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Please address all mail to:
The General Manager

Please refer enquiries to:

Warrumbungle Shire Council Briefing Note for the Independent Planning Commission Proposed Spicers Creek Wind Project

Warrumbungle Shire Council ('WSC') welcomes the opportunity to brief the Independent Planning Commission (IPC) on the Central West Orana Renewable Energy Zone ('CWO REZ'), the Council itself and the Proposed Spicers Creek Wind Project ('Project').

1. REZ Overview

There are approximately 40 renewable energy generation projects located in or immediately adjacent to the CWO REZ. About ten have been or are currently being constructed. Within or adjacent to the Warrumbungle Shire southern boundary there are currently ten proposed generation projects, including Spicers Creek Wind Project - see Attachment 1. The proposed EnergyCo transmission line is also in the Shire. Approximately 10,000 construction workers are expected to be stationed in the REZ from 2026 to 2030.

2. Warrumbungle Shire

Warrumbungle LGA has a population of 9,225 (Year 2021) of which 10% are Aboriginal. The main towns are Coonabarabran (population 3,170), Coolah (1,280) and Dunedoo (1,250). The main industry is primary production. The unemployment rate at the last census was 6%. About 29% of households have a weekly income of < \$650. Being a Shire Council, Warrumbungle does not have the same resource capacity its two regional neighbours and that is a major challenge when addressing the planning and assessment demands of the REZ.

There is a high level of awareness in the community about the proposed REZ developments. Over the past three years a large amount of Council's resources have been invested in engaging with EnergyCo, Department of Planning, Housing & Infrastructure, project developers, neighbouring councils and our residents and ratepayers. That engagement has been intense and long-running, including inputs to EISs, reviewing the adequacy of EISs, reviewing Responses to Submissions, reviewing Amendment Reports, reviewing draft Conditions of Consent, meeting with local communities and meeting with Ministers and other authorities, etc.

3. Main Issues – REZ General

The main REZ - related issues for Council and its communities are:

- a) **Keeping project-related traffic on the consented access routes and off non-consented local roads.** Project workers always find the shortest routes and will use non-consented local roads as 'rat runs'. Our local roads, generally described as 'minor roads' are often rudimentary, of gravel construction, winding and only designed for minimal traffic movements. Additional traffic will likely cause major

damage. Ratepayers should not have to carry the cost generated by major developments;

- b) **Ensuring local roads that are prescribed as access routes are upgraded, at the developer's cost, to an appropriate standard and are repaired and maintained to that standard for the life of the Project, especially post construction, upgrading/repowering and decommissioning.**
- c) **Ensuring cumulative impacts arising from the REZ projects are properly quantified and the local communities are compensated.** The potential adverse cumulative impacts (environmental, social and economic) associated with changing a long-established rural region to a quasi-industrial one are very significant. Please note that on 16 May 2024 WSC was advised by DPHI that the department is to conduct 'front-end' comprehensive Cumulative Impact Assessments for the SW REZ and NE REZ. Such a study was not conducted by the State Government for the CWO REZ. The best effort was initiated by MWRC which funded its own study. See link: <https://www.midwestern.nsw.gov.au/files/assets/public/v/1/development/mwrc-managing-the-impacts-of-ssd-final-v.01.pdf> ;
- d) Ensuring environmental, social and economic costs associated with REZ projects are carried by the developers and not outsourced to local residents and ratepayers;
- e) Ensuring there are commensurate social and economic benefits flowing to the LGA; and
- f) Having its voice heard and acted upon by the various government authorities and the developers.

4. Main Issues- Proposed Spicers Creek Wind Project + BESS

WSC carefully evaluated the EIS and made the merit-based decision that the EIS was inadequate thus the lodging of an objection was appropriate.

The key concern is cumulative impacts arising from this plus a dozen other REZ projects in and adjacent to Warrumbungle Shire. Allied with this is the impact on Council-owned roads as mentioned above.

5. Roads

It would appear that, contrary to what is stated in Draft Conditions B30, B32 and Appendix 7 Table 2 (Road Upgrades by Applicant), there will be approx. **11km of WSC-owned roads within the southern portion of the project footprint** which could be significantly impacted. The WSC road segments are (see Attachment 2: 7 February 2023 diagram titled Spicers Creek WF: Landowners Consent Warrumbungle Shire Council (Drawing No 240) showing WSC roads):

- Bald Hill Road (5 km) between the western LGA boundary and Sandy Creek Road;
- Sandy Creek Road (3 km) between Bald Hill Road and southeasternmost project access road gate;
- Dapper Road (0.3 km) between Bald Hill Road and the northernmost project access road gate;
- Diehm Road (1 km) between Bald Hill Road and the southernmost project access road gate; and
- Lambing Hill Road (1.2 km) between Sandy Creek Road and the southernmost project access road gate.

