

Mr Richard Peason
Panel Chairman
Office of the Independent Planning Commission
Sydney, NSW, 2000

17th April 2025

Dear Panel Chairman and Panel Members,

**Re: Valley of the Winds wind farm project – State Significant Development
Application SSD-10461**

I object to the Valley of the Winds Project (“VOTW”).

Further to my remarks made at the IPC public meeting in Coolah last Thursday 10th April, 2025, I bring to your attention two corrections in the transcript: (i) in line 16 on page 42 – to replace “2029” with “2019”, and (ii) at line 28, instead of “NERIS”, this should read “nearest”.

This submission should be read in conjunction with my remarks to the IPC panel. This submission should also be read with reference to my earlier submissions and emails to DHPI over the last three years. You advised during the public meeting the Panel has full access to these materials and will read them, which I am assuming is the case.

VOTW is an enormous and overly ambitious project. The proposed 131 turbines are each 250 meters tall - equivalent to a 72-floor residential building or nearly as tall as Sydney’s Centre Point tower. In my case they are proposed to be located on a ridge line 100 meters above my neighbouring property, as well being approximately 500 to 600 metres from my property boundary.

Yet incredibly, DPHI’s assessment report date March 2025 (the “Assessment”) states the VOTW “*has been sited and designed to minimise potential impacts,...*”.

The size and scale of this industrial-scale project is totally incompatible with the picturesque rural landscapes surrounding Coolah and the Turee Creek and Talbragar valleys.

The project would never get to first base without specific legislation forcing developmental consent (specifically with reference to the *State Environmental Planning Policy (Transport and Infrastructure) 2021*).

Even so, the guidelines applied to assess this project by DHPI, pre-date this legislation (e.g. Visual Bulletin 2016 Guideline and the Wind Energy Noise Assessment Bulletin (2016)). These guidelines are manifestly inadequate in assessing the impacts VOTW will have on non-associated landowners. That is, NSW Government recognised the need to force developmental and planning consent but are applying outdated guidelines to assess on project impacts particularly to non-associated landowners.

The Assessment notes that ACEN has amended its development application on three occasions, including the removal of 17 wind turbines. None of my previously stated concerns, each with justification and where possible supported with evidence provided to DHPI, have been addressed by ACEN.

Specific to my concerns are the Girragulang cluster of turbines – now proposed to be 45 turbines and immediately adjacent to my property. While ACEN have removed some turbines from its initial design of the Girragulang cluster, none of these relate to my stated concerns.

As proposed, due to the size and scale of VOTW, I will be subject to unacceptable cumulative impacts including:

- visual impacts to each of my thirteen houses ;
- detriment to landscape character on my property;
- excess operational turbine noise emissions;
- restrictions to normal agricultural operations;
- safety risks to my existing airstrip operations;
- increased operating costs due to these risks and restrictions;
- potential contamination risking future livestock production
- future restrictions impacting property developments and operations;
- impact to future succession planning options;
- reduction in the value of my property; and
- negative impact on farm property work force including contractors essential to farm operations (who wants to live and work next to a massive wind farm?).

Moreover, I have previously flagged substantial inadequacies in the impact assessment conducted by ACEN. These substantial inadequacies have been identified or confirmed by the independent peer reviews I commissioned and conducted by accredited industry experts.

There is not sufficient setback of the proposed turbines from my boundary to allow continued agricultural operations unencumbered from cumulative impacts caused by the proposed position of the Girragulang turbines and particularly by the eastern string of 11 turbines closest to my property.

The Assessment report does not adequately address the issues I have identified. The assessment of the cumulative impacts VOTW has on my property and agricultural operations as previously raised remain. The mitigants suggested in the Assessment and in the recommended conditions of consent are insignificant and unacceptable.

The IPC cannot approve VOTW based on DHPI's assessment and recommended draft conditions of consent. The impacts I will suffer exceed the threshold of acceptability to non-associated landowners – my position is supported by independent peer review under stated guidelines. This project is clearly unacceptable in its current form.

Additionally, the NSW Government has not yet completed its promised cumulative impact assessment for the Central-West Orana (“CWO”) REZ, including VOTW as well the other 40+ neighbouring generation and transmission within or just outside the CWO REZ. The IPC therefore cannot rely on DHPI’s views of cumulative impact as presented in the Assessment.

Lack of setback - cumulative impacts to my property and work place

Figure 1 below shows the area of my property over-shadowed by the proposed Girragulung turbines and within the “black line” – being a distance of 3.35km from the closest turbines. This represents an area of approximately 4,110 acres (1,663 hectares) - nearly 30% of my property.

