewater, solid waste and social and educational facilities and services, etc, it requires impacts and demands on such provisions to be fully compensated financially.

General Conditions

1. **Haulage estimation:** Public road pavement designs under the *Roads Act 1993* are to be supported by a comprehensive manifest of all materials to be hauled along Council roads, to the satisfaction of Council. The manifest and pavement design calculations shall include (but may not be limited to): breakdown of whole-project materials classes and quantities, likely truck axle and maximum load configurations, average (per load) and total cumulative Equivalent Standard Axles, average km haulage distance by category of road, and background traffic volumes to be added including the number of background heavy vehicles.
2. **Key Stakeholder:** For the life of the consent, the consent holder shall comply with the Council conditions specified in this Attachment 1 list of Consent Conditions, except to the extent that variations or concessions are agreed in writing by an authorised representative of Council.
3. **No cost to Council:** All works required under this consent are for the benefit of the developer and shall be at no environmental, social or economic cost to Council, except to the extent agreed otherwise in a Deed, Planning Agreement or similar formal legal agreement.
4. **Standards:** All public works and public land impacted, or to be constructed by the consent holder and dedicated to Council, shall be designed, constructed and maintained in accordance with the relevant standards.
5. **Approved Council road routes:** All project traffic across the construction, operational, refurbishment and decommissioning phases shall only be permitted to use the following Council-managed roads:
 - a. Black Stump Way (classified Regional MR55);

- b. Certain Uarbry village roads connecting to Moorefield Road (east) (Girragulang Cluster), unless the alternative private road further west (along EnergyCo transmission alignment) is activated;
- c. Moorefield Road west and east extents (accommodation camp and Girragulang Cluster); and
- d. Mount Hope Road (Mount Hope Cluster).

Note: Sir Ivan Doherty Drive, Leadville Stock Route and Wardens Road were deleted from the RTS phase documentation as of November 2023 (Modification Report section 1.3).

6. **Route compliance:** The consent holder shall take all steps necessary to ensure and demonstrate compliance with the various road-related conditions, including, if required and to the satisfaction of Council, active management measures such as technology-based monitoring of individual vehicles across the supply chain with GPS and geofences, physical works and signage to restrict movements (subject to *Roads Act 1993* approval), active surveillance, incentivisation and disciplinary actions. This includes local traffic management within Uarbry village to prevent 'rat-running' on streets other than the approved commuter route.
7. **Material export:** Site-won quarried, or earthworks materials shall not be transported using public roads outside the cluster from which they are obtained, unless such development has prior written approval from Council.
8. **Water supply and sewage:** Prior to the issuing of an Occupation Certificate or occupation (whichever occurs first) for any buildings, the consent holder shall pay the necessary headworks and connection charges and provide connection works as required by Council. Trucking of water and sewage shall only be undertaken to/from town or village network offtake or discharge points which are approved in writing by Council, and subject to any requirements or powers of Council under the Water Management Act.
9. Council at its discretion may refuse to provide water (both potable and non-potable) or accept wastewater at its facilities.
10. **Defects Liability and Maintenance Period (DLMP):** For any infrastructure asset constructed or modified under this consent which is to be dedicated as an asset of the Council, the consent holder shall have a 24-month DLMP obligation commencing from the date the works are deemed 'practically complete' by Council's inspector.

During the DLMP the consent holder is responsible for repair of any defects and maintenance of the asset in accordance with manufacturer's recommendations and any asset management plan, at no cost to Council.

11. **Bond securities:** In accordance with its adopted policies and *Roads Act 1993* approval conditions, Council will, at its discretion, require the consent holder to lodge refundable bond securities to guarantee the consent holder's performance of any of the following:
 - a. Outstanding or incomplete works;
 - b. Defect liability and/or maintenance obligations;
 - c. Vegetation or environmental management obligations; and

d. Obligations under a Planning Agreement or Deed.

12. Asset documentation: For infrastructure assets dedicated to Council, the consent holder will provide electronic copies of the relevant manufacturer's operation and maintenance documentation, inspection and test results, conformance surveys, non-conformance reports, a financial values asset return, and Works-As-Executed (WAE) drawings to Council's satisfaction.

WAE information is to be recorded on the original design drawings (so far as is practicable) using red line markups in native computer aided design file format and plotted or scanned to portable document format.

13. No road dedication: To the maximum extent possible subject to law, no new public roads shall be dedicated to Council as a result of the project, and Council shall not be required to maintain or contribute to the maintenance of any road for which it is not already responsible in the pre-development scenario.