The Conditions of Consent drafted by DPHI seem to suggest that these roads will only be 'crossed' from one side to the other by project traffic (as referenced at the end of Appendix 7, Table 2) but that traffic will not travel 'along' the said roads.

To be clear, despite the inference in the title of Drawing No 240, WSC has not given unilateral consent to use of Council's roads.

Please also see Attachment 3: 13 March 2023 diagram titled Spicers Creek WF Proposed Infrastructure (Drawing No 259).

According to Attachment 3 there appears to be:

- a) Eleven turbines to be located on land near the WSC roads;
- b) Three site compounds (see Attachment 4 – Indicative compound design) to be located on land to the north of Sandy Creek Road near the junction with Lambing Hill Road; and
- c) One electrical substation to be located on land to the north of Sandy Creek Road near the junction with Lambing Hill Road;

WSC understands the developer proposes that the above infrastructure will be accessed via meandering farm tracks/roads and not along Council's roads, only cross them.

WSC asserts that whilst this proposition might be fine in theory, the practical reality is that workers will be emboldened to use Council's roads because it will be more convenient and save a lot of time, compared with using the private farm roads to traverse to and from Dubbo RC's consented access roads well to the west.

Given the likely realities, WSC asserts that the burden of proof must rest with the developer to ensure Project-related traffic does not use its public roads.

Thus, with regard to consenting the project, WSC requests that a precautionary approach be adopted, namely that Appendix 7 Table 2 (Road Upgrades by Applicant) list each of the abovementioned road segments and require:

'Prior to commencing project construction, intersections on WSC-owned roads must be upgraded to provide for safe turning movements of the largest vehicles accessing these locations during all phases of the project (at least a 21m semi-trailer). Said roads must also be widened to safely cater for two-way traffic flow generally in accordance with Austroads Guide to Road Design AGRD03 (Table 4.5 carriageway widths). Detailed designs are to be approved to the satisfaction of Council under the Roads Act prior to any work being undertaken.'

And

'After construction of the development has concluded, WSC-owned gravel roads must be re-sheeted with aggregate material. The pavement upgrade thickness is to be designed in accordance with Austroads Guide to Pavement Technology and relevant Council specifications, to restore the road pavement design life to that which has been lost as a result of project traffic to date and is sufficient to accommodate future traffic loads. The design Equivalent Standard Axle (ESA) value shall not be less than 2×10^5 ESAs unless with Council's written agreement'.

Additionally, Condition B33 (Road Maintenance and Dilapidation Surveys) should be amended to reference the above WSC-owned roads as requiring both pre-construction and post-construction dilapidation surveys, and the developer to make good any damage or defects arising within 24 months of upgrades or maintenance.

Condition B35 (Traffic Management Plan): WSC requests the addition of *'The Applicant shall take all reasonable steps to enforce and demonstrate compliance with the prescribed access routes to the satisfaction of TfNSW and the local Councils. Such compliance measures may include, inter alia, enforceable GPS-tracking of individual vehicles, active surveillance, incentivisation and disciplinary actions and monthly lodgement of electronic compliance reports with the Councils.'*

If the IPC has any queries regarding the above, please don't hesitate to contact Ms Leeanne Ryan, Director Environment and Development Services on email Leeanne.Ryan@warrumbungle.nsw.gov.au

Attachment 1: Proposed Renewable Energy Generation Projects & Transmission Projects Planned for Warrumbungle LGA

No	SITE	HOST COUNCIL	MW CAPACITY	CIV (\$)
1	Liverpool Range WF	95% WSC 5% UHSC	1,332	3,400 Mil
2	Valley of Winds WF	100% WSC	943 + 320MW BESS	2,300 Mil
3	Orana WF PROJECT BEING REVISED	90% WSC 10% MWRC	542 + 100MW BESS	1,200 Mil
4	Spicers Ck WF	91% DRC 9% WSC	730 + 400MW BESS	2,000 Mil
5	Dapper SF	90% WSC 10% DRC	300 + 300 MW BESS	450 Mil
6	Sandy Ck SF	60% WSC 40% DRC	750 + 700MW BESS	1,200 Mil
7	Avonside SF	100% WSC	180 + 400MW BESS	3,400 Mil
8	Cobbora SF	90% WSC 10% DRC	700 + 200MW BESS	1,000 Mil
9	Dunedoo SF	100% WSC	55 + 60MW BESS	100 Mil
10	Birriwa SF	95% MWRC 5% WSC	600 + 600MW BESS	1,000 Mil
	Total Generation Capacity of the above		6.172 GW	
11	EnergyCo Transmission Line			3.2 Bil