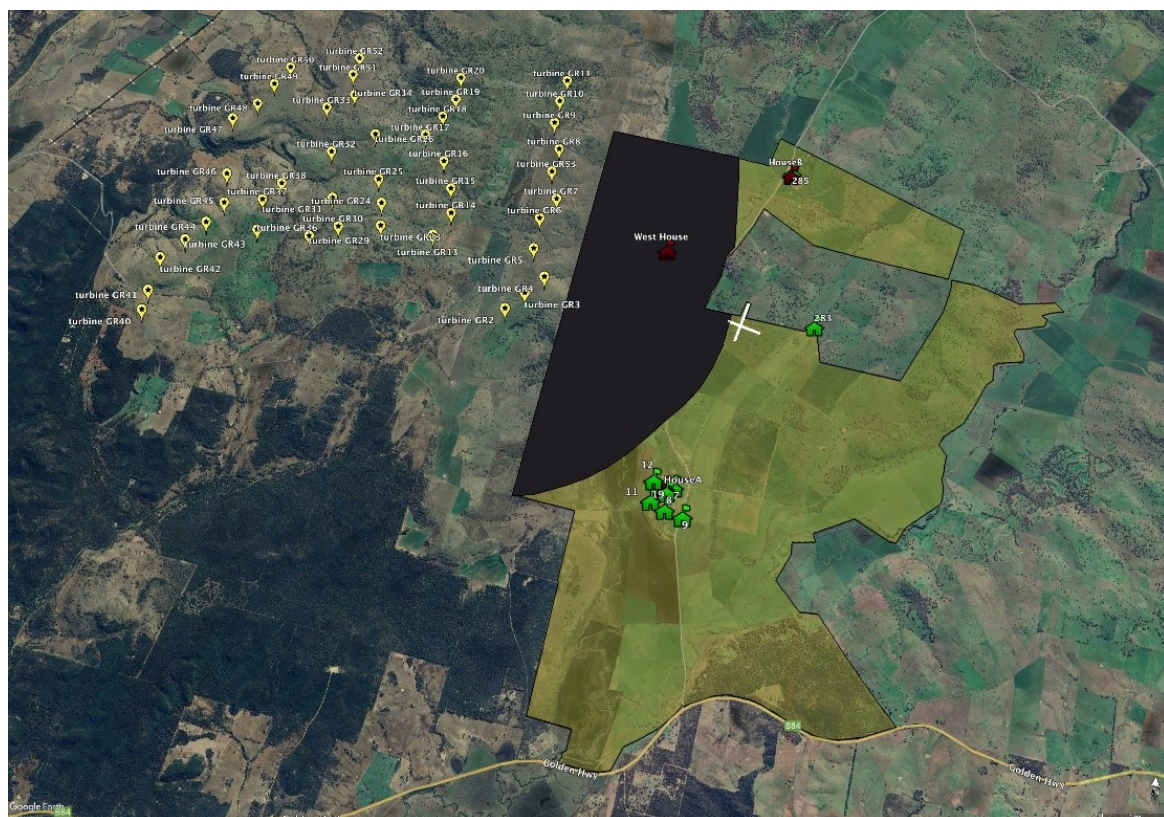


Figure 1. Property area impacted by the “black line”.

Figure 2 below shows the area of my property over-shadowed by the proposed Girragulung turbines and within the “blue line” – being a distance of 4.95km from the closest turbines. This represents an area of approximately 6,000 acres (2,430 hectares) – nearly 42% of my property.

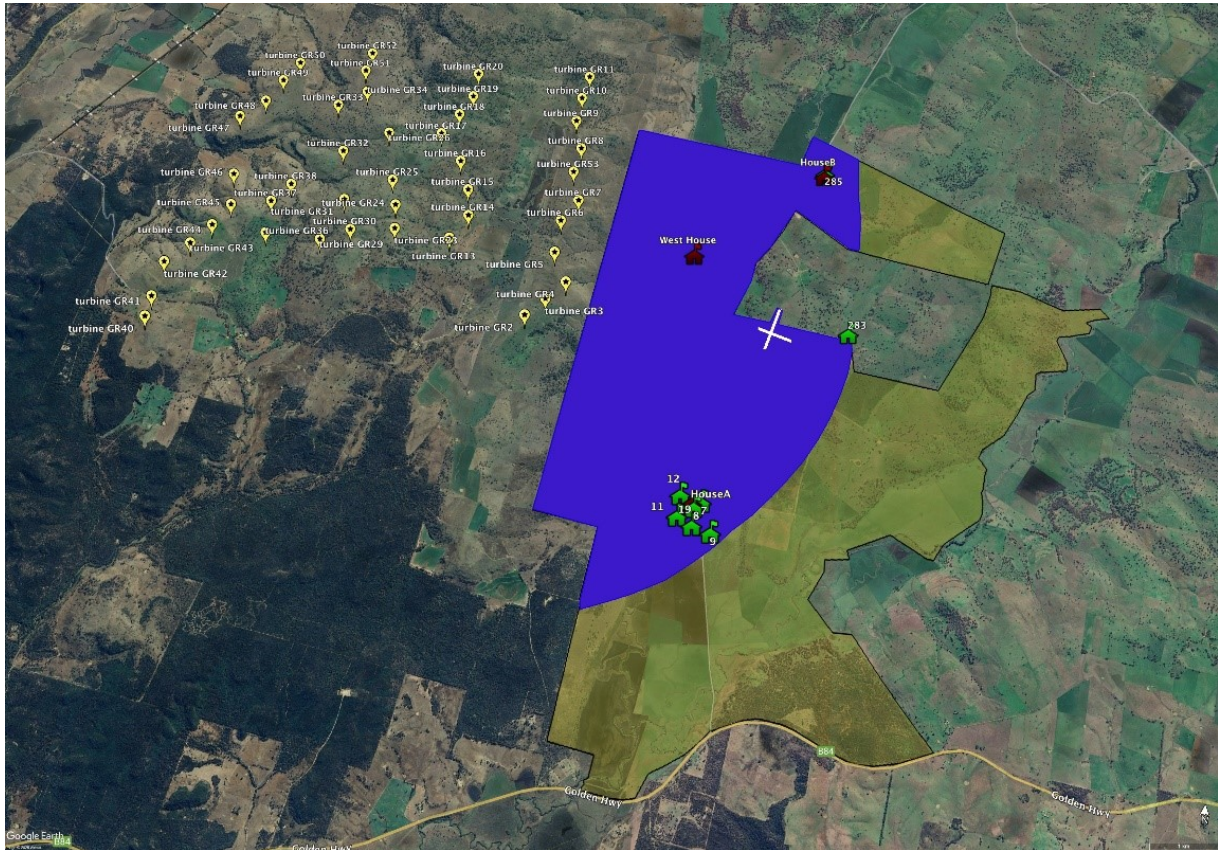


Figure 2. Property area impacted by the “blue line”.