This includes the existing and proposed private roads to be used for access to each cluster.

14. Threshold treatments: The consent holder shall install threshold treatment works at the interface of all private roads with public roads, and at the end of Council-maintained roads, to the satisfaction of Council to ensure that the private purpose of the road is clear for the life of the development and to avoid any future maintenance requirement being borne by Council.

Such works may include for example (in private ownership): gates, grids, traffic calming encroachments, signs, displays and/or monuments. Durable signs communicating that it is a private road, and the end of Council-maintained segment may be sufficient depending on the location.

15. No easements over Council roads: Easements or rights in title shall not be created to burden any public dedicated road reserves for which Council is or will become the roads authority, unless with Council's prior consent in writing.

16. No encroachment: All structures, including (but not limited to) the potential blade overhang and micro-siting envelope of turbines, shall be sited outside of public dedicated road reserves or public land.

17. Crown roads: It is understood that Crown Roads division policy may require any formed roads that are to be constructed or used within Crown Road reserves to first be transferred to Council ownership. Council opposes the transfer of project-required roads as they are not required for public traffic. If transfer is to occur unilaterally despite Council's objection, prior to transfer of the road to Council or commencement of use by project traffic (whichever occurs first), the roads shall be designed, constructed and maintained for life to the satisfaction of Council and at no on-going cost to Council.

18. Flooding: The project works shall not result in any adverse stormwater or flooding impacts or water flow behaviour in relation to any of Council's assets (including roads) or land, for all design storm events up to and including the 1% Annual Exceedance Probability, in accordance with the adoption of the very latest climate change models.

If adverse impacts arise, the consent holder shall design and construct improvements to the assets or land to flood-proof or achieve 'no worse than existing' serviceability and performance of that asset, to the written satisfaction of Council.

19. Solid and Liquid Wastes: Solid and liquid wastes shall only be disposed at approved / licenced waste facilities. Council shall not be required to accept any wastes from the development at its facilities.

20. Access and servicing: the access licences or easements granted in favour of the project shall be maintained by the consent holder for the life of the development (including decommissioning), and shall not be sold off in separate parts, so that the project remains a unitary development and no part of the project becomes alienated from the private access roads or services alignments.

21. Prior to and During Construction, Refurbishment and Decommissioning Phases

21.1 Haulage estimation: Public road pavement designs under the *Roads Act 1993*, or cash contributions under VPA, are to be supported by a comprehensive manifest of all materials to be hauled along Council roads, to the satisfaction of Council. The manifest and pavement design calculations shall include (but may not be limited to): breakdown of whole-project materials classes and quantities, likely truck axle and maximum load configurations, average (per load) and total cumulative Equivalent Standard Axles, average km haulage distance by category of road, and background traffic volumes to be added including the number of background heavy vehicles.

21.2 Roads condition assessment: The consent holder shall undertake comprehensive condition assessment reports to Council's satisfaction, for all its infrastructure assets along the identified Council-managed commuter and haulage routes, prior to the consent holder commencing significant activity along that route in the construction or future refurbishment or decommissioning phases, and again within four months after the conclusion of construction, refurbishment or decommissioning.

21.3 Road Safety Audit (RSA): Prior to *Roads Act 1993* approvals, the developer must provide an RSA prepared by an independent accredited RSA auditor for all the designated WSC-managed commuter and haulage roads, considering the construction, operation, refurbishment and decommissioning stages of the project. Any specific hazards or infrastructure treatments identified may be required to be included in the scope of works, depending on the risk assessment and to the satisfaction of Council.

21.4 Road geometric and functional upgrades prior to construction: Prior to the construction stage milestones given in Schedule 1A (Roadworks Staging) of this Attachment, the consent holder shall achieve practical completion of the public road upgrades specified by Council in Schedule 1B (Upgrade Standards), for the whole of the designated haulage and commuter routes providing access to that stage or cluster. (Refer to Schedules 1A and 1B at the end of this document.)

21.5 Maintain roads during construction: The consent holder shall maintain the WSC-managed public roads comprising the designated haulage and commuter routes for the entire duration from commencement of the construction, until completion of the Defects and Maintenance Liability Period (**DLMP**), to Council's satisfaction.

Maintenance shall include regular patrols, grading (for unsealed roads) and rectification of any apparent hazards, failures or defects within a reasonable timeframe, to provide for safe and serviceable travel by all road users to a standard no worse than in the pre-development scenario. Rectification methods for significant or non-standard issues shall be first approved by Council before said work is undertaken.

