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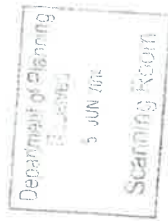


PCU53642

30 May 2014

Team Leader Infrastructure Projects
Development Assessment Systems & Approvals
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention- Tracy Bellamy



I refer to the Environmental Impact Statement (EIS) lodged on behalf of Union Fenosa Wind Australia for the proposed Paling Yards Wind Farm within the Oberon LGA.

The following comments are submitted for consideration:

1. Concern is raised over the assessment of dwellings not associated with the development and the proximity of those 'non-identified' dwellings that will be impacted by the development. It has been stated in the EIS that no assessment of these non-identified structures/dwellings has been carried out even though they will be the most affected by the proposed development.
This issue requires further investigation. Council records for the most affected 'non-identified dwelling' show that the land is in private ownership however there is no record of any approval for a dwelling. We request the applicant (given the sensitive location of the land) undertake further investigation in relation to this land and we can provide contact details for this purpose.
2. Should the Department give approval for the development, Council will be seeking to enter into a Voluntary Planning Agreement (VPA) in accordance with Section 93F of the Environmental Planning & Assessment Act 1979 (the Act). It is noted that the applicant has offered to enter into an Agreement should approval be recommended.
3. There is no concern about the volume of traffic expected to be generated by this development, given the low traffic volumes currently using Abercrombie Rd (which is the only Council controlled road to be used for access).
4. From Section 3.1 of the EIS it appears that vehicles up to 64.4m long may be required to deliver components to the site. This will require special transport arrangements, presumably involving escort vehicles. Also the minimum height

clearance required is 6.6m, which raises clearance concerns along Abercrombie Rd. The applicant will be required to determine this, and to make appropriate arrangements with Council and all other agencies to rectify any issue raised, including tree removal and possible relocation of power lines. If any trees are proposed to be lopped or removed, this will be required to be undertaken in consultation with Council. Any such works required will be at the applicant's cost.

The EIS states that the maximum gradient permitted is 6%, however some parts of Abercrombie Rd exceed this gradient. The applicant needs to justify how this issue will be dealt with.

The EIS does not specify the expected vehicle loadings, and whether the loadings may exceed the normal permissible legal loading for Abercrombie Rd or other roads. Further information is requested relating to this issue and this may require pavement strength testing. The cost to repair any pavement damage must be borne by the applicant should the Department give approval to the development.

The EIS specifies there will be six access points from Abercrombie Rd into the development site, however the descriptions of the locations are not sufficient to accurately determine them on site. It is requested that they be marked on site to enable sight distances to be checked. Further information is also requested as to whether all six will remain as permanent accesses, or will they be in place only during the construction phase. If they are only temporary, sight distance is not considered to be as critical, however traffic control may be required when they are in use.

Accurate identification of the access locations is also important to determine if any significant vegetation will need to be cleared and to enable Council to set any conditions on their design.

The EIS states that in two locations the new accesses will form a "crossroads" on Abercrombie Rd (accesses are opposite each other). This is not desirable, but can be avoided with just a small offset between the two accesses.

It is noted that the applicants have stated that a Cultural Heritage Management Plan be provided for the development prior to any construction works. As part of any approval Council will assess the Plan prior to any activity on site. It is considered that this Plan must include how ongoing education for contractors will be undertaken to advise of potential sites and recognition of potential artefacts whilst in the construction phase. Any Plan of this nature will need to be approved by the relevant agency and Council.

It is stated in the EIS that the applicant does not propose to provide a viewing area for the development, contravening Councils own Development Control Plan for Wind Developments. Council considers the establishment of an appropriate viewing area for the development as critical, given the width of Abercrombie Road and the significant nature of the development. This would be required separate to any voluntary planning agreement or community fund contribution.

In researching other similar developments issues have previously been raised about 'jet' backup systems. Public criticism of these systems concerns substantial noise issues for neighbours. Council considers that these back-up systems should not be considered for the Paling Yards area. In assessing the application no evidence has

been found to establish these systems however conditions of consent to prohibit these should be included in any consent.

13. Some issues over economic and social impacts have been raised as a consequence of the Information Day held at the Paling Yards Rural Fire Service Shed on 27 May. In response to a question regarding employment opportunities it was stated that about 40% of the workforce will be sourced locally. When questioned further "locally" was defined as "Oberon and surrounding LGA's". Council would encourage the developer to look closely at Oberon for labour hire and accommodation for workers during construction.

For any further information please contact Gary Wallace, Planning & Development Director directly on 6329 8122.



Alan Cairney
GENERAL MANAGER
OBERON COUNCIL