

11th June 2025

Mr Richard Pearson

Panel Chair

Independent Planning Commission

NSW Government

Submission: Via Independent Planning Commission Website

Dear Mr Pearson,

Re: Hay Shire Council submission – Pottinger Wind Farm

Introduction

Hay Shire Council appreciates the opportunity to provide input to the Independent Planning Commission regarding the Pottinger Wind Farm proposal. The following submission supports the information provided to the Commission at the meeting held Wednesday 28 May 2025. The address by Mayor Carol Oataway during the public meeting held in Hay on Thursday 5 June 2025 follows the suggested changes to Conditions of Consent.

Council supports the project and recognises its role in the energy transition within the South West Renewable Energy Zone. Council has identified areas where changes or additions to the Conditions of Consent are requested to improve local outcomes and manage the impacts of energy development.

General comments:

1. Waste – If the Hay Shire Waste facilities are being used, the applicant needs to enter into a Waste Management Agreement
2. Access – Council has issues with using the Cobb Highway (through the Hay township) as an access route.

3. Council is the government authority most accessible to the public in the Hay LGA – it would be advisable for any changes to strategies, scheduling, management plans and incidents to either consult or notify Council.
4. Compliance and complaints – It needs to be clear who is the compliance authority, and how (and who) will handle complaints.
5. Cumulative impacts need to be addressed in all strategies and plans in the conditions, i.e. there can be a cumulative impact on health facilities, roads, and telecommunications with the regional, state and federal developments in the LGA.

As such it is recommended to include the following conditions:

Find below Council's comments on the Recommended Development Consent:

Theme	Clause	Suggested Amendment to Condition/Clause	Reason
Lighting	B3	Add: Part (f) "Local council must be consulted in the preparation of the lighting plan"	Council, as the aerodrome operator, should be party to all discussions and agreements. All costs associated should be borne by the applicant.
Variation to Construction Hours	B7	Delete "notification of" and replace with "consultation with" in B7c	
Transport	B34	Delete (a) (i) and replace with "Route to be determined and agreed with TfNSW and local council"	The Cobb Highway might not be the preferred route by TfNSW. Council has concerns with the Cobb Highway route, especially through middle of Hay township. The transport route should be kept open pending discussions and agreement with TfNSW. The local council(s) should be party to any agreement on the transport route. The applicant should be required to upgrade any structures on any road impacted by the development, not just highways (i.e. Jerilderie Road).
Transport Strategy	B36	Part (b) add "and must include any road that may be impacted as a result of the development, not restricted to the transport route". Part (d) add", including the upgrading of any structures on the local road network"; Part (f) delete words "Barrier Highway and the Cobb Highway between Wilcannia and Hay" and replace with "impacted Highways"; Part	Council sees the Transport strategy as a key document for the management of roads during and post construction. Council should be party to any agreements. Any road impacted by the development, not just on the transport route need to be considered.

		(g) delete any reference to "Cobb Highway" and replace with "highways".	
	B37	Delete words "requiring escort".	Transport of items to site may not require an escort, however, could require approval by the relevant road authority.
Road Upgrades	B38	After words "road upgrades" add ", to minimum Austroads Guide to Road design"	Any road upgrade must be to Austroads Guide to Road design. Local council, as the road authority, should be partied to any approval and agreement.
	B39	Add new sentence "The ongoing maintenance and standard of any upgraded road upon completion of construction must be agreed with the relevant road authority in the development of the Transport Strategy."	Council sees the Transport strategy as a key document for the management of roads during and post construction. Council should be partied to any agreements. Any road impacted by the development, not just on the transport route need to be considered.
Road Maintenance	B40	Add after words "condition of" the words ", as a minimum,"; Add end of Part (a) "as well as any road that may be impacted by the construction of the development including, but not limited to, roads to access water supply, wastewater disposal, waste disposal and raw materials supply."	Council should be partied to any agreements. Any road impacted by the development, not just on the transport route need to be considered.
Traffic Management Plan	B42	Part (a) change "route" to "routes"; Part (c) (xiii) delete words "Barrier Highway and the Cobb Highway between Wilcannia and Hay" and replace with "Highways and local roads"; Part (c) (xiv) delete words "of the Broken Hill Bypass" and replace with "port to site"; Part (c) (xv) replace the word "wet" with "inclement"; Part (c) (xvi) add the words "as outlined in Clause B40".	The Cobb Highway might not be the preferred route by TfNSW. Council has concerns with the Cobb Highway route, especially through middle of Hay township. The transport route should be kept open pending discussions and agreement with TfNSW. The local council(s) should be partied to any agreement on the transport route. Extreme hot weather could impact road access, not just wet weather.
	B45	Council needs to be consulted with the 25 nm MSA procedure.	Council, as the local aerodrome operator, should be partied to any notifications and decisions. All costs associated should be borne by the applicant.

