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29 August 2025

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Dear Mr Ashe

**Birriwa Solar Farm SSD-29508870-MOD-1**

Thank you for the opportunity for Warrumbungle Shire Council to comment on the proposed MOD-1 for Birriwa Solar Farm.

**Impact summary**

In terms of potential impacts on Warrumbungle Shire assets and interests, Council understands the proposal seeks to modify the existing approval by:

- Increasing the capacity of the purpose-built temporary workforce accommodation by 150 workers, an increase of 30% (to 650 beds);
- Increasing the peak heavy vehicle (HV) movement limits by 36 truckloads daily, an increase of 30% (to 156 loads per day); and
- Adding a new road route for access to the site, namely Merotherie Road, while keeping the existing approved route via Barneys Reef Road. Both routes include road segments owned and maintained by Council.

The transport changes are material from Council's perspective. Unless mitigated, increases in project traffic by an estimate of 15-30% will reduce safe travel outcomes for all traffic on said public roads, as well as place a long-term maintenance burden (costs) for Council, arising from road deterioration under heavy project traffic.

The MOD-1 Environmental Impact Statement (EIS, Jul 2025) and Traffic Impact Assessment (TIA, Jun 2025) have not quantified the total increase in haulage materials or traffic volumes over the life of the project (construction, operation and decommissioning). Notwithstanding, based on our detailed technical analysis, there will be a substantial, additional impact arising from heavy vehicle movements.

In light of the above, Council makes the following submission.

## A Road User Agreement

The workforce and heavy vehicle loads are each expected to be increased by some 15-30% and will increase the impact in Council's roads. Thus, Council proposes agreement be reached between the parties to secure a Road User Agreement that acknowledges the financial impacts associated with road wear and tear, so such costs are not carried by our ratepayers. The key terms of such an agreement would need to be secured prior to granting approval.

Council therefore seeks the modified Conditions of Consent to require a Road Users Agreement to be entered into between Council and the developer for roads impacted by the development within Warrumbungle Shire Council.

Council has a template for same and is familiar with its adoption, especially by mining proponents.

## Roads Consent Conditions

If the Mod proposal were to be approved by DPHI, to ensure that the infrastructure and resources of the Council are 'no worse off' in the long term as a result of the proposed modification, Council recommends the following amendments to the SSD consent conditions.

Current conditions are shown in **bold italics** and amended wording which could be supported by Council are shown in ***bold red italics***.

- Council supports clarification as requested by the applicant of the SSD Defined Term '***Vehicle movement***' or replacement with 'vehicle trip', but the final definition of trip or movement should be consistent with the Transport for NSW Guide to Transport Impact Assessments (GTIA) definition, which reflects professional traffic engineering convention: '***Vehicle trips or movements: A one way movement of people, goods and services from one point (origin) to another (destination) by any mode of transport.***'

In other words, an inbound loaded truck and its return outbound unladen trip should be counted as two movements or trips. In contrast under the current SSD Defined Term, that scenario would be considered a single movement, which is why the vehicle numbers in the current approved SSD conditions should be doubled if the defined term is changed (as suggested in conditions below).

- The applicant therefore seeks (see EIS section ES5.4 or TIA section ES3) to amend condition **B1** to allow 312 heavy vehicle trips or movements per day, e.g., 156 truckloads plus their return empty movement. The TIA section 4.3.3(a) also clarifies that the peak traffic limits on Barneys Reef Road would remain the same as currently approved, and all HVs requiring escort shall travel via the current approved route. The amended condition should read to the effect that:

**B1. The Applicant must ensure that the:**

**(a) development does not generate more than:**

- (i) ***312 heavy vehicle movements a day sitewide (a maximum of 27 heavy vehicle movements per hour) during construction, upgrading, or decommissioning;***
- (ii) ***along Barneys Reef Road and Birriwa Bus Route South, 240 heavy vehicle movements a day (a maximum of 54 heavy vehicle movements per hour) during construction, upgrading, or decommissioning;***



**(iii) a total of 6 movements of heavy vehicles requiring escort during construction, upgrading, and decommissioning;**  
**(b) ... etc.**

- Amend Condition **B3** and **B4** to enable Light Vehicles (LVs) and HVs to travel between State Roads and the project site via either the *Barneys Reef Road – Birriwa Bus Route South* route, or the *Merotherie Road – Birriwa Bus Route South* route, but while ensuring HVs requiring escort can only travel via the *Barneys Reef Road – Birriwa Bus Route South* route (as per the current approval).
- Amend Condition **B9** Dilapidation surveys by adding new points (a)(iii) and (a)(iv) to ensure that a *Merotherie Road – Birriwa Bus Route South* route dilapidation survey must also be completed, before and after construction, upgrading and decommissioning. Note that Council staff does not expect to unreasonably request a duplicate report where one has recently been provided by others (e.g. EnergyCo), but the conditions should still be a consent requirement because the project may not commence for some time after other projects on the route are completed.