WSC = Warrumbungle SC; DRC = Dubbo Regional Council; MWRC = Mid-Western Regional Council;
 UHSC = Upper Hunter Shire Council
 Dunedoo SF is approved

Margaret Mason

From: [REDACTED]
Sent: Tuesday, 20 August 2024 1:07 PM
To: Margaret Mason
Cc: 'Roger Bailey'; leeanne.ryan; 'Nicole Benson'
Subject: FW: WSC roads impacted by the proposed Spicers Ck WF

Importance: High

Dear Margaret,

WSC would be most grateful if you could please draw this email string to the attention of the Commissioners appointed to address the proposed Spicers Creek Wind Farm.

It contains material information pertaining to proposed project-related traffic using WSC's roads.

Kind regards,

Warwick

Warwick Giblin

Principal, ESE Justice

Adjunct Professor, Faculty of Science, Agriculture, Business & Law, University of New England

Fellow, Royal Society of NSW

Fellow, Environment Institute of Australia & New Zealand

Ph 0419 271 819

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From: [REDACTED]
Sent: Tuesday, August 20, 2024 1:01 PM
To: 'Trish McDonald' <[REDACTED]>
Cc: 'Bevan Crofts' <[REDACTED]>; 'Nicole Benson' <[REDACTED]>; 'Leeanne Ryan' <[REDACTED]>; 'Nicole Brewer' <[REDACTED]@au>; 'Natasha Homsey' <[REDACTED]>; 'Roger Bailey' <[REDACTED]>; 'Ambrose Doolan' <[REDACTED]>
Subject: RE: WSC roads impacted by the proposed Spicers Ck WF

Thank you, Trish. Will review and revert.

Kind regards,

Warwick

Warwick Giblin

Principal, ESE Justice

Adjunct Professor, Faculty of Science, Agriculture, Business & Law, University of New England

Fellow, Royal Society of NSW

Fellow, Environment Institute of Australia & New Zealand

Ph 0419 271 819

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From: Trish McDonald <[REDACTED]>
Sent: Tuesday, August 20, 2024 12:07 PM
To: [REDACTED]

Cc: 'Bevan Crofts' <[REDACTED].au>; 'Nicole Benson'

<[REDACTED]>; 'Leeanne Ryan' <[REDACTED]>; 'Nicole Brewer' <[REDACTED]>; 'Natasha Homsey' <[REDACTED]>; 'Roger Bailey' <[REDACTED]>; 'Ambrose Doolan' <[REDACTED]>

Subject: WSC roads impacted by the proposed Spicers Ck WF

Hi Warwick

Thanks for your further enquiry.

In relation to your points below:

- a. It is acknowledged that some use of other local roads, including Warrumbungle Shire Council roads, may be used based on the location of Project workforce, to afford reasonable flexibility to local workers. It is expected that any usage would be very minor noting the plan to house the construction workforce primarily in the Dubbo Regional LGA.
- b. Any project-related traffic will be limited to light vehicles used by locals who may be employed to work on the Project. The Project will not use Warrumbungle Shire Council roads for heavy vehicle or OSOM movements.
- c. Estimates have been made that up to 20% of the construction and operational jobs that will be secured by locals. SQE has provided further commitments in relation to construction worker movements, including SQE will bus workers to and from site from the planned worker accommodation which will be the key housing location for the construction workforce. Further, it is estimated that 80% of the construction workforce will be based in Dubbo.

The Traffic Impact Assessment assumed that the Project may conservatively generate up to 24 light vehicle traffic movements in the construction phase (up to 40 months) during the AM peak that may use the Gollan Road / Goolma Road intersection (and therefore reasonably use Warrumbungle Shire Council roads to access the site). This traffic generation is considered highly conservative and would only be for the construction period. Once operational, the Project would generate up to 12 full time equivalent employees which would generate very minor traffic movements, depending on the location of the workforce.

However, to provide further comfort to Warrumbungle Shire Council, SQE will commit to further limit this to no project-related traffic traversing along the roads noted in your email to Project site access points, unless in an emergency to avoid loss of lives, property and/or prevent environmental harm. This restriction would not apply to:

- any employees that reside on these roads
- the infrequent use of the roads for consultation with neighbouring landowners or environmental monitoring in the vicinity
- work associated with the construction of road crossings which will be the subject of a secondary approval process (refer email 16/8/24).

In addition, SQE could commit to road signage placed on restricted roads to inform any Project-related employees not to use them, subject to Warrumbungle Shire Council approval.

