

**Enquiries**

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**Our reference** State  
Government  
Approvals

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**Iwan Davies**  
**Senior Planning Officer Resource Assessments**  
**Department of Planning and Environment**

Dear Iwan

**Winterbourne Wind Farm (SSD 10471) - Muswellbrook Shire Council Objection**

Reference is made to 'Winterbourne Wind Farm Environmental Impact Statement' (ERM, October 2022) (EIS) and associated appendices.

The Winterbourne Wind Farm (Project) is located in the New England Tablelands region of NSW, approximately 75 kilometres (km) northeast of Tamworth, within the Walcha and Uralla Local Government Areas.

The Project is located within the New England (NE) Renewable Energy Zone (REZ) which has been identified as a suitable area for renewable energy infrastructure by the NSW Government and has an intended network capacity of up to eight gigawatts.

While the Project does not propose to connect to any proposed new REZ infrastructure, it will utilise the same transport route through the Muswellbrook shire as proposed by other projects in the NE REZ.

The Project proposes to use Muswellbrook Shire Council (Council) local roads to transport up to 119 turbines (i.e up to 357 turbine blades) as oversize over mass (OSOM) loads for a period of at least 18 months. The following two transport routes are proposed:

- Option 1 (~81m blades) - Bengalla Road, Wybong Road, Kayuga Road, Invermein Street and Dartbrook mine access Road; and
- Option 2 (towers) - Bengalla Road, Wybong Road, Kayuga Road, Invermein Street and Dartbrook mine access Road.

The proposed transport route for the Project is shown on **Figure 1**. It should be noted that the transport route shown in **Figure 1** is currently being proposed as a transport route by other wind projects within or in the vicinity of the NE REZ.

**Figure 2** shows the impacted local roads at the LGA scale, it also shows the proposed transport route for projects travelling to the north of Muswellbrook Shire.

Council's Objection is provided below.