Also amend **B9(b)** to insert reference to (a)(iii) and (a)(iv) so the affected Councils will receive copies of those dilapidation reports.

Also amend **B9(c)** to insert reference to the *Merotherie Road – Birriwa Bus Route South* route so the Councils will be entitled to repairs if damages are identified between the pre- and post-activity surveys.

- At **Appendix 5 Road upgrades**, to mitigate or offset the impacts of the substantial increase in project traffic, amend this row in the Table (**A5**) **as shown**. While the developer may assert that *daily* heavy vehicle trips will not be permitted to increase as a result of the MOD-1 if approved, the overall mass of materials to be brought into site is expected to increase by at least 15-30% as stated, particularly as a result of the tripling of the number of BESS container modules (batteries) and related civil works. Additionally, dilapidation report condition B9 above does not protect Councils from the non-visible, but significant and determinable, depletion of pavement life 'beneath the surface'. There is a nexus for this condition to be clarified to mitigate the increased pavement impacts of the MOD-1 proposal across Council's road network.

Importantly, Council has *reduced* its estimated pavement design life requirement for Barneys Reef Road compared with the original SSD consent in recognition that a large portion of HV traffic would use the Merotherie Road alternate route (Merotherie Road also requires strengthening, see further below).

<b>Road</b>	<b>Location</b>	<b>Upgrade Requirements</b>
<i>Barneys Reef Road and Birriwa Bus Route South</i>	<i>From Castlereagh Highway/Barneys Reef Road intersection to Barneys Reef Road/Birriwa Bus Route South intersection, and from Barneys Reef Road/Birriwa Bus Route</i>	<i>Resurfacing, <b>pavement strengthening</b> and widening of Barneys Reef Road and Birriwa Bus Route South to a minimum road width of 9.2m, which includes 7.2 m seal and 2 m unsealed shoulders (2</i>

	South intersection to site access	<p>x 3.1 m travel lanes + 0.5 m sealed shoulders on both sides + 1 m unsealed shoulders on both sides). Both Barney's Reef Road and Birriwa Bus Route South will be upgraded as per the above Austroads requirement</p> <p><b>Note: Pavement designs are to be determined on a reasonable apportionment basis between the approved routes at the time of detailed design approvals. For Barney's Reef Road, the reference design life to be added by the developer is <math>7 \times 10^5</math> Equivalent Standard Axles in accordance with Austroads AGPT02, or as otherwise agreed by Council.</b></p>
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Also insert a new row in the **Table A5** to address the HV load impacts on Council's segment of Merotherie Road **as shown**:

Road	Location	Upgrade Requirements
<b>Merotherie Road</b>	<b>From Golden Highway / Merotherie Road intersection to the Talbragar River bridge (Shire boundary, approximately 2km length)</b>	<p><b>Pavement strengthening of Merotherie Road to Austroads requirements to the satisfaction of Warrumbungle Shire Council. Note: Pavement designs are to be determined on a reasonable apportionment basis between the approved routes at the time of detailed design approvals. For Merotherie Road, the reference design life to be added by the developer is <math>7 \times 10^5</math> Equivalent Standard Axles in accordance with Austroads AGPT02, or as otherwise agreed by. Note (2): Road widening is not required as it will</b></p>

		<i>be undertaken by others.</i>
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- **Advice on above condition:** The above pavement strengthening upgrades for Barneys Reef Road and Merotherie Road are considered fair and reasonable and are consistent with long-established NSW planning policy and outcomes for other projects involving substantial use of heavy vehicles, such as other Renewable Energy Zone projects, and extractive industries statewide.

The above condition recognises that if the developer does not offset the non-visible 'wear and tear' that its project traffic inflicts on the underlying pavement layers, as is well understood by current pavement engineering practice (e.g., refer to Austroads AGPT02), then Council will be left with the responsibility for longer-term repairs and rehabilitation of its roads at its own (i.e. ratepayers') cost, much earlier than it otherwise would have if the project had not proceeded.

If you wish to discuss any of the abovementioned matters, please contact our Director Development Services, Leeanne Ryan, on 02 6849 2000.

Yours sincerely



**LEEANNE RYAN**  
**DIRECTOR DEVELOPMENT SERVICES**