The sheer scale of over-shadowing due to lack of setback from the proposed industrial scale project significantly impacts my current agricultural operations, due to:

- excessive noise above acceptable thresholds;
- excessive shadow flicker above 30 hours per annum;
- cumulative visual impact; and
- obstruction to agricultural ground and aerial operations.

The lack of setback will also negatively impact the value of my property, due to reduced agricultural productivity, cumulative impacts and possible future soil and water contamination due to degradation of turbine blades over time.

Handling and moving livestock in the shaded areas depicted above and under the shadow of these massive turbines will become more difficult, lowering productivity. My work-place environment within these shaded areas will be at times intolerable due to the above listed impacts.

Furthermore, I estimate that approximately 2,500 acres (~1,000 hectares) and represented by the red shaded area in Figure 3 below, will be restricted from any farm-related aerial operations for reasons which are immediately evident.

Close proximity to the proposed turbines would restrict aircraft manoeuvrability, including flight contingency plans if issues are encountered. This means aerial spraying, fertilising, seeding and baiting in this area will need to stop.

There is no simple resolution of this safety issue. Farming is already one of the highest safety risk enterprises. Imposition of the proposed wind turbine towers penalise neighbouring farm operations to an unacceptable extent, will increase my costs and negatively impact my agricultural productivity (but not exclusively) for cropping, harvesting, fodder conservation and pasture improvement.

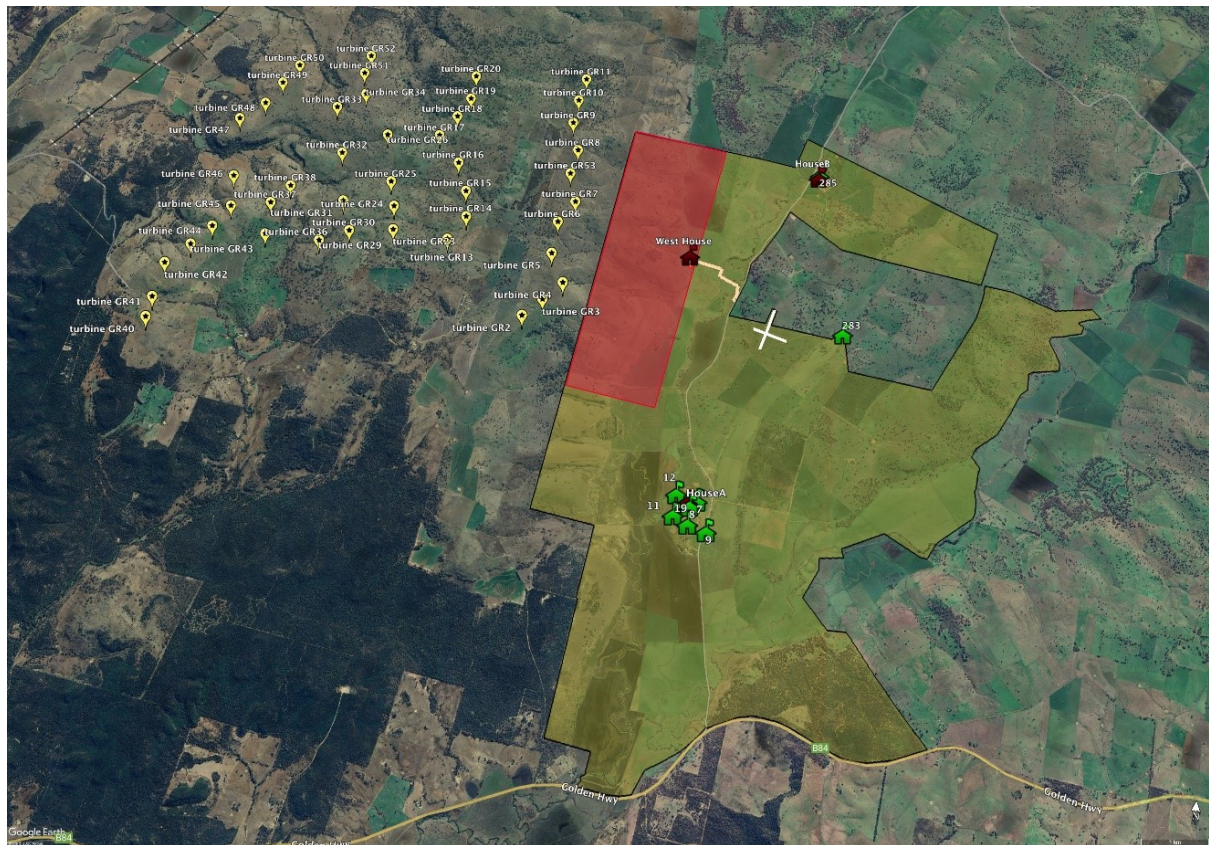


Figure 3. Area denoting elimination of aerial agricultural activities

None of the above listed impacts and penalties have not been considered in the Assessment. Until they are considered, the IPC cannot approve the project.