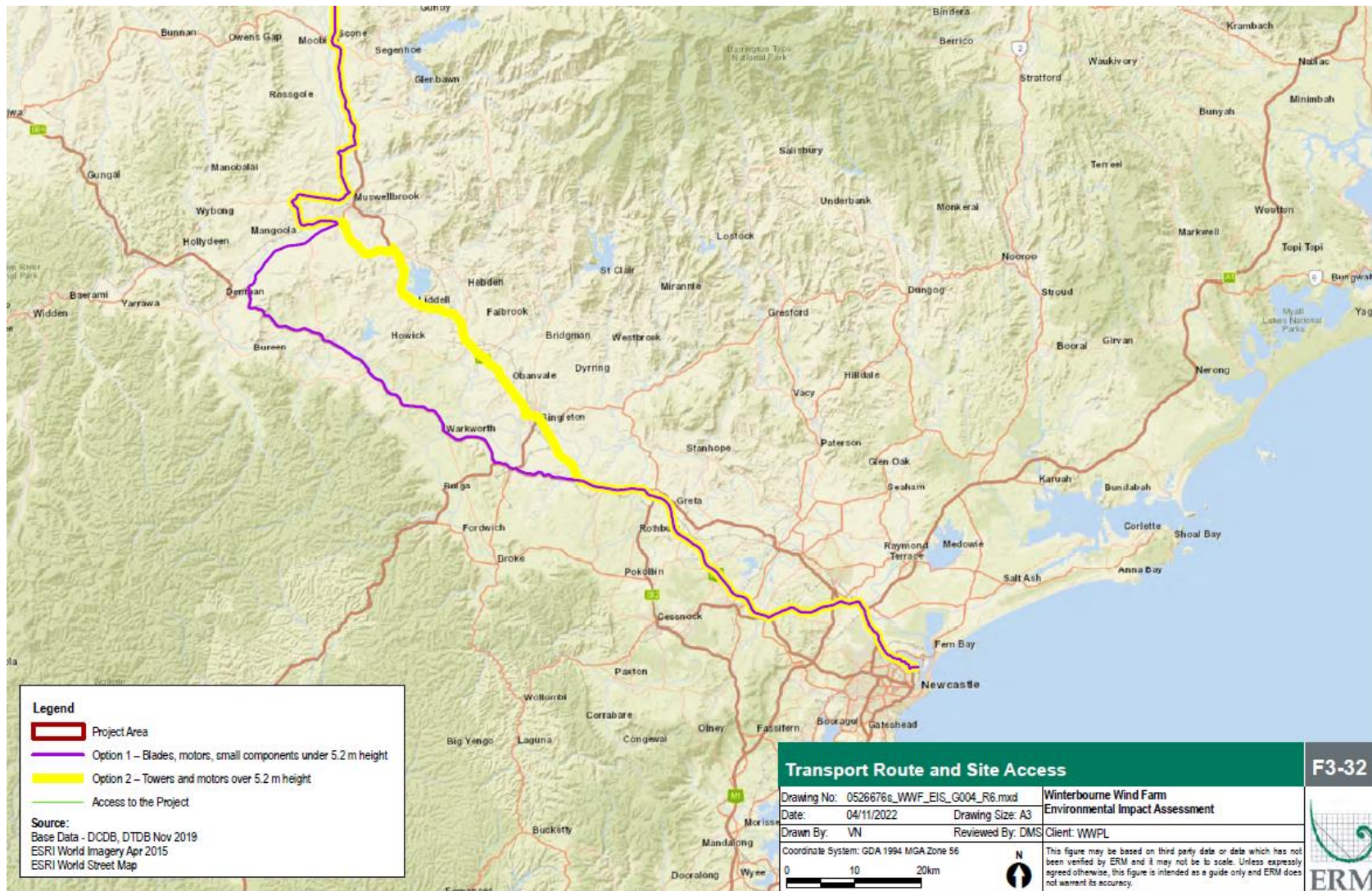
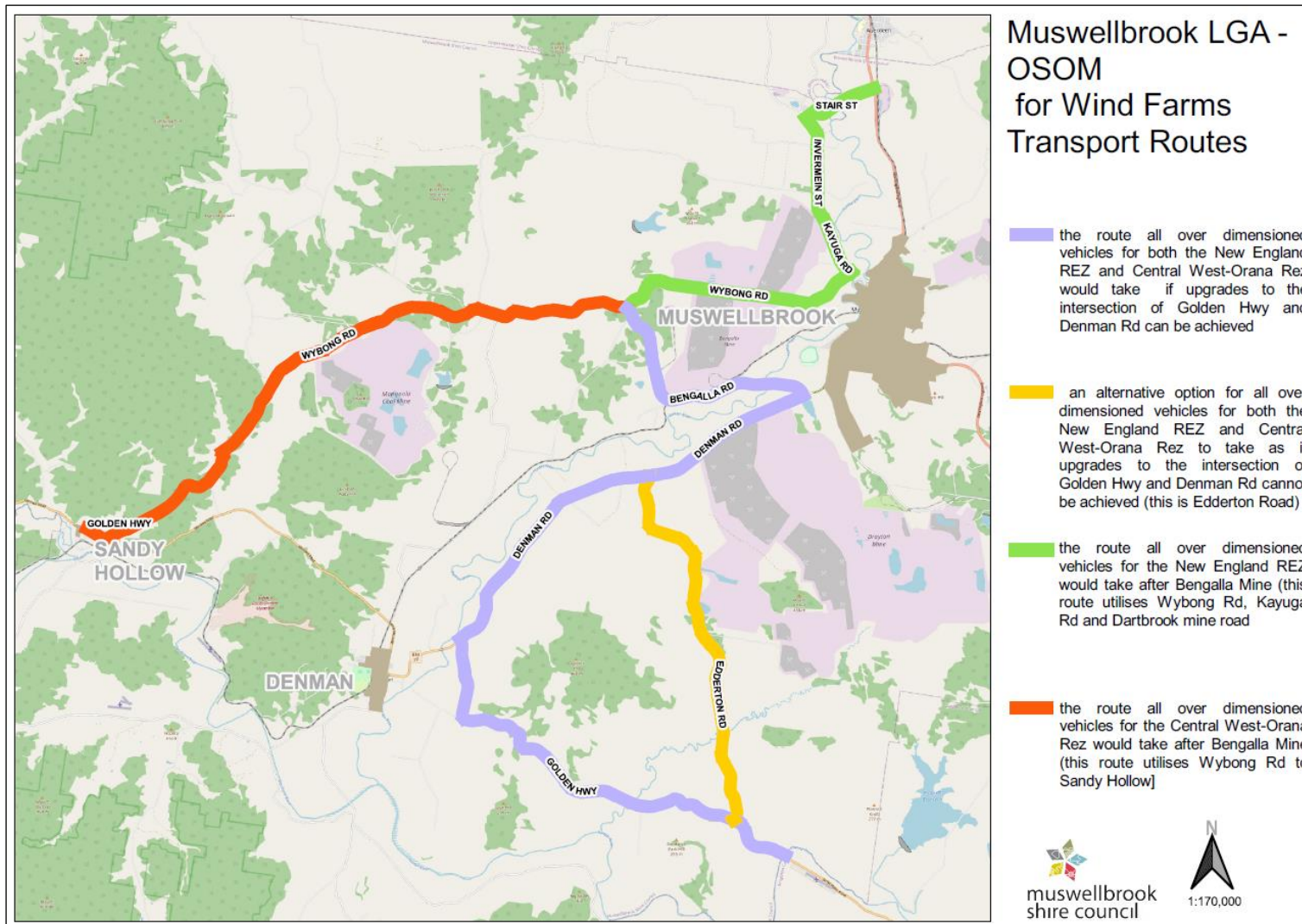