These commitments could be included within the Traffic Management Plans and Driver Code of Conduct for the project.

Regarding “how?”, restriction of site access is common practice in the construction industry and at industrial developments. SQE are committed to ensuring that all proposed traffic management measures are adhered to during the construction and operation of the Project.

SQE has committed to a number of management measures in relation to potential traffic related impacts, including:

- Engagement of a licensed and experienced transport contractor with experience in transporting similar wind farm component loads. The contractor would be responsible for obtaining all required approvals and permits from the TfNSW and local Councils and for complying with conditions specified in the approvals.
- Development of a Construction Traffic Management Plan (CTMP) detailing appropriate construction traffic controls and management measures in consultation with Councils and TfNSW. It is acknowledged that, on occasions, local traffic will be inconvenienced however the management measures within the CTMP would endeavour to mitigate impacts as far as practicable. The CTMP would detail the following:
 - Transport routes and vehicle types, including OSOM.
 - Protocol for undertaking road dilapidation surveys including inspection regimes.
 - Measures to be implemented to minimise traffic safety issues and disruption to local road users including consideration of cumulative impacts with other projects.
 - Drivers’ code of conduct that would require the use of designed accesses. There would be a three strikes policy, being if anyone was found to not be following requirements on 3 occasions, they would no longer be able to work on the Project.
- Undertake road infrastructure upgrade works to allow OSOM transport along the proposed transport routes, in consultation with transport contractor, Councils and TfNSW (subject of a separate approval being undertaken by the NSW Government).
- Prior to commencement of construction, SQE will establish and agree a road dilapidation program with the relevant Council for local roads used by Project construction phase traffic.
- Provision of bus services for construction staff from Dubbo along with car pooling initiatives to minimise light vehicle movements.
- In order to minimise interruption to the school bus routes, it is planned that OSOM and other heavy vehicle deliveries would occur outside school hours as follows:
 - No OSOM/heavy vehicles will use site accesses between the hours of 8:00 am and 9:30 am on a school day.
 - No OSOM/heavy vehicles will use the site accesses between the hours of 2:30 pm and 4:00 pm on a school day.
 - No OSOM/heavy vehicles will travel past the school bus stop at Sweeneys Lane between the hours of 2:30 pm and 4:00 pm on a school day.
- Assorted lay-by areas/rest stops along the designated OSOM and heavy vehicle transport route (Golden Highway) will be utilised to ensure OSOM vehicles do not restrict traffic flow during any bus operation periods.
- School bus operators will be consulted as part of the development of the CTMP and will be notified of any planned works along school bus routes as per the Project’s community

consultation plans. Traffic management that restricts traffic flow would be avoided during the period that the school buses are operating along those roads.

- For standard heavy vehicle movements, appropriate notifications will be provided in driver and sub-contractor inductions, particularly with respect to school bus interactions.

A monitoring program will be implemented to confirm that the management commitments are being adhered to relating to traffic management, including that the designated access points are being consistently used in accordance with commitments.

I trust this answers your questions. Please let me know if I can be of further assistance.

Thanks

Trish McDonald

Squadron Energy

+61 436 694 644

From: [REDACTED] <[REDACTED]>
Sent: Friday, August 16, 2024 5:52 PM
To: Trish McDonald <[REDACTED]>
Cc: 'Bevan Crofts' <[REDACTED]> 'Nicole Benson' <[REDACTED]>; 'Leeanne Ryan' <[REDACTED]> 'Nicole Brewer' <[REDACTED]>; 'Natasha Homsey' <[REDACTED]> 'Roger Bailey' <[REDACTED]>; 'Ambrose Doolan' <[REDACTED]>
Subject: RE: WSC roads impacted by the proposed Spicers Ck WF
Importance: High

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Dear Trish,

Thank you for your note below and the follow-up chat today.

To recap, the main point of my inquiry was, in effect, to seek an answer to the question 'will there be any project related traffic traversing along the WSC said roads listed in my email below'? To be clear, not across said roads but along them. See attached map showing said roads.

It is my understanding from the discussion that you said that:

- a) in all likelihood, yes there will be project-related traffic travelling along - as well as across - said roads;
- b) That the project-related traffic will be limited to light vehicles used by locals who may be employed to work on the project; and
- c) It is unknown at this time the likely quantum or frequency of said vehicular traffic.

Please correct me if I mis-understood any points.

Assuming the above is correct, there are approx. 11 kms of WSC -listed roads that will be potentially impacted by additional traffic.