As part of any *Roads Act 1993* approval Council may order the consent holder to take action, or (with sufficient notice to the consent holder except in emergencies) Council may undertake the work and recover the costs from the consent holder.

21.6 Renew road pavements by end of construction phase: Prior to commissioning turbines in a 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 turbines in 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:

- Sealed classified Regional and sealed local roads: 1×10^6 ESA
- Unsealed local roads with no significant through traffic: 2×10^5 ESA
- Unsealed local roads with through traffic: design ESAs calculated in accordance with Austroads Guide to Pavement Technology Part 2 (AGPT02), but no less than 2×10^5 ESA and no greater than 1×10^6 ESA

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.

22. Over-dimensional vehicle management: The construction, refurbishment and decommissioning Traffic Management Plans (**CTMP**) must minimise delays and temporary traffic impacts along WSC-managed roads in connection with transport of Over Size Over Mass (**OSOM**) loads, so far as is reasonably practicable, through the use of a combination of measures such as (but not limited to):

- a) Public notification along affected roads, with advance notice given in the local media and by signage posted along the route;
- b) Use of night or off-peak transport periods;
- c) Platooning of multiple OSOM loads at the same time;
- d) Selection of lay-by areas for OSOM loads at regular distances so that the duration of each traffic stoppage on single-carriageway roads is minimised;
- e) Other measures identified in consultation with Council. The draft CTMP must be submitted to Council for review at least three months prior to the planned movement of heavy and oversized vehicles. The CTMP must be approved by Council before any movement of heavy or oversized vehicles.
- f) As part of the CTMP measures, the consent holder shall maximise the use of buses and minibuses between accommodation centres, project sites and towns, and shall ensure car-pooling quotas are developed and enforced, to ensure that project private vehicle-kilometres are minimised. Any proposed park and ride stops in the Council

area, and associated management measures or works, shall be to the satisfaction of Council.

- g) Project bus planning shall also provide for regular workforce access to town services and amenities while minimising negative social impacts on surrounding communities. The Plans must also mitigate and minimise the impacts of development traffic on school bus routes during their operating times, and on stock and crop haul routes during high-traffic seasons.

23. Decommissioning: As part of decommissioning the project, all the following shall be completed by the consent holder (if decommissioning a part of the project or cluster, then these requirements shall apply to that part):

- a) Remove all turbine structures to ground surface level, and transport all components offsite to approved waste disposal, processing or reuse sites.
- b) Remove all private structures and services that cross or traverse along or encroach into public dedicated road reserves, including all subsurface cables and plant (but pits and conduits may be retained with Council approval).
- c) Extinguish any easements (if applicable) which burden public land or dedicated roads in favour of the project.
- d) Reinstate and make good public land after removal of structures to no worse than its pre-development condition.
- e) Repair all defects in public land or infrastructure that arose from the decommissioning activities, within 24 months of completion and prior to refund of bond securities held by Council.

Schedule 1A. WSC Roadworks Staging

<p>1. Subject to Council's prior approval, early works can commence before public road upgrade works are deemed practically complete and include (without limitation):</p> <ul style="list-style-type: none">a) Pre-construction minor works as defined in the consent (for example investigations, minor vegetation removal, site access, fencing and environmental activities),b) Heavy haulage required to complete the public road upgrades, andc) 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 earthen or quarry products, over dimensional components, structural or foundation components or other bulk materials is not to occur on a designated WSC-managed roads until the public road upgrades specified in Schedule 1B below along that segment are deemed practically complete.</p>
<p>3. Temporary concession for speed zone reductions: despite the above requirements, and subject to Council's prior approval, bulk haulage can commence before the relevant public road segment upgrades are practically completed, provided all of the following matters are met:</p> <ul style="list-style-type: none">a) The relevant road works on that segment are substantially commenced and are proceeding well, andb) A temporary traffic management plan which will acceptably reduce speeds and other hazards along the segment has been approved by Council, andc) The road works on that segment shall be practically completed, and the standard traffic conditions restored, within six months of commencement on

that segment (unless otherwise agreed where a specific construction element requires additional program).

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.

