

AD23/53883  
Parcel 48666  
DTQ:DQ

30 August 2023

NSW Department of Planning and Environment  
Energy, Resources and Industry Assessments  
4 Parramatta Square, 12 Darcy Street  
PARRAMATTA NSW 2150



Dear Natasha Homsey

**Proposal: SSD-41134610 Spicers Creek Wind Farm**

Thank you for your correspondence (email) dated 25 July 2023 regarding the abovementioned project. Council Officers have undertaken an assessment of the proposal and the following comments are provided:

**(1) Roads and Transport**

**Road Construction in road reserve alignment**

- Are the roads within the project boundary, maintained by council?
- Are the constructed roads within the legal road reserves or not?
- Does council have a history of maintaining the roads, regardless of if they are in a road reserve i.e. outside of reserve?
- Are the roads to be upgraded council public roads? Or are they intended to be upgraded and dedicated to Council as public road?

**Public Roads**

The proponent needs to establish legally what roads within the Indicative Project Boundary are 'council public roads'. That is, they need to procure and provide to council a 'Road Status report' of all road reserves within the project boundary, to establish who owns them legally (eg. Crown roads, council public roads, or privately owned roads).

**Council ownership**

Council owns council public roads, and if any exist in the project boundary, the EIS 'ownership' section needs to be updated to reflect that Council is an impacted owner, potentially needing compensation, not just a public authority.



All communications to: **CHIEF EXECUTIVE OFFICER**

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## **Proposed Subdivision Plan to Dedicate Road Reserves**

The proponent needs to provide a proposed subdivision plan which shows where upgrades to the road reserve network will be needed and to acquire and dedicate the upgraded road reserves to council as a public road (if that is agreed as an extension of council's road network).

Note: The constructed roads may be completely off/disconnected from the nearest road reserves.

## **Services/Powerlines & Easements**

The EIS needs to be expanded to indicate where services and their easements will be needed, so that Council can establish if easements will be required over council public roads.

## **Roads**

Council's Infrastructure, Strategy and Design Branch on reviewing the EIS, recommend that the following matters need to be addressed or included in the approval (if granted):

- Dilapidation surveys to be undertaken and agreed with Dubbo Regional Council as to the current condition of all affected roads prior to the commencement of works;
- Commitment to maintenance of affected roads both during and post construction works for damage deemed to be caused by the additional development traffic;
- Repairing and returning affected roads to pre-works condition at the completion of the construction and commissioning phases of the project;
- Intersection upgrades to allow safe passage of OSOM components;
- Provide a payment to Dubbo Regional Council for an agreed apportionment of maintenance costs for Saxa Road (from Golden Highway to Gollan Road), and Gollan Road (from Saxa Road to Ben Hoden Road) during windfarm pre-construction, construction and commissioning activities;
- Assessments to be undertaken and agreed with Dubbo Regional Council on all unsealed Council owned or operated access roads of the condition, capacity and function of existing drainage structures and surface drainage lines;
- Upgrade, replace or install new drainage structures as determined by the condition, capacity and function assessments and with agreement from Dubbo Regional Council;
- Gravel resheeting to all Council owned or operated unsealed access roads, with:
  - the gravel material type to be accepted by Dubbo Regional Council prior to use; and
  - the gravel resheeting to be applied to a minimum depth of 100mm and to a minimum width of 6 metres.
- Condition and capacity assessments to be undertaken and agreed with Dubbo Regional Council on council owned or operated access roads for existing stock grids;
- Upgrade, remove or replace stock grids as determined by the condition and capacity assessments and by agreement with Dubbo Regional Council and relevant land owners;
- A Driver Code of Conduct;
- Measures that will be taken to minimise traffic related incidents.

## (2) Building Works

The EIS indicates the general types of buildings, structures and facilities that will be provided for the initial construction and future operation of the development.

It further provides indicative site plans and a photograph of the temporary construction site facilities and permanent Operations and Maintenance facility compounds. Whilst actual floor plans and elevations for the proposed permanent buildings and facilities are not included, the compound site plan is more information than any other SSD has provided to date.

## (3) Subdivisions

Appendix 4 indicates four (4) lots for subdivision (substations), however the EIS p.69 makes reference to 'lease subdivisions'. The issue needs to be resolved, including whether any right-of-carriageways' are required.

## (4) Planning Agreement

A draft planning agreement was publicly exhibited from 21 June until 24 July. Its objectives are:

- Squadron Energy Pty Ltd will pay a monetary contribution to Council, calculated on 1.5% of the capital investment value of the final layout of the project;
- Funds will be paid annually, commencing from construction of the project, for the life of the project (30 years);
- Funds will be indexed in accordance with CPI from the anniversary of the date of the agreement.

Funds are proposed to be allocated to the following public purposes:

Timeframe	Development Contribution	% of funds
Years 1-5	A Strategic Project (nominated to be the construction and maintenance of Forest Vale Road causeway being a council public road within 10km of the Project Site)	54%
	Community Benefit Fund (funding for community groups and other not-for-profit organisations for projects, with a preference for projects principally situated within 20km of the Project Site and for projects in Wellington)	6%
	Remaining Funding (maintenance of council public roads within 20km of the Project Site, that are not otherwise to be carried out or funded by or on behalf of a government entity)	38%
	Administration	2%

Years 6-30	Strategic Projects (funds to be used in the Dubbo LGA for projects within the categories identified in the Framework, with an emphasis on large-scale infrastructure including road infrastructure provision and maintenance)	54%
	Community Benefit Fund (funding for community groups and other not-for-profit organisations for projects, with a preference for projects principally situated within 30km of the Project Site and for projects in Wellington. However this does not include projects in the Dubbo urban area)	6%
	Remaining Funding (funds to be used on projects for community benefits identified in the Framework, with a preference for projects principally situated within 30km of the Project Site and for projects in Wellington. However, this does not include projects in the Dubbo urban area)	38%
	Administration	2%

Documents associated with the agreement can be found on Council's website at <https://yoursay.dubbo.nsw.gov.au/Spicers-creek-wind-farm-planning-agreement>

If you have any enquiries in this matter, please do not hesitate to contact Mr Quigley during normal office hours, on 6801 4656.

Yours faithfully



*Darryll Quigley*  
Manager Building and Development Services