Council is equally concerned as to **HOW** SQE plans to ensure compliance with vehicles using only the prescribed roads that will have upgrade & maintenance standards under the Consent. Please explain how SQE will restrict traffic to locals-only? Council doubts that is likely to happen in reality.

WSC requests urgent discussions with SQE to settle on amendments to the CoC that will protect the Council's road assets.

Kind regards,
Warwick

Warwick Giblin
Principal, ESE Justice

Adjunct Professor, Faculty of Science, Agriculture, Business & Law, University of New England
Fellow, Royal Society of NSW
Fellow, Environment Institute of Australia & New Zealand
Ph 0419 271 819

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From: Trish McDonald <[REDACTED]>
Sent: Friday, August 16, 2024 11:52 AM
To: [REDACTED]
Cc: Bevan Crofts <[REDACTED]>; 'Nicole Benson'
<[REDACTED]>; Leeanne Ryan <[REDACTED]>; Clay Preshaw <[REDACTED]>; Nicole Brewer <[REDACTED]>
<[REDACTED]>; Natasha Homsey <[REDACTED]>
Subject: RE: WSC roads impacted by the proposed Spicers Ck WF

Hi Warwick

You have queried the use of WSC public roads by SCWF project-related traffic, and SCWF's plans for upgrade and maintenance works. As a starting point, the DPHI's recommended instrument of consent requires the Applicant to:

- carry out road upgrades and treatments to the roads listed in Appendix 7 of the consent. This includes a requirement to construct public road crossings for safe crossing by the largest vehicles on the following roads in the WSC LGA (as shown on Figure 2: Site Access), to the satisfaction of the relevant roads authority: Bald Hill Road, Dapper Road, Diehm Road, Sandy Creek Road and Lambing Hill Road (Condition B32); and
- repair any development-related damage to these crossing points (Condition B33).

All vehicles will be required to enter via the site access points referenced in the recommended conditions which are within Dubbo Regional Council LGA. There will be no site access to the rest wind farm at the proposed crossing points in WSC LGA.

These public road crossings will of course need to be the subject of a s138 Roads Act approval, after Project approval has been granted. While the extent and location of the public road crossings are subject to detailed design, the Applicant would welcome the opportunity to engage with the Council as the relevant roads authority for these roads, as soon as possible in relation to this secondary approval process.

The process of detailed project design will also finalise the details of each crossing, which may be a combination of the following:

- access track;
- underground cables;
- overhead cables.

While the s138 Roads Act permit will regulate the physical works carried out in the road reserve, the long-term land tenure for any infrastructure in the road reserve (either overhead or underground transmission) will also need to be arranged. Squadron Energy proposes that such crossings should be recorded as easements, and seeks to negotiate a Deed of Agreement to Grant Easements, with the Council.

Squadron Energy has commenced consultation with the Council in relation to the public road crossings, and it would be timely to progress that now that the Project has advance in the development assessment process. Attached is our email to the Council dated 15 March 2023 including response to Council's queries.

In the meantime, Squadron Energy will prepare a series of plans, showing each public road crossing within WSC LGA for discussion purposes (noting that they are draft and subject to detailed design).

I trust this answers your questions. Please let me know if I can be of further assistance.

Thanks

Trish McDonald

Acting Head of Project Development
Development



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W squadronenergy.com

Squadron Energy acknowledges the Traditional Owners and ongoing Custodians of the lands and waters on which we operate. We pay our respects to Elders past, present and emerging.

A proud sponsor of the RACQ Capricorn Helicopter Rescue Service and the Westpac Rescue Helicopter Service, Tamworth and Lismore.



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From: [REDACTED] >

Sent: Tuesday, August 13, 2024 8:38 PM

To: Trish McDonald <[REDACTED]>

Cc: Bevan Crofts <[REDACTED]>; 'Nicole Benson'

<[REDACTED]> Leeanne Ryan <[REDACTED]>; Clay

Preshaw <[REDACTED]> 'Nicole Benson' <[REDACTED]>

Subject: WSC roads impacted by the proposed Spicers Ck WF

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Hi Trish,

If you don't mind, I take this opportunity to seek your comments on the following please.

WSC is currently of the understanding that approx. 11km of WSC-owned roads within the southeast corner of the project footprint will be utilised by project-related traffic.

Council understands the road segments to be:

- a) Bald Hill Road (5 kms) between western LGA boundary and Sandy Creek Road;
- b) Sandy Creek Road (3 kms) between Bald Hill Road and southernmost project access road gate;
- c) Dapper Road (0.3 km) between Bald Hill Road and the northernmost project access road gate;
- d) Diehm Road (1 km) between Bald Hill Road and the southernmost project access road gate; and
- e) Lambing Hill Road (1.2 kms) between Sandy Creek Road and the southernmost project access road gate.