Visual impact

Due to its size and scale, VOTW will fundamentally change the broader landscape characteristics of the Coolah area in general and Turee and Talbragar valleys.

The Girragulang cluster of 45 turbines neighbouring my property, will result in significant and unacceptable visual impacts to my property as well to all thirteen of my non-associated houses.

The visual impact mitigation measures outlined by DHPI in its recommended conditions of consent are and would be ineffective.

Landscaping and vegetation screening for non-associated houses on the scale required will not be practical due to the scale of the imposed visual impact, particularly in relation to screening height.

In some cases, the Assessment relies on existing mature vegetation to justify visual acceptance, which is flawed. Mature trees and existing vegetation will deteriorate, reduce/drop foliage, collapse due to weather events and/or die back, thereby creating a new visual impact and remaining for an extensive period of time.

All of my houses have been sited to capture the sensational landscapes which my property currently enjoys – particularly to the north and to the west. These houses have been designed to benefit from natural northern light. The Assessment and conditions of consent rely on new foliage and vegetation screening to mitigate visual impact for each house. Implementing landscaping and vegetation screening will, the case of each house, reduce northern sunlight and block scenic views to the north. How is this an acceptable mitigant to reduce visual impact? It is creating a new problem, is offensive and further impacts and creates issues which are equally unacceptable.

DHPI state “*to minimise and manage residual visual impact...*” they recommend “*implementing all reasonable and feasible measures to minimise visual impact of the development(s)*”. DHPI also references in its Assessment that it considers “*re-siting or removing turbines is generally the most effective mitigation option*”.

Given the cumulative visual impact to my property and non-associated dwellings as described above and set out below (refer to Figures 4, 5, 6 & 7), the only reasonable and feasible measure in my situation is for the IPC to reject the Girragulang cluster of turbines and in the conditions for consent instruct for these turbines to be removed from the project.

Members of DHPI visited my property on 3rd May 2023 for approximately 25 mins. This is the only visit I have had from DHPI. I have had no visits from ACEN.

As evidence to support the visual impact of the proposed Girragulang turbines to my non-associated houses and coincident with the DHPI visit, I arranged for a single engine

plane on charter from Dubbo to conduct aerial passes over the proposed site of the Girragulang cluster of turbines.

With a professional pilot at the aircraft controls and in radio contact with me, the plane flew for approximately 40 mins along a north-south vector at 250 metres above ground level and along the siting of the proposed western string of eleven turbines (i.e. the closest turbines to my property's western boundary).

The plane's altitude represented the 250-metre tip height (above ground level) of the proposed turbines and therefore provided a practical visual reference on the impact the proposed turbines will have to non-associated house's 7, 8, 9, 10, 11, 12, & 19. DPHI officials photographed and videoed the plane in flight while onsite.

The following figures are photos I took on the day, with DHPI present. I have marked the plane inside the red circle drawn on the photo. The black solid line represents the 250-metre tip height. I have then hand drawn an approximate outline of a turbine to illustrate:

- The magnitude of the visual impact to my non-associated houses (for reference, house 7 is shown in the foreground)
- The inadequacies of the photo montages that ACEN provided to DHPI depicting the visual reference, thereby undermining the Assessment.

With reference to the Addendum to Landscape and Visual Impact Assessment provided by ACEN and associated work by Ramboll, the visual impact to my non-associated houses as a result of the proposed Girragulang turbine layout is immense, with between 45 – 70 turbines being visible (based on topography alone). Ramboll rates the individual visual impact on my houses as “moderate”.

Each house will suffer from multiple wind turbine visual effects which include:

- The visual magnitude due to houses sitting between the introduced “black” and “blue” lines.
- The effect on the cumulative landscape scenic could not be worse given seven houses are located in close proximity to each other.
- The central line of sight to my western aspect from each house is significantly disrupted.

The Assessment approaches the visual impact on each house individually. The Assessment does not consider the cumulative visual impact across all 11 houses. When considered in this context, the cumulative visual impact is obviously “very high”.

The IPC should reject the Girragulang cluster of proposed turbines due to the high cumulative visual impact for all my houses and property

It is unacceptable and not capable of being mitigated by any other measure than removing proposed turbines. Conditions to consent should include rejection of the Girragulang turbines from the project or elimination of at least the two most eastern string of 19 turbines.