Operating Conditions	B53	Part (d): after the word "notify" add "the local council and"; Part (d): delete the word "following" and replace with "prior to and on".	The local emergency management committee needs to be informed of the construction activities prior and during the works.
Emergency Plan	B54	After the words "consultation with" add "the relevant local emergency management committee".	The local emergency management committee needs to be informed of the construction activities prior and during the works.
Waste	B56	Add a new Part (a): "Enter into a waste management agreement with the local council if Council facilities are to be used".	Council requires a waste management agreement with the applicant.
Accommodation Camp	B58	Part (a) at the end of the sentence add ", including the obtaining of Local Government Act s68 Approvals from the local council"; Part (f) after the word "authorities" add "and local emergency management committee".	Any camp accommodation with water supply and wastewater requires a s68 approval from Council. The local emergency management committee needs to be informed of large number of people congregating in one location.
Accommodation and Employment Strategy	B59	replace (b) with "address the cumulative impacts associated with other Regional Significant, State Significant and Commonwealth developments"	Council should be consulted and in agreeance with any accommodation and employment strategy, due to the likely significant impact on local employment. Council has concerns over the cumulative impacts of these developments.
Consultation with Councils	New Clause B64	Add new clause B64: "In all strategies and plans, the cumulative impacts need to be included, in consultation with the Councils."	The local council should be kept informed and consulted of any proposed changes, alterations and modifications associated with the development.
Staging, Combining and Updating Strategies, Plans or Programs	C3	After the words "Planning Secretary" add "and in consultation with the local council".	Council should be involved in all discussions and agreements around any changes to the strategies, plans and programs. Council will be the place that people will come to resolve any issues.
	C4	Delete this clause	It is unsatisfactory that a strategy, plan or program could be updated without consultation.
	C6	Delete this clause	It is unsatisfactory that a strategy, plan or program could be updated without addressing particular requirements of a relevant condition.

Notifications	New Clause C14	Add new Clause C14: "Notification of Council - any changes to strategies, scheduling, and management plans, as well as incidents, to notify the relevant Council." Renumber existing Clauses C14 to C15, C15 to C16.	Council should be advised of any changes and incidents. Council will be the place that people come with complaints.
Haulage Route and Road Upgrades	Appendix 5	Table 1: Add the words ", to minimum Austroads Guide to Road Design and to the satisfaction of the relevant local roads authority".	Any road upgrade must be to Austroads Guide to Road design. Local council, as the road authority, should be partied to any approval and agreement.
	Appendix 5	Hay LGA: Delete option 2 for the Cobb Highway (Roundabout in Hay); Remove reference to "Cobb" and replace with "Applicable"; Add note end of table "Note: Road upgrades must be included to any road impacted by the development, including, but not limited, to access to water supply, wastewater disposal, waste disposal and raw materials supply".	The Cobb Highway might not be the preferred route by TfNSW. Council has concerns with the Cobb Highway route, especially through middle of Hay township. The transport route should be kept open pending discussions and agreement with TfNSW. The local council(s) should be partied to any agreement on the transport route. Any road impacted by the development, not just on the transport route need to be considered.
Incident Notification and Reporting Requirements	Appendix 8	After the words "planning portal" add "and to the local council"	Council should be advised of incidents and reports. Council will be the place that people come with complaints.

Address by Hay Mayor Carol Oatway - Public Meeting, Hay, Thursday 5 June 2025.

Thank you, Commissioners, for the opportunity to speak on behalf of Hay Shire Council. My comments today are general in nature. Council will provide a separate submission addressing the specific Conditions of Consent.

Hay Shire is located at the centre of the South West Renewable Energy Zone. Our geography, sparse population and land use patterns make this region well-placed to host renewable energy projects. Council recognises that developments like the Pottinger Wind Farm represent the most substantial change to our economy, landscape, and community since settlement.