Thus we understand there is more involved than just public road crossings as referenced in DPPI's CoC.

Could you please advise what if any use, and if so, what plans SQE may have for upgrading and maintenance works.

I look forward to your response.

Kind regards,

Warwick

Warwick Giblin

Principal, ESE Justice

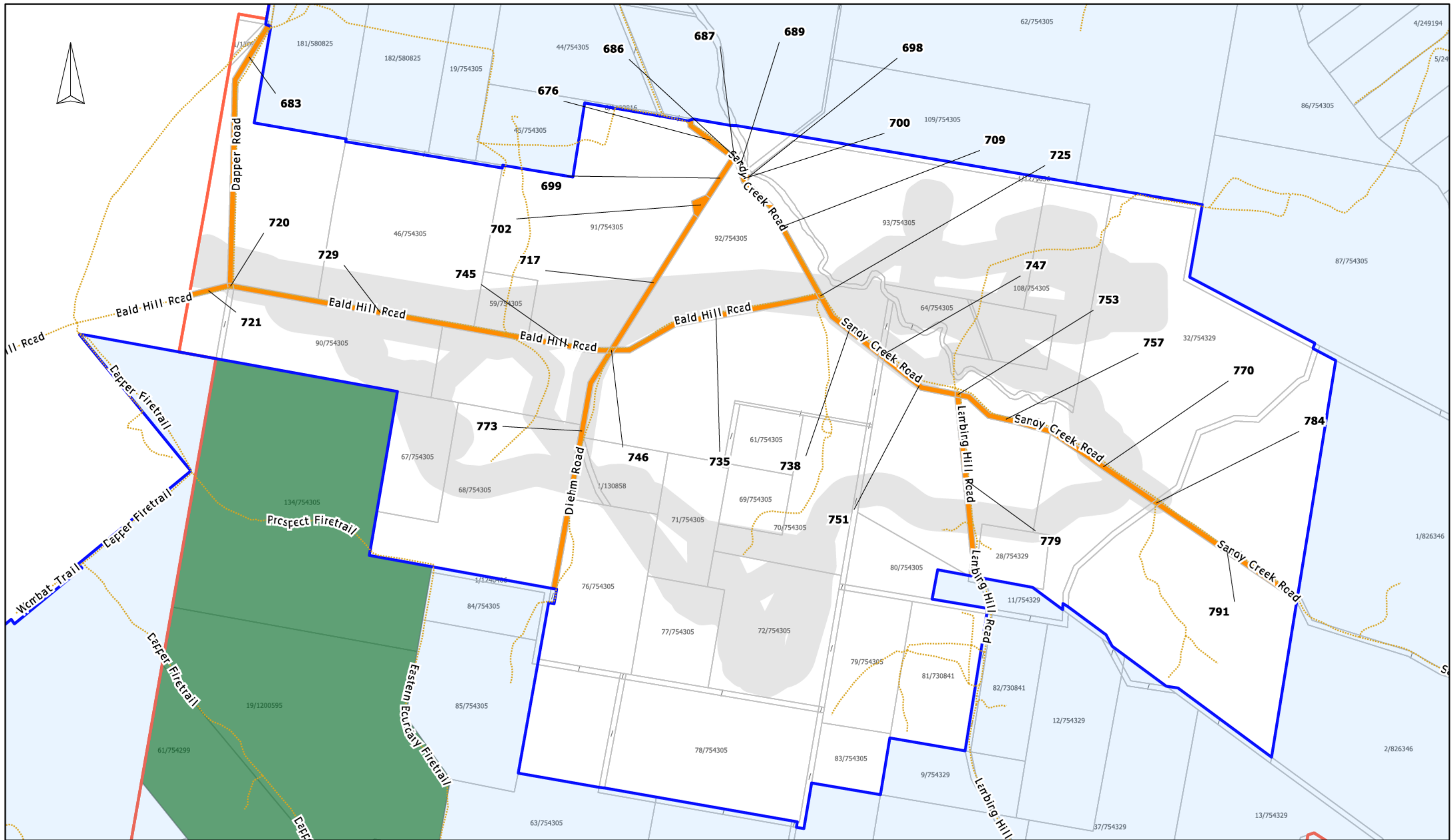
Adjunct Professor, Faculty of Science, Agriculture, Business & Law, University of New England

Fellow, Royal Society of NSW

Fellow, Environment Institute of Australia & New Zealand

Ph 0419 271 819

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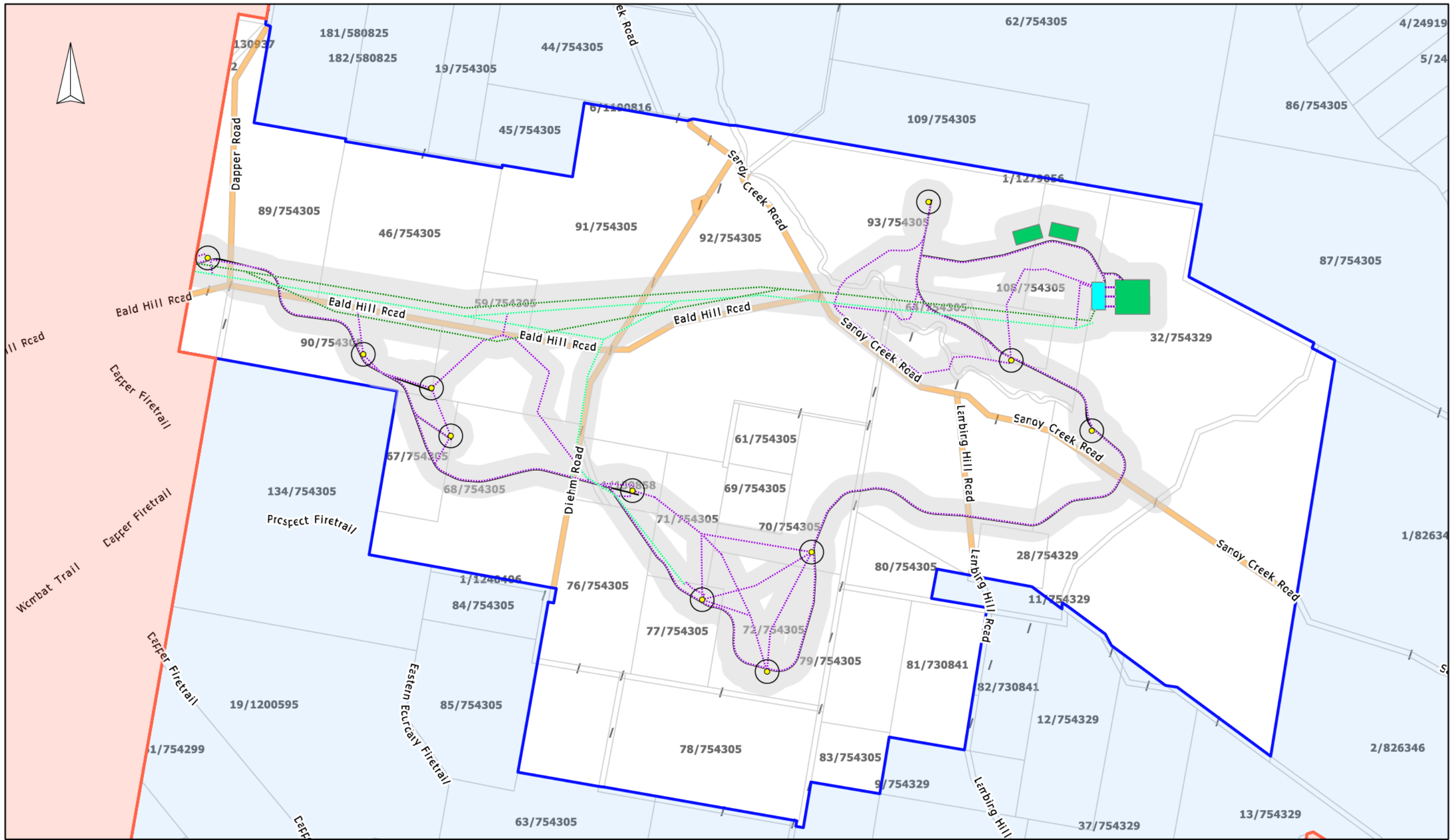


LEGEND

ID No. Unique Identification Number	Freehold Lot	Project Site
LGA Local Government Area Boundary	Council Lot	Local Government Area Boundary
Lot/DP Lot/DP	Development Corridor	NWPS Estate

SCALE BAR

COMPANY				
SPICERS CREEK WIND FARM				
TITLE				
Landowner's Consent - Warrumbungle Shire Council				
DATE	SCALE	DWG NO	REV	VER
7 February 2023	1:27000	240	A	1
DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE
K Thomson	T McDonald	2 OF 2	SCWF	A3



LEGEND

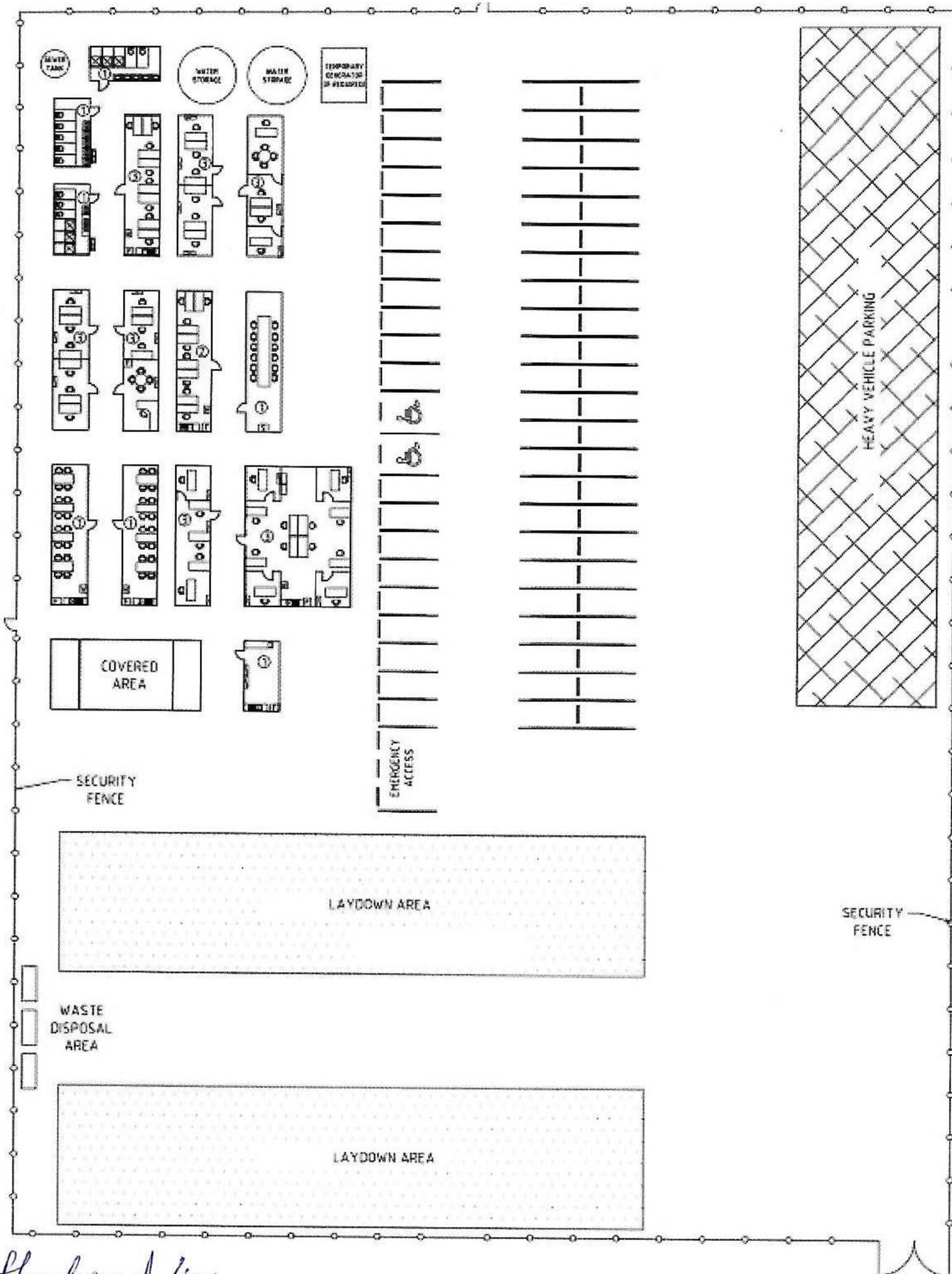
Project Site Boundary	Wind Turbine Generator	Freehold Lot
Outside Project Site Boundary	Blade Oversail	Council Lot
Development Corridor	Access Track (OSOM)	Warrumbungle Shire Council Local Government Area
Site Compound	Overhead Powerline (HV)	Other Local Government Area
Substation	Overhead Powerline (MV)	
	Underground Powerline	

SCALE BAR

0 1 km

COMPANY		SPICERS CREEK WIND FARM			
TITLE		Spicers Creek Wind Farm Proposed Infrastructure			
DATE	SCALE	DWG NO	REV	VER	
13 March 2023	1:27000	259	A	1	
DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE	
K Thomson	T McDonald	1 OF 1	SCWF	A3	

An area approximately 100 m by 100 m of the temporary construction compounds will be retained for permanent use during the life of the Project as operations and maintenance compounds.



Attachment 4:

Figure 3.1 Indicative concept for wind farm temporary construction site offices and compounds