Schedule 1B. WSC Upgrade Standards

Notes to this Schedule:

- a. All works require detailed design approval first be obtained from Council under Sections 87, 115 and 138 of the *Roads Act 1993* and other laws.
- b. Council consent must be obtained before existing bitumen seals may be interfered with, altered or temporarily removed during the construction phase. Consent may or may not be granted at Council's discretion, and subject to all of the following:
 - 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.
- c. The works do 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.
- d. Council may agree to reduce or waive any of these requirements by giving notice in writing.
- 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.
- f. Carriageway / route standard treatments must be as per relevant specifications and guides including the Austroads Guide to Road Design (AGRD03 in particular), ARRB Unsealed Roads Best Practice Guide, TfNSW and RMS specifications and supplements, temporary average construction and decommissioning phase volumes and residual operational volumes over the life of the project.
- g. Staging areas for OSOM vehicles: if required as part of the approved CTMP, designate or provide regular staging areas for 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 or physical works are proposed.
- h. 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 and/or other temporary or permanent but removable barriers shall be installed to prevent public road users performing

<p>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>i. 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, to the prior written satisfaction of Council.</p>
<p>j. Route standard for MR55 Black Stump Way: Subject to TfNSW concurrence, the consent holder shall meet minimum 9m sealed width and 11m formation width (3.5m lanes with 1m sealed shoulders and 1m unsealed shoulders). The consent holder shall widen on curves to accommodate 26m B-double and OSOM swept paths and mark centre and edge lines and install any make-up guide posts to meet TfNSW delineation specifications.</p> <p><i>(Austroads AGRD03 Table 4.5 classified Regional with ~1,000 or more vehicles per day, vpd)</i></p>
<p>k. Route standard for:</p> <ul style="list-style-type: none"> - Moorefield Road (west) existing sealed segment between Black Stump Way and start of unsealed segment. - Haul route along local streets within Uarbry village. <p>The consent holder shall:</p> <ul style="list-style-type: none"> • provide a two-coat bitumen seal and meet minimum 7.2m sealed width plus 0.5m unsealed shoulders. • Widen seal on curves to accommodate 26m B-double and OSOM swept paths. • Mark centre and edge lines and install any make-up guide posts to meet TfNSW delineation specifications. <p><i>(Austroads AGRD03 Table 4.5 sealed local road with average 150-500 vpd)</i></p>
<p>l. Route standard for:</p> <ul style="list-style-type: none"> - Moorefield Road (Council-managed unsealed west and east segments). - Mount Hope Road (segment within the cluster footprint). <p>The consent holder shall:</p> <ul style="list-style-type: none"> • Meet minimum 7m unsealed gravel width including shoulders. • Widen on curves to accommodate 26m B-double and OSOM swept paths. • Install any make-up guide posts to meet TfNSW delineation specifications. <p><i>(ARRB Unsealed Roads Best Practice Guide Table 3.9 unsealed Category 4B minor road with 50-150 vpd)</i></p>
<p>m. The consent holder shall upgrade intersections to Austroads standards (AGRD04 and AGRD04A)</p> <ul style="list-style-type: none"> a. MR55 Black Stump Way, subject to TfNSW concurrence:

- i. At Moorefield Road (west, near accommodation camp): sealed full Auxiliary Left (AUL) and full Channelised Right (CHR) treatments.
 - ii. At Mount Hope Cluster access: sealed full Auxiliary Left (AUL) and short Channelised Right (CHR/S) treatments. Seal the minor leg for a distance of at least 30m.
- b. Moorefield Road (west) at the accommodation camp entry: sealed full Auxiliary Left (AUL) and short Channelised Right (CHR/S) treatments. Seal the minor leg between the carriageway and road reserve boundary.
 - c. Haul route along local streets within Uarbry village: upgrade to two-coat bitumen sealed Basic Left (BAL) and Basic Right (BAR) treatments.
 - d. Moorefield Road (west and east segments) at each wind farm site gate / junction: unsealed Basic Left (BAL) and Basic Right (BAR) treatments.
 - e. Mount Hope Road at each wind farm site gate / junction: unsealed Basic Left (BAL) and Basic Right (BAR) treatments.

Works are to include provision for swept paths for OSOM vehicles and the 26m B-double design vehicle, realignment of minor legs to perpendicular with the major road to improve sight lines and yield behaviour (having regard to the dominant movement volumes), confinement of movements to prevent short-cutting of corners, removal of obstacles to meet recommended sight distances, improved delineation (pavement markings) and signage (e.g., sight boards, hold line and yield controls, etc.), to the satisfaction of Council.

Note: Golden Highway intersection treatments are to TfNSW requirements.

(End of Attachment 1)