

Department of Planning and Environment
GPO BOX 39
SYDNEY NSW 2001

Attention: Anthony Ko
Your Reference: SSD-9679

<https://www.planningportal.nsw.gov.au/major-projects/project/9701>

Dear Sir/Madam,

**TAMWORTH REGIONAL COUNCIL REPLY TO AMENDED PROPOSAL – DECEMBER 2022 –
STATE SIGNIFICANT DEVELOPMENT – HILLS OF GOLD WIND FARM**

The following correspondence is in relation to the exhibition of the amended proposal for the Hills of Gold Wind Farm Development Application (SSD-9679), which was open for comment from Wednesday 16 November 2022 until Tuesday 13 December 2022.

The Hills of Gold Windfarm Project – Amended Proposal

It is noted that the amended proposal includes the following general changes:

- Reducing wind farm layout to no more than 64 turbines;
- Two new options for oversize overmass (OSOM) vehicle movements through the township of Nundle;
- New site access points at Crawney Road for oversize overmass (OSOM) vehicles;
- The expansion and potential use of an existing quarry within Nundle State Forest; and
- Other general site layout changes.

Council would like to state that the amended proposal does not alleviate any of the concerns previously raised in its letters of objection dated 10 February 2021 and 25 May 2022 with the exception of the comments made regarding the *Devil's Elbow* bypass road. Tamworth Regional Council maintains its strong objection to the Hills of Gold Wind Farm Development.

The contents of this letter are in response to the amended proposal and should be read in conjunction the previous objections made by Council.

Impacts on Nundle Village Character

Whilst Council acknowledges the sensible decision to remove the *Devil's Elbow* (Barry Road) bypass proposal for OSOM vehicles, Council is not convinced that this resolves the impacts associated with manoeuvring OSOM vehicles along the existing narrow local roadways. Despite the efforts to present new route options, there remains a very real environmental, cultural and visual negative impact on the existing local road network. This includes Barry Road, Morrisons's Gap Road, and now, as a result of the amended proposal, Happy Valley Road, Crawney Road and Jenkins Street (Nundle's main street).

The two new OSOM vehicle route options to access the site via Crawney Road will negatively impact on the character of the Nundle Village and will transform the important idyllic tourist locality into an industrial area. The presence of OSOM vehicles within the village precinct, significant vegetation removal and under pruning and construction of “temporary” roads will have lasting impacts.

Impacts on Biodiversity

The vegetation loss includes stands of White Box trees with understorey where road alignments are adjusted, especially at intersections where the OSOM vehicles would be turning. The ‘loop’ through Nundle option includes roads that abut Forested Wetlands, Grassy Woodlands and Candidate Grasslands as identified on the NSW State Vegetation Map. Any modifications that impact these communities is considered to be very grave and need to be avoided.

Existing street trees within the village will likely be removed, including those along Jenkins Street to assist the OSOM traffic volumes and the proposed new road through private property will also negatively impact on the entrance to Nundle from the west.

Council’s continued concern with the proximity of the wind turbines immediately adjacent to the Ben Hall’s Gap Nature Reserve and Crawney Pass National Park has been recently heightened with the Ben Halls Gap Sphagnum Moss Cool Temperate Rainforest Legal Status being listed as Critically Endangered under the Environment Protection and Biodiversity Conservation Act 1999, effective 5th October 2022.

Council maintains that the impact on habitat for threatened species or woodland listed as an endangered/critical ecological community which has already occurred is unacceptable and the amended transport routes are likely to result in further land clearing adjoining road reserves and on private property.

Impacts on Heritage

There is also the potential for the OSOM vehicles to cause vibration damage to a number of significant buildings within the village where there are 14 heritage listed properties. The proposed route option through Lots 1 and 2, DP 997480 is locally heritage listed, being associated with the Peel Inn at 89 Jenkins Street.

Peel Inn - Statement of Significance

The Peel Inn is important in the course of the cultural history of the area in that it was (and continues to be) a place for social outings. It is a supporting feature in the heritage streetscape of Nundle and representative of high-quality hotel construction.

The heritage assessment for the route option which dissects the above-mentioned property states that the impacts will only be “temporary” which is assumed to be during the construction period and that future rehabilitation of the site is recommended. However, it is understood that there is likely to be an ongoing requirement to transport material to site for the life of the operation period. Therefore, Council does not agree with the “temporary” proposition, with the more likely scenario being the retainment of a road (for delivery purposes) which will therefore continue to have a negative impact on the heritage curtilage of the Peel Inn.

The proposed route option through the heritage listed site does not meet the objectives of Clause 5.10 of the *Tamworth Regional Local Environmental Plan 2010* which seeks to conserve the environmental heritage of the Tamworth Local Government Area (LGA). The proposal conflicts with the goals of Clause 5.10 by devaluing the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

Impacts on Council Infrastructure

This route would cross two water mains that would likely need reconstruction or protection from the impact to the weight of the vehicles. Neither main is new and the 100mm main identified as being constructed with Asbestos Cement in the 1970's is of particular concern.

The diversion will also cross the cycleway on Innes Street. It is assumed that this will not be available effectively for the construction phase and would need to be reinstated following construction. It would need to be considered whether the cycleway is physically viable if the diversion is to be used periodically in the decades to come.

Impacts from Flooding

The entirety of this diversion is subject to the Flood Planning Area as identified by the Nundle Flood Study. The Nundle Floodplain Risk Management Plan (FRMP) identifies all of that land as being subject flood hazard including approximately half as being subject to 'High' hazard. The Nundle FRMP also identified the depth of the potential flood as high as 1.5m in some sections. Consequently, there is clear risk that the road will be inundated and require reinstatement at some point to provide for any future use. Additionally, the impact of the road on the flood behaviour needs to be carefully assessed to avoid increased damage to property and risk to human life.

Bushfire Prone Land

Council continues to hold considerable concerns regarding bushfire risk. Council is not satisfied that the steep terrain which will result in fast moving bushfires will be able to be controlled. Or, that there will be certainty that safe access for firefighting crews (ground and aerial) will be available and can be maintained.

These concerns are supported by Rural Fire Service (RFS) advice that the turbines would be treated like any other potential hazard and therefore would by necessity be avoided, resulting in greater risk to the sensitive natural environment.

Site Suitability

Council maintains its contention that the subject site is not suitable for a large industrial scale wind farm operation. The proposal remains inconsistent with the Objects of the NSW Environmental Planning and Assessment Act 1979 which was raised in our letter dated 25 May 2022.

Council maintains the site selected to be completely inappropriate on the grounds that there is no evidence to support it can achieve "*ecologically sustainable development*", promote "*social and economic welfare*" of the Nundle and Hanging Rock communities or promote "*the sustainable management of built and cultural heritage*".

Conclusion

Once again, Council and the community have been asked to review thousands of pages of documents for a proposed development that has already proven to be a failure in terms of addressing fundamental deficiencies. With this latest amendment, the proponents have been given another opportunity to resolve those deficiencies raised by community members and Council and have not delivered.

The site selected and operational logistics required to construct and operate a development of this nature in the proposed location is highly impractical and would be at a significant cost to the community and its natural environment.

Acknowledging the precautionary principle and the inconsistency with the Objects of the Environmental Planning and Assessment Act, the selected site is unsuitable. The development proposed is unachievable on the site without having long lasting community and environmental impacts and the application should be refused on that basis.

Should you require any clarification in relation to the matters raised above, please contact Council on the detail below.

Yours faithfully,



Sam Lobsey
(Acting) Director, Liveable Communities
Tamworth Regional Council

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Date: 13/12/2022