



**Response to Application Submitted by: Paling Yards Wind Farm**

**Application Number: SSD-29064077**

**Date: 11 November 2023**

I represent Oberon Against Wind Towers (OAWT), which is a community-based organization that has been formed to push back against the rollout of giant wind towers in the Oberon district.

OAWT is an incorporated association and I am the nominated first public officer.

We are a group made up of local business owners and concerned residents who simply want to ensure that Oberon is protected from the indiscriminate rolling out of wind towers.

We are not against the introduction of renewable energy projects – all we want is for the necessary infrastructure to be located in less-intrusive and better-considered locations.

Our view is that communities should not be destroyed in the urgent pursuit of renewable energy - don't ruin the environmental, economic, and social fabric of communities like Oberon when there are other locations that are more suitable and, in fact, would be welcomed by their local communities.

By all means, invest in renewable energy projects, just don't destroy people's lives in the process.

OAWT has a working committee of approximately 20 people, and there is strong community support for our work that can be measured in two ways:

- 1) 550 members of our community attended a wind tower protest meeting that our group hosted at the Oberon RSL on 3 August. (Oberon population is circa 5,000)
- 2) At least 300 members of our community have submitted objections to the current Paling Yards Wind Farm application.

The major issues I want to cover off in this response to the Paling Yards submission relate to:

- The complete lack of consultation with the broader Oberon community and particularly those stakeholders who will be most affected by this project.
- The breakdown of the NSW Planning Portal and, therefore, the total breakdown of the Exhibition process – it needs to be re-started with a website that works.

- The total inadequacy of the Traffic Impact Assessment and all transport-related documentation and data provided by the Paling Yards proponent.
- The unfairness and inadequacy of the planning and engagement process, which has been emphasized in recent weeks by the adversarial attitude of NSW Planning, who has treated our group with disdain as we simply sought to rectify an important social engagement breakdown, namely the dysfunctionality of the NSW Planning Portal.

### **Lack of consultation**

I refer to pages 11, 12 and 13 of the Community and Stakeholder Engagement Plan.

These pages highlight the total inadequacy of consultation undertaken on this project.

75 per cent of activity included on these pages relate to consultation and engagement tasks undertaken in previous iterations of the Paling Yards Wind Farm – this information has no relevance whatsoever to today's project.

The scale and impact of this project has changed massively over the years – the current project anticipates tower size of 240m and the proposed number of towers has also changed many times over the years.

So if you strip back all the puffery relating to engagement and consultation for earlier Paling Yards proposals, we are left with a consultation program that is manifestly inadequate.

In short, they have done nothing more than door knocked a small number of homes within 5kms of the project site – which is crazy when you also consider the transport implications for the broader Oberon community.

They sent out a newsletter to the same households and the local council, ran a couple of ads in the low circulation Oberon Review (average 400 circulation!) and set up a stall one morning at the farmer's market.

That is it! That is the complete engagement program!!

And NSW Planning had the gall to tell Oberon Councillors in a recent meeting that they thought the proponent had met its engagement and consultation obligations.

This issue alone is enough to reject the Paling Yards application.

### **Technical Issues with the NSW Planning Portal**

The Environmental Impact Statement and other documentation relating to the Paling Yards Wind Farm is generally unavailable on the NSW Planning Portal, particularly to any member of the community who searches for these documents via a search engine.

This technical glitch is openly admitted by NSW Planning officials (Anthony Ko and Nicole Brewer) and, in fact, led to NSW Planning increasing the exhibition time for the Paling Yards documents by four days – FOUR DAYS!! – which was churlish behaviour but nevertheless an admission that the website has impacted our community's access to critical planning and project information.

Oberon Against Wind Towers forwarded a legal letter to NSW Planning requesting that they fix the Portal and set the clock again for another 28-days of exhibition. (A copy of this letter is attached.) The legal precedence is pretty clear and in this case is backed by correspondence from NSW Planning acknowledging technical issues with the Portal.

On the basis that this technical glitch has clearly impeded access to critical project information, Oberon Against Wind Towers is committed to legally challenging any future steps taken by NSW Planning to approve the Paling Yards project.

