



**THERESA FOLPP**

**OBJECT**

Submission No: 165270

Organisation: <i>Muswellbrook Shire Council</i>	Key issues: <i>Traffic and transport, Social and economic</i>
Location: <i>New South Wales 2333</i>	
Submitter Type: <i>I am someone whose legal consent is required for the development application to proceed under NSW planning laws</i>	
Attachment: <i>Thunderbolt Wind Farm - Muswellbrook Shire Council Submission to the Independent Planning Commission.pdf</i>	

Submission date: 3/22/2024 4:40:13 PM

*See attached*

**Enquiries**  
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**Direct** 02 6549 3700  
**Our reference** CM 24/14449

22 March 2024

**Professor Neal Menzies**  
**Commissioner (Panel Chair)**  
**Independent Planning Commission**

Dear Mr Menzies

**Muswellbrook Shire Council Submission to the Independent Planning Commission in relation to the Thunderbolt Wind Farm (SSD-10807896)**

Muswellbrook Shire Council (Council) has reviewed the Assessment Report and recommended development consent conditions for the Thunderbolt Wind Farm (SSD-10807896) (the Project), a Project that is currently under consideration by the Independent Planning Commission (IPCn).

As noted in the Assessment Report, Council has raised concerns to the Project due to the:

- Cumulative impact of the use of local roads and bridges, that are not fit for purpose, to construct numerous large-scale renewable energy projects to the north and west of Muswellbrook; and
- Social and economic costs of these transit routes and how they will adversely affect the Muswellbrook community.

The concerns raised were by way of an objection outside of the exhibition period, as Council was not formally consulted during the exhibition period even though the Project proposes the use of Council local roads (discussed below).

A background summary of Council's issues is provided below.

**Background to Issue**

Since 2021, Council has been receiving enquires from proponents of renewable energy projects in the New England REZ and the Central West-Orana REZ, requesting to use Muswellbrook Shire local roads to transport Over Size Over Mass (OSOM) components.

Current physical restrictions and limitations on the State Road network through the Shire have been identified as barriers to the movement of OSOM freight movements required for the development of the State's Renewable Energy Zones and State Significant Development (SSD).

When staff raised the matter with the NSW Department of Planning, Housing and Infrastructure (DPHI), Council was initially advised to simply assess each proposal on its individual merits and not consider the cumulative impacts of a large increase in OSOM traffic movements on the identified roads, or the resultant impacts on the safety of the community.

Of additional concern held by Council is that there is no direct benefit to the ratepayers of Muswellbrook Shire for allowing these transport movements on the Shire's local road network but there are many risks. The risks include:

- Increased funding costs associated with accelerated deterioration of the local road network;
- Inconvenience of temporary road closures;
- Safety issues of local people encountering large numbers of OSOM vehicles on local roads at night-time;
- Amenity impacts for residents due to traffic noise, flashing lights, and other unfavourable impacts as the OSOM travel through the Shire at night; and
- Significant staff time is involved in meeting with the different proponents, including EnergyCo, TfNSW, and DPHI. Significant staff time would be involved in monitoring and managing the transport of components and the impacts on the local road network, yet Council would receive no funding to cover these costs.

A more detailed list of the issues, with additional context, is provided in Attachment A.

On 3 November 2021, Council's SSD Committee resolved as follows:

***[Council] Authorises staff to object to all SSD that nominates the use of local roads in the Shire for transport of components to another LGA, until EnergyCo, TfNSW and DPIE find a more strategic solution to managing transport issues that is acceptable to Council.***

Throughout 2023, meetings were held with EnergyCo, TfNSW, and DPHI staff to discuss the issue of transporting OSOM components through Muswellbrook Shire using local roads. In late December 2023, Council received correspondence from TfNSW, advising that TfNSW wishes to enter into discussions with Council with the aim of achieving a strategic outcome for use of local roads required to support the State's transition to renewable energy, as well as addressing critical issues regarding OSOM movements more generally.

Given the fact that the development of the renewables is expected to last beyond ten (10) years, TfNSW agrees that a coordinated approach to all OSOM movements in and around Muswellbrook Shire would provide a safer and more certain outcome for communities and will allow industries to grow and be attracted to the area.