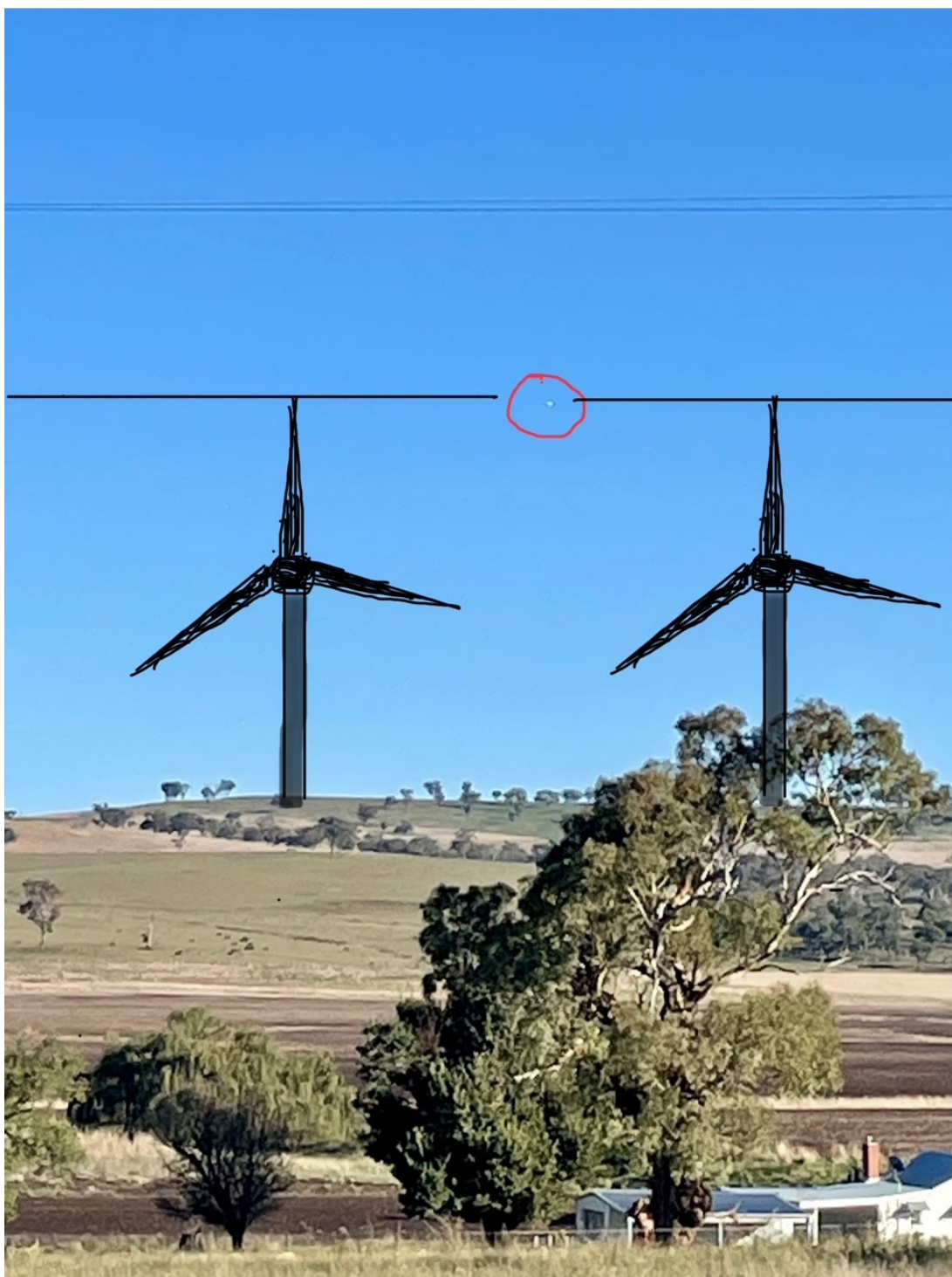


Figure 4. Photo taken on 3rd May 2023 of plane at 250m altitude (red circle) with illustrative turbines depicting visual impact (dwelling 7 in foreground).