A couple of additional points on this matter:

- At one stage during discussions with NSW Planning on this issue, I was contacted by their Technology Manager and asked if I could assist them to fix the issues they are having with their portal. I didn't know whether to laugh or cry.
- The arrogance of NSW Planning officials on this issue has been breathtaking. What I have learned from my direct dealings with them in recent weeks on their Portal issue has highlighted to me that they do not care about community consultation or effective planning – they don't want to listen to us, and they will usher through every Planning application that comes across their desk, provided it has anything to do with renewables. Proponents now also know that they don't need to spend much time on documents such as an EIS, nor do they need to worry too much about consulting with communities, because they now know that Planning will pass any renewable project that comes across their desk. The Paling Yards EIS is terrible – so many holes in it and just a patched together piece of rubbish, but it doesn't matter, it will get passed. NSW Planning is basically a pass-through – everyone is now in on the drink – politicians, bureaucrats, proponents and even our local mayor. Unfortunately, communities like ours are not in the cool gang. We don't get a say, no-one is listening, and we can't do a thing about it. Any community that engages with proponents or spends time and resources on plugging into the planning process is wasting their time. The NSW Planning officials are literally acting as cheerleaders for the Paling Yards Wind Farm proponents – they openly told Oberon councilors in a meeting last week that the consultation undertaken by the proponents on this project is acceptable and will pass muster – are they even allowed to say this before the close of the exhibition period?
- The Oberon community has been very active in submitting objections to the Paling Yards project, but how many others did not make a submission due to their frustrations with the NSW Planning Portal? And how many submissions were incomplete or lacking in detail due to the fact that objectors were unable to access the EIS or other documents? NSW Planning has no choice but to re-commence the Exhibition process once they have fixed the technical issues that exist on their website.

- Our conclusion is that NSW Planning cannot be trusted to make independent, objective decisions on renewable energy applications. As such, OAWT will be pursuing legal avenues at every turn in relation to Paling Yards and any other renewable project that is proposed for the Oberon district—we have no choice.

### **Total inadequacy of the Traffic Impact Assessment and Reporting**

OAWT commissioned a traffic and transport planner, Traffix, to undertake an independent peer review of the Traffic Impact Assessment and Route Survey that were submitted as part of the Paling Yards SSDA.

A copy of Traffix' peer review is included separately with this submission.

The review is clear that there remains a significant amount of work to be done on the subjects of transport and traffic related to the Paling Yards project.

The real issue for OAWT is the complete lack of understanding of the 120 beautiful Desert Ash trees that line the O'Connell ANZAC Memorial Avenue.

Oversize trucks bringing massive blades and towers to Paling Yards will pass through Memorial Avenue, requiring upwards of 6m height clearance and 8m width clearance.

As you can see from the photo attached with this submission, there is no way that these massive trucks can get through O'Connell without causing major damage – the trees will require severe pruning or even removal – and the canopy will be lost forever.

The foreign-owned company that owns this project clearly has no regard for Australia's environment and has so far neglected the significant cultural heritage of this living ANZAC memorial.

NSW Planning must play a role in saving the desecration of these trees, which have rare historical significance as one of the few surviving First World War Memorial Avenues in rural New South Wales.

### **Unfairness and inadequacy of the planning and engagement process**

The Paling Yards proponent has probably spent many months and maybe even years putting together the Paling Yards EIS and other associated project documents. There would have been a team of experts working full-time on getting the EIS and other documents to market - there are thousands of pages, diagrams, and photographs.

Yet our community of farmers, mothers, fathers, single parents, business owners, retirees, retailers, and even the hospitalized get 28 days to respond.

Are you serious?

This is not our job; we are not experienced in absorbing, reviewing, and commenting on planning documentation. We have our own jobs, responsibilities, and families – we cannot be seriously asked to provide an effective response within 28 days.

It's a sting. The fix is in.

Ordinary, hardworking Australians are being treated like patsies by politicians, public servants and foreign-owned renewable energy companies who are here to fill their boots before trotting back to their ivory towers in Europe.

I cannot emphasize enough that the planning process overseen by NSW Planning is a waste of time.

Every indication we have been given so far is that NSW Planning will not independently or objectively assess the Paling Yards Wind Project.

Nor do they require proponents to do the necessary community consultation and research that will enable them to submit well-informed and considerate Environmental Impact Statements. Because it doesn't matter – any renewable energy projects will get passed.

All stakeholders with the ability to influence policy or make decisions on renewable energy projects are carrying these projects through the planning process on their shoulders.

As a community, Oberon people were recently treated like adversaries when we dared to raise the point that the NSW Planning Portal is largely dysfunctional.

This attitude points to a cultural downfall inside NSW Planning and is particularly extraordinary when you consider that the role of NSW Planning is to objectively assess applications on behalf of the NSW population.

In the current climate, every renewable energy project will get passed by NSW Planning and there is nothing we can do about it. NSW Government and its planning bureaucrats are trampling all over ordinary Australians, as the Oberon community has seen up close in recent weeks.

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