The State Road route north of Muswellbrook requires the use of the New England Highway, however there are vertical height and width restrictions at the underpass through Bridge Street, Muswellbrook, that limit the movement of OSOM vehicles. The construction of the Muswellbrook Bypass would alleviate much of this, however completion may not occur until the end of 2027. The TfNSW proposed alternative to the New England REZ route overlaps with a part of the CWO REZ route along Bengalla Link Road, and then deviating right onto Wybong Road east, Kayuga Road, Stair Street, and a private road before re-joining the New England Highway north of Muswellbrook.

### **Project Relevance**

While the Project is not located within the Muswellbrook Local Government Area (LGA), it proposes the use of Council owned local roads to transport wind turbine components through the shire as OSOM loads. In the EIS, the Project proposed the use of the following Council local roads:

- Route 1 (~90m split blade) – State Road network. This assumes a split blade can fit under the Muswellbrook rail bridge. Appendix 13 of the EIS states that modelling information for the structure is “inconclusive” and that “a complete survey of this underpass and detailed blade drawings would be needed before any split blade type

could be confirmed to travel under this structure... If the chosen blade cannot travel under this structure, Route 2 will be looked at as an alternative'. Council is concerned that Route 2 will be the final route for the blades or the Proponent will seek a modification for the use of larger blades on Council local roads; and

- Route 2 (towers) – Bengalla Road, Wybong Road, Kayuga Road, Invermein Street and Dartbrook mine access Road.

Table 11 of the Assessment Report states:

- *'The Department notes that EnergyCo has committed to facilitating road upgrades to the State road network between the Port of Newcastle and Bengalla Road in Muswellbrook Shire LGA. Some works relate to these road upgrades would be required to facilitate transport to the New England REZ.'*
- *'Neoen proposes to transport large plant, equipment and materials to the site with heavy vehicles requiring escort along a route that would be developed by EnergyCo from the Port of Newcastle to the New England REZ in accordance with its commitments to coordinate and facilitate necessary upgrades for REZs.'*

Council is concerned that the recommended development consent conditions and Assessment Report are drafted so that the Proponent may undertake the road upgrades.

Council does not support this as:

- The road upgrades identified in Appendix 7 may not be correct as it is not clear how these upgrades were determined, if they will be adequate for all renewable projects likely in the New England REZ and due to this insufficient information, have not been signed off approved by Council; and
- The Proponent may not have received landowners consent from two impacted landowners, including for the use of the privately owned Dartbrook Mine Road.

Knowing that TfNSW has commenced work on a strategic approach to upgrading and managing this route for the next decade, Council requests that the development consent conditions be updated as follows:

1. New condition:

*Transport of Over Size Over Mass components from the Port of Newcastle to the Kyabra Station property access point cannot commence until the required road upgrades have been completed by the relevant roads Authority, to enable movements required for various renewable energy projects, prior to the opening of the Muswellbrook Bypass.*

2. Update Appendix 7 as follows:

- a. Remove all references to the required road upgrades on the State Road network (including local roads in Muswellbrook LGA that may be reclassified) from the Port of Newcastle to the turn off at the *Kyabra Station property access*. The relevant roads authorities are still identifying the extent of required upgrades, the list provided is likely inadequate, and the technical assessment undertaken to derive the list has not been approved by the relevant road authorities.

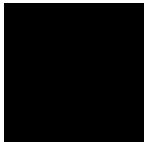
3. Remove all references to Bengalla Road, Wybong Road, Kayuga Road, Ivermein Street, Stair Street, Dartbrook Mine Access Road in Condition B30 and B32.

4. The Traffic Management Plan should be prepared in consultation with Muswellbrook Shire Council, which is currently the relevant road authority for some of the proposed transport route.

In addition to the above, Council requests that the Muswellbrook Bypass be constructed as a priority as the most safe and practical solution for the construction of renewable energy projects in the New England REZ.

Should you need to discuss the above, or require any further information, please contact Theresa Folpp, Environmental Planning 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**