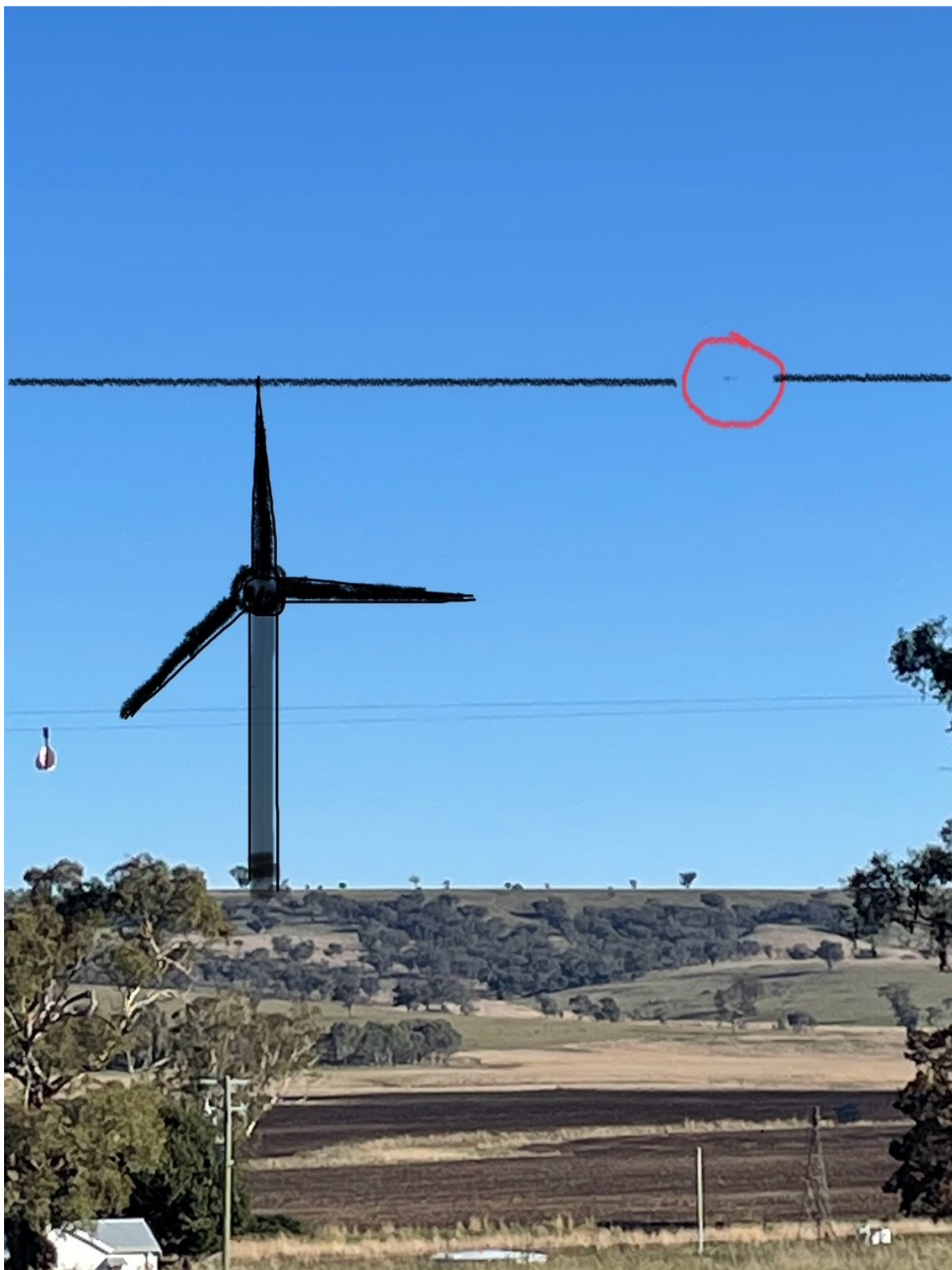


Figure 5. Photo taken on 3rd May 2023 of plane at 250m altitude (red circle) with illustrative turbines depicting visual impact (dwelling 7 in foreground).

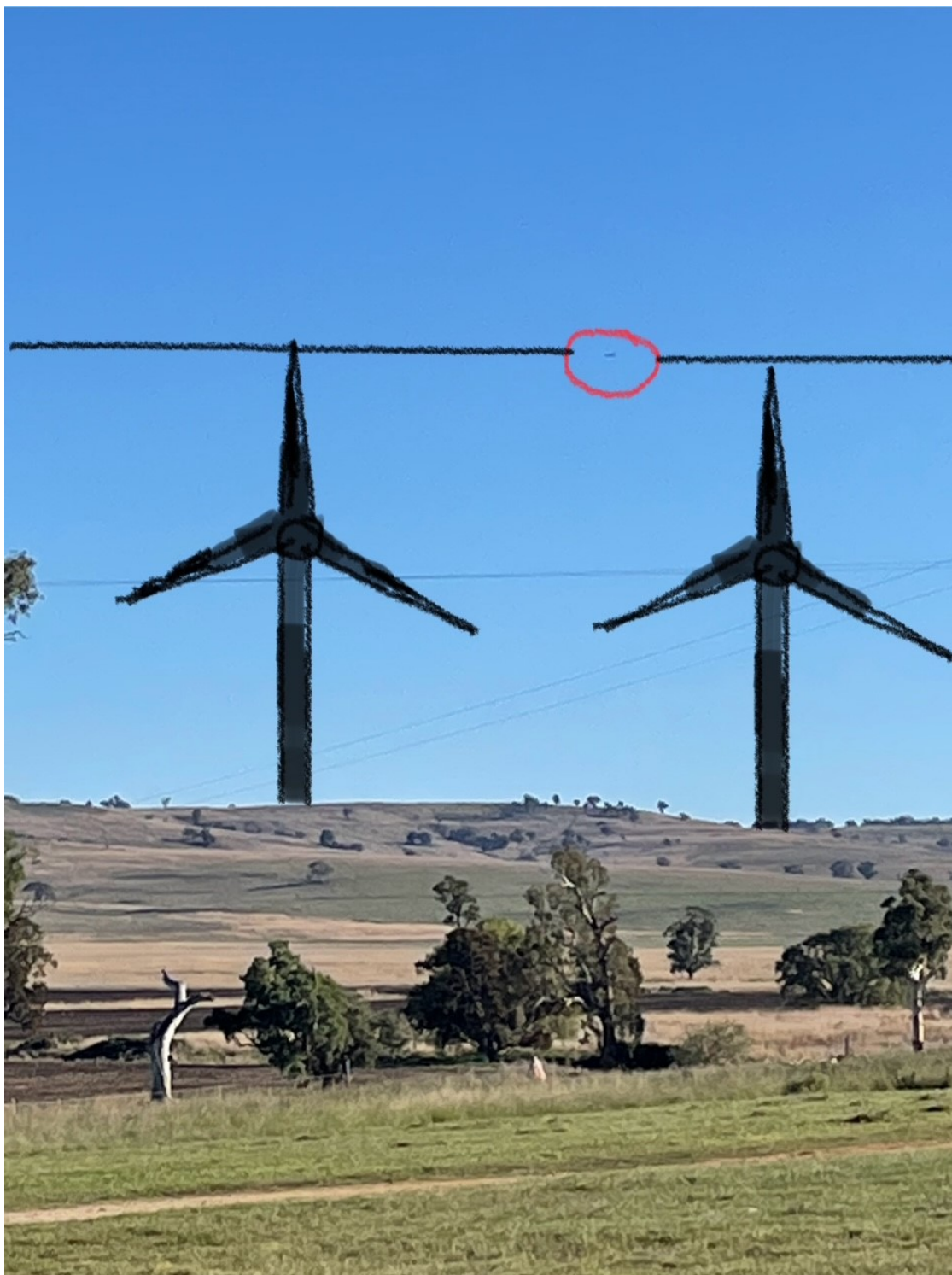


Figure 6. Photo taken on 3rd May 2023 of plane at 250m altitude (red circle) with illustrative turbines depicting visual impact.