Change on this scale must be supported through proper process. This hearing, together with robust planning and genuine consultation, plays an important role in ensuring that renewable energy development benefits local communities. With this support in place, Council believes that the

Pottinger Wind Farm can deliver real and lasting value to Hay, particularly in helping us diversify our economy and plan for a more resilient future.

We welcome the framework set out in the State Significant Development Assessment Report, especially the requirement for detailed planning around accommodation, waste, transport, and water. These plans are essential to protect community infrastructure and services and support our existing industry. The plans also present an opportunity to identify long term legacy outcomes for the community.

Council's position is pro-development and pro-community. We support energy developments when they strengthen local capacity, respect existing industries, and leave a legacy of shared benefit. From the outset, we've been clear that this transition must happen with us, not to us. Council developed the Fundamental Principles of Successful Renewable Energy in Hay. This occurred over a series of workshops including town hall meetings open to the whole community. This document ensured that the community concerns were addressed, and opportunities maximised. It did not support one ideology over another, but rather ensured that our community was at the heart of all discussions. I am aware that over the past two years there has also been twelve opportunities for the community to attend community consultation with Pottinger including a weeklong open community review of the EIS as requested by the community at one of the town hall meetings.

Council has worked constructively with Someva and AGL in progressing the Pottinger Wind Farm. Letters of Intent for community benefit funding have been signed, with a Voluntary Planning Agreement now in development. This agreement is expected to deliver significant funding to Hay for the next 30 years, supporting projects identified by the community across 15 council led engagement sessions. These benefits will complement the short-term economic activity generated during construction.

The renewables industry is already supporting our local economy. Over the past three years of planning, developments such as Pottinger Wind Farm have contributed to increased spend in our accommodation, hospitality, food, retail and fuel sectors.

This meeting is just one example of how the industry contributes to all sectors in our community. Many of you stayed in our motels, ate at our restaurants, enjoyed coffee at our café's and fuelled your vehicles. That money circulates through our economy, supporting local businesses and jobs.

For context, 55.4% of all economic activity in this financial year in Hay came from people outside of our region. We are an open economy and rely on economic activity from outside our region for our economic wellbeing.

At the same time, Council is mindful of the broader impacts. We remain concerned about how cumulative effects will be managed as the Renewable Energy Zone is delivered. It is important that projects are sequenced, coordinated, and implemented with clear oversight and accountability. The issue of cumulative impacts across projects — including energy generation, transmission, and logistics — remains a major challenge. While planning documents address this in principle, the delivery of coordinated outcomes will require stronger leadership. EnergyCo must be equipped to manage this coordination on a whole-of-government basis.

Council notes that the Waste Management Plan, as required in the SSD report, must be developed with local government involvement. Construction and decommissioning waste, if managed locally, could support new industry and employment through a circular economy approach.

On water, we ask that developers limit reliance on open-market purchases, especially during low allocation years. Access to affordable water is essential for our primary producers. Council supports a coordinated approach to monitoring cumulative water use across the REZ.

Regarding transport, local roads and bridges are not currently equipped to support the scale of equipment required. The Hay Bridge, in particular, presents a constraint. We support the inclusion of Transport and Access Management Plans but emphasise the need for Council to have a clear role in responding to road impacts and local concerns as they arise.

While much of the discussion to date has focused on construction, I want to emphasise the long-term significance of the 35 operational jobs committed under this project. For Hay, that number matters. These are skilled, ongoing roles that will help anchor families in the region and contribute to the long-term viability of local businesses, schools, and services. They mark a shift from temporary investment to sustained renewal.

Agriculture will always remain central to Hay's identity and economy. But like all regions, we must adapt. Renewable energy offers a second pillar of economic resilience — not in competition with farming, but alongside it.

In closing, Council would like to formally express its support for Pottinger Wind Farm. We recognise the potential for lasting economic benefit, and we are committed to working with all stakeholders to ensure these outcomes are delivered in a way that protects and strengthens our community.

Thank you.

Again, Hay Shire Council appreciates the opportunity to provide input to the Independent Planning Commission regarding the Pottinger Wind Farm proposal. If you have any queries or require further information, please do not hesitate to contact the undersigned on telephone (02) 6990 1100 or email dwebb@hay.nsw.gov.au.

Yours faithfully,



David Webb

General Manager