Figure 1 – Proposed OSOM Transport Route for Winterbourne Wind Farm using Council owned Local roads



**Figure 2 - Proposed OSOM transport route for projects to the north or west of Muswellbrook Shire**

## Objection

Council's State Significant Development Committee resolved on 3 November 2021:

***Authorises staff to object to all State Significant Development (SSD) that nominates the use of local roads in the Shire for transport of components to another LGA, until EnergyCo, Transport for NSW and Department of Planning Industry and Environment find a more strategic solution to managing transport issues that is acceptable to Council.***

### Background to Objection - Cumulative Impacts

1. Council has been approached by several renewable energy proponents seeking to use local roads to transport project components via the routes shown in **Figure 2**.
2. The REZ's have been declared under Clause 23 of the NSW *Electricity Infrastructure Investment Act 2020* and identified as a suitable area for renewable energy infrastructure by the NSW Government.
3. Use of Council local roads (as opposed to State roads) is a constraint caused by the Denman Road bridge crossing of the Hunter River (height limit restricted) and the Muswellbrook rail underpass on the New England Highway.
4. Currently, there are approximately 2,265 Over Size Over Mass (OSOM) (blade) movements proposed through the MSC LGA using Council local roads to access the Central West-Orana REZ.
5. There are approximately 879 OSOM blade movements proposed through the MSC LGA using Council local roads to access the New England REZ, or to access the regions surrounding the REZ
6. While some proponents will transport batteries, transformers, and towers as OSOM through the shire on Council's local roads, for simplicity in indicating the extent of the issue, only turbine blades are included in the table below.

Ref	Project	Planning Status	Construction Period	Turbine Details	Turbine Port Delivery / Route	OSOM Movements (blades)*
<b>Central West Orana Renewable Energy Zone (REZ)</b>						
1	Barneys Reef	Prepare EIS	28 months	441 MW 63 turbines ~100m blade	Newcastle via Golden Hwy - "Initial desktop analysis indicates the transport route may be constrained".	189
2	Burrendong	Prepare EIS	24 months	650 MW 105 turbines ~85m blade	Newcastle via Golden Hwy – Denman bridge not identified as a constraint.	315
3	Spicers Creek	Prepare EIS	24 - 30 months	730 MW 122 turbines 110m blade	Newcastle via Golden Hwy, Denman Road, Bengalla Road, Wybong Road.	366
4	Valley of the Winds	Submissions Report	-	800 MW	Newcastle via Golden Hwy -	444

Ref	Project	Planning Status	Construction Period	Turbine Details	Turbine Port Delivery / Route	OSOM Movements (blades)*
				148 turbines 90m blade	"Alternate routes may need to be investigated to use the NEH via Scone".	
5	Liverpool Range	Approved (not yet constructed)	29 months (WTG component delivery)	1,320 MW 220 turbines 90m blade	Newcastle via Golden Hwy, Denman Road, Bengalla Road, Wybong Road.	660
6	Uungula	Approved (not yet constructed)	24 - 30 months	400 MW 97 turbines ~85m blade	"Not resolved, assumed Port of Newcastle". No vehicles >5.6m in height proposed.	291
7	Bodangora	Operational	-	-		Did not use local roads
					<b>Total CWO REZ</b>	<b>2,265</b>
<b>New England Renewable Energy Zone and nearby sites</b>						
1	Hills of Gold	Amendment Report Exhibition	35 months	65 turbines ~84m blade	Blades – Bengalla Rd, Wybong Rd, Kayuga Rd, Invermein St Towers – Bell St, Victoria & Market St	195
2	Winterbourne	EIS Exhibition	24-30 months	119 turbines ~81m blade	Blades – Golden Hwy; Denman, Bengalla, Wybong, Kayuga Roads, Invermein and Stair St Towers – NEH, Thomas Mitchell Drv; Denman, Bengalla, Wybong and Kayuga Roads, Invermein & Stair St	357
3	Doughboy	Prepare EIS	18 months	52 turbines ~81m blade	Not specified	156
4	Rangoon	Prepare EIS	18 months	25 turbines ~85m blade	New England Highway	75
5	Thunderbolt	Submissions Report	24 months	32 turbines ~90m blade**	Blades - NEH (assumes split blade and final turbine selection <height clearance) Towers - Bengalla, Wybong, Kayuga Road, Ivermein & Stair St	96
					<b>Total NE REZ</b>	<b>879</b>
<b>Total OSOM Movements in MSC LGA (indicative)</b>						<b>3,144</b>

\*Values based on the number of proposed turbines. Assumes one truck movement per blade. Total includes Uungula.

\*\* Planning documentation proposes split blade. For this submission, split blade not assumed.

7. Whilst some proponents have indicated they will utilize the older style short blades, and could technically utilize the State Road Network, Council is concerned that these projects will seek a future modification for taller towers and longer blades requiring the use of local roads for transportation through the Shire.
8. There has been no cumulative assessment of the various impacts this many OSOM movements, resulting from planned and foreseeable future renewable energy projects (Council has been advised that pumped Hydro projects have many large components as well), will have on the assets, resources and community in Muswellbrook Shire. A cumulative impact assessment would employ an explicit methodology to model plausible future scenarios, understand the pathways of interaction of cumulative impacts and determine and describe thresholds and limits for traffic impacts.
9. Many proposed development timeframes for the renewable energy projects appear to occur at the same time.
10. Council's concern is on the unsustainable use of local roads and bridges that are not fit for purpose, by numerous large-scale projects.
11. Road conditions are broadly described as a country road standard with narrow lane widths, unformed shoulders, poor pavement depths and lighting, aged-sealed surfaces, drainage structures that will not support repeated heavy loads/turning movements and road weight limits; and road gradients unsuitable for transport of long loads. Some roads have known accident history including fatalities (discussed below) and form part of local bus routes.
12. The public are at risk of traffic related impacts from multiple projects i.e., cumulative road closures and cumulative OSOM movements (flashing lights and safety considerations). These roads and intersections form part of the designated access to coal mines and horse studs, carry high volumes of traffic at peak times and disruption can cause significant issues for these businesses. Businesses include:
  - Maxwell Underground Mine;
  - Mt Arthur Mine;
  - Bengalla Mine;
  - Mt Pleasant Mine;
  - Mangoola Mine;
  - Dartbrook Underground Mine;
  - Coolmore Stud
  - Darley Woodlands Stud
  - Edenglassie Stud
  - Balmoral Stud
13. Coal mining occurs 24/7, with a change of shift every 10 to 12 hours, so any night time/early morning transport may impact on shift changes.
14. Some of these roads are maintained by mining companies, and the mining operations are prohibited from using some of these roads (as terms of approvals) due to safety issues arising from poor alignment and weight limited structures.
15. There are no direct benefits to the ratepayers of Muswellbrook Shire (e.g., Employment opportunities) and yet ratepayers are at risk of:

- a) Funding costs associated with the accelerated deterioration of the local road network and staff time required to create legal agreements and monitor impacts. Escorting OSOM and repair of any damage or removal and reinstallation of road furniture will come at great cost to Council;
- b) The inconvenience of temporary road closures. Council Officers recommend that this impact could be minimised by extra widening of corners to reduce the number of turning movements required to allow OSOM vehicles to negotiate them;
- c) Safety issues of encountering large numbers of OSOM vehicles on local roads (see below for Coroner's recommendations relating to Wybong Road);
- d) Amenity impacts for residents of traffic noise, flashing lights and other unfavourable impacts, particularly if night movements are proposed; and
- e) Diversion of Police resources to escort duties.

16. The Coroner has made several recommendations following a fatal car accident (decapitation) on Wybong Road between a light vehicle and an escorted prime mover. Key recommendations were in relation to OSOM travelling on narrow country roads, as described below:

- *The current legislation requires wide load escorts for any load wider than 3.5 metres. Wide loads under 3.5 metres require an over mass/oversize permit, flashing warning lights, flags and signs, but does not require a pilot/escort vehicle. The current legislation does not appear to take into account wide loads which are required to travel on narrow country roads.*
- *A review of the wide load escort requirements should be undertaken to address amendments in the legislation. The relevant legislation should be amended to reflect travel performed on narrow roads. The maximum width without pilot vehicles, on country roads, particularly on narrow roads should be altered to 3 metres.*
- *Additional escort vehicles should be required where the total road width at any point is less than 6 metres width.*
- *If these recommended amendments to the pilot/escort vehicle requirements had been in place than this collision may not have occurred as the pilot/escort vehicle would have provided sufficient warning of the oversize vehicle to oncoming vehicles.*
- *An amendment to the legislation may avert any similar collisions occurring in future.*
- *It is recommended that a formal review of the legislation, particularly in relation to pilot/escort vehicle requirement for oversize vehicles on narrow roads, be undertaken with a view of implementing the recommendations as detailed above.*

17. If approved, every project Proponent would need to enter into a Deed of Agreement and Maintenance Agreement with Council. Significant bank guarantees would be required to enable Council to undertake maintenance work to roads in the likely scenario that none of the Proponents accepts that their transportation effort caused the damage to the roads. Muswellbrook Shire ratepayers should not pay for the staff time and resources required for this.

18. Every load would need to be escorted by Council staff and regular dilapidation reports sought so that damage is identified within an appropriate timeframe and able to be apportioned to a particular Proponent.
19. Widened intersections would need to be designed to avoid other road users “cutting corners” and speeding excessively through newly widened areas.
20. As significant upgrades will be required to these roads, their asset value will change and Council maintenance costs will increase to reflect the new standard e.g. 8m wide road compared to a 5.5m wide road. Furthermore, the newly upgraded roads may encourage use by motorists who would normally access the shire via the State Road network (e.g., a short cut between Sandy Hollow and Scone).
21. The Mining Industry have indicated they do not support a project-by-project approach where each Proponent seeks individual landholder agreements (mining companies own a significant amount of land on the transport route).
22. Some areas of land are under long term lease agreements between mining companies and landowners. The proposed transport route will mean a permanent resumption of land as access would be required not only for the project construction period, but also if blades needed to be replaced or more turbines are added in a staged development.

### **Background to Objection - Planning Issues**

23. A strategic solution to the transport of over-dimensional equipment on local roads has not yet been proposed to ensure all issues are being captured and a practical and workable solution for Council, wind farm proponents and mining companies and other landowners is identified.
24. A strategic approach would benefit the community by improving safety, reducing the number of consultations/negotiations for access over private land and by undertaking upgrade works once, not several times depending on the component size of each wind farm.
25. Council Officers have consulted with EnergyCo, Transport for NSW and Department of Planning and Environment (DPE) regarding Council's concerns for more than 12 months, the most recent correspondence received from DPE on 15 February 2022, on behalf of the Minister of Energy and Environment, stated:

*“EnergyCo is committed to working with Council to ensure impacts on the road network throughout the Muswellbrook LGA are appropriately managed and a coordinated approach to this issue is developed.*

*EnergyCo and Transport for NSW have already commissioned a road access study to identify the constraints on the road network between Newcastle and the Central West-Orana and New England REZs.*

*The study will be completed in the near future and... the consultant has been asked to consider impacts on local road networks and include recommendations for addressing these issues.*

*EnergyCo will seek to engage further with Council on these important matters once the study has progressed.*



26. EnergyCo briefed Council's SSD Committee on 21 November 2022 and held a meeting with Council Officers on 28 November 2022 to discuss Council's objection. This meeting indicated work is underway to identify possible solutions but is not finalised.
27. It is Council's preference that the CWO REZ and HNE REZ have continuous State Road access from the Port of Newcastle to the 'last mile' before the project destination. Requests to re-classify Council local roads has been forwarded to TfNSW - a formal response has not been provided.
28. Council's preference is also for single route option utilising a limited number of roads for all blade and tower components rather than impacting a greater number of roads including roads through residential areas:
  - a) To the north via the planned Muswellbrook Bypass. Until this is constructed, Council Officers would prefer Golden Highway, Denman Road, Bengalla Link Road, Wybong Road East and Kayuga Road.
  - b) To the west via the Golden Highway.
29. It is Council's preference that if local roads are used, that roads are upgraded to "purpose built" to minimise maintenance costs over the long term.
30. Council is eager to be involved in a strategic plan/approach so that issues raised would be adequately addressed and the objection removed.

It should be noted that Council is not opposed to renewable energy development.

Should you need to discuss the above, please contact Theresa Folpp, Development Compliance Officer on 02 6549 3700 or email [council@muswellbrook.nsw.gov.au](mailto:council@muswellbrook.nsw.gov.au).

Yours faithfully



Sharon Pope  
**Director Environment and Planning**