Figure 7. Photo taken on 3rd May 2023 of plane at 250m altitude (red circle) with shading depicting area of impact to landscape scenic integrity (impact to current landscape) looking towards proposed site of Girragulang turbines.

Noise impact

The ACEN EIS and Revised Report relied on the commissioned report by Marshall Day Acoustics (“MDA”) to assess wind turbine noise emissions in accordance with the NSW Noise Assessment Bulletin (2016). The NSW Noise Assessment Bulletin in turn refers to the South Australian Guidelines.

I commissioned Octave Acoustics in 2022 to conduct an Independent Peer Review (“IPR”) of the noise impact report contained in the VOTW EIS. This peer review was sent to DPHI on 24th October 2022.

The IPR conducted by Octave Acoustics identified critical flaws in the EIS which were not addressed in ACEN’s Response Report dated October 2023 and has been relied upon the DHPI’s Assessment and in preparation of the draft development consent.

The flaws identified in the IPR indicate operational noise levels from the Girragulang cluster of turbines will be materially higher than established by MDA, meaning at least eleven dwellings on my property will be subject to noise emissions greater than acceptable limits.

The primary flaw is that MDA have used a “ground absorption factor” of 0.5. The South Australian guidelines, which ACEN stated they comply with, recommend a ground absorption factor of 0.0 (source, page 100 of their Revised Report dated October 2023).

Octave Acoustics state in their IPR in section 3.1, “the *NSW Bulletin by way of the SA Guidelines calls for G [ground absorption factor] = 0. If applied to the MDA assessment, $G=0$ is expected to result in significantly higher predicted noise levels, likely exceeding criteria at multiple locations*”. Octave Acoustics also note the Liverpool Range Windfarm project noise emission report conducted by SLR Consulting used a ground absorption factor of $G=0.0$.

As stated to the IPC public hearing in Coolah, siting of the Girragulang cluster of turbines is 100 metres in elevation above most of my houses. When adding turbines with tip heights of 250 meters, turbine noise will have a direct hit on my houses compared with turbines sited on same ground level as the houses.

A ground absorption factor of $G=0.5$ is more relevant for ground-level noise emitters, not for large turbines sited on 100-meter ridges as is my situation. The industry standard recommendation is $G=0$ to define decibel contour lines in this case.

Given this major flaw identified by the IPR resulting in noise emissions to my property and houses far more than acceptable limits, the IPC should reject the Girragulang cluster of turbines as the only feasible mitigant. This should be included in the conditions for consent.

West House

The Assessment correctly referenced my intentions, as is my legal right, to re-establish a prior house located in the western portion of my property and known to me as West House. West House was previously destroyed by fire.

I have provided evidence of West House's prior existence to DPHI via communications in December 2023 and previously in May 2023 by email.

My intentions to rebuild West House also pre-date the VOTW project.

When approached by ACEN representative Jeremy Ellis in 2019 who first advised me of the VOTW project, I raised with him my intention to rebuild West House and pointed out to him its location.

Despite this advice to both ACEN and DHPI, ACEN proposes to place turbines within 2km of West House, well within the "black line". Please refer to Figure 8 below showing the location of West House and the black (3.35km) and blue line (4.95km) perimeters which clearly depict direct impact on many of the Girragulang turbine proposed locations.

West House is not a phantom dwelling, please refer to Figure 9, 10 and 11 below showing evidence of West House's prior existence. The Assessment is incorrect in disputing the prior existence of West House.

The establishment of West House in the 1950's predated planning approvals. West House was subsequently destroyed by fire. Remnants of West House still exist, although were significantly reduced following the Sir Ivan fire in February 2017. As such, there is no current compliance role in relation to rebuild, other than local council approval. Nonetheless, a draft application for development to re-establish this house commenced in early 2024 and lodged on the NSW Planning platform. West House re-establishment plans are continuing. Please note that 240-volt power and water access has remained in use at the West House location since the house was destroyed.

The re-establishment of West House is an absolutely key factor for improving agricultural productivity on my property and has been in my planning pipeline since 2015.

The conditions for consent should specify that proposed turbines need to fall outside of the 4.95km blue line measured from West House.



Figure 8. West House location and black (3.35km) and blue (4.95km) perimeters

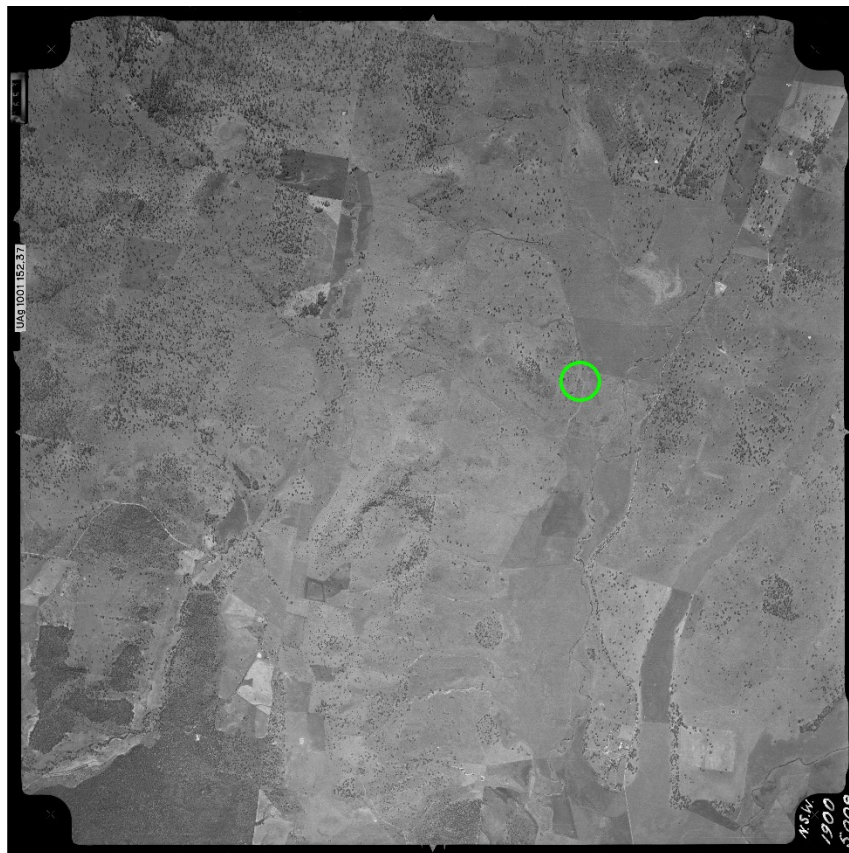


Figure 9. Aerial map showing existence and location of West House



Figure 10. Magnification of aerial map showing existence and location of West House



Figure 11. Location of West House from Six Maps

Property airstrip

My airstrip is critical infrastructure for the viable operation of my property. It has been in existence at the same location for 100 years and is used regularly for agricultural aerial work such as spraying, fertilising, seeding, baiting, as well for business and domestic travel and is relied upon by other neighbours. The airstrip is used regularly by other pilots, including for flight training purposes.

Neither ACEN nor DHPI have not consulted with me directly regarding the airstrip as has been requested by CASA. DHPI have relied on aviation consultants who have not visited the airstrip nor contacted me for details to get a firsthand understanding of the many aviation hazards caused by proposed nearby turbines.

Locating proposed 250-meter tip height turbines within 3km of an existing operational airstrip is incompatible for safe flight operations and imposes a significant safety risk. Wind turbines are an aviation hazard at all times whether during approach, departure or during flight circuits. The aviation risks become elevated disproportionately in times of reduced visibility, such as low cloud, mist or smoke.

Wake turbulence from the proposed 250-meter-high turbines has been identified as an additional danger to light aircraft – the most common type of aircraft that utilise my airstrip.

The Assessment acknowledges these risks and proposes pilot discretion as the key mitigant, which implies restricted use compared to the current productive utility this airstrip has provided for past 100 years.

The only practical mitigant for the IPC to consider is to direct ACEN to remove proposed turbines from the Girragulang cluster to preserve continued and unencumbered safe operation of my airstrip. The conditions for consent should require the removal of turbines GR02, GR03, GR04, GR05, GR06, GR07, GR53, GR08, GR09, GR10, GR11 in addition to the permanent meteorological mast.

Fire fighting

My property was extensively burnt-out by the Sir Ivan fire of February 2017, losing nearly 50 % of my grazing area, in addition to losing homes, buildings, structures and livestock. The fire conditions dictated that ground crews were evacuated leaving only airborne fire support– including large air tankers as well as crop dusters and helicopters. These aircraft operated in poor visibility conditions to place retardant and water along the moving fire front. These aircraft were able to operate in low visibility conditions (smoke) without fear of large aviation hazards such as 250-meter-high wind turbines. The damage to my property and surrounding properties would have been much greater had it not been for aerial firefighting support.

My property also suffered from a fire that started outside my boundary in March 2024 which burnt a substantial portion of natural vegetation inside my property. The only practical firefighting solution was to use aircraft, which included a 737 tanker, crop

dusters and helicopters, all operating in poor visibility due to smoke. Use of these aircraft and particularly the 737, would have been constrained by the location of the proposed Girragulang turbines.

The VOTW project will reduce availability of airborne fire support to non-associated properties neighbouring the project, thereby increasing fire risk. This will require more on-ground firefighting support increasing the safety risk to volunteer fire fighters. Insurance companies and lending banks will factor this increased risk into their premiums and charges, increasing the cost to non-associated landowners.

The Assessment does not acknowledge that aerial firefighting on neighbouring properties will be greatly impacted by VOTW. As such no conditions are included that adequately address the increased risk and replacement of aerial fire fighting. The IPC must delay any approval until further work is conducted to properly assess the impact to aerial fire fighting.

Biosecurity and the Livestock Production Assurance program

The Livestock Production Assurance (“LPA”) program is the Australian livestock industry’s on-farm program covering food safety, animal welfare and biosecurity.

Every LPA accredited producer must undertake risk assessments to minimise the risk of livestock being exposed to sites that are contaminated with persistent chemicals considered unacceptable. Persistent chemicals are substances that stay in the environment and may become concentrated within people or animals and break down very slowly.

The LPA risk assessment requires the livestock producers to do all they can to prevent levels of persistent chemical or physical contaminants entering the meat they produce. The risk assessment checklist now specifically requires the livestock producers to identify equipment that might degrade with age – examples specifically include solar panels or wind turbines.

This requirement puts the onus on the farmer to identify mitigants when producing a property risk assessment. Wind turbine blades are known to degrade and deteriorate and emit micro plastics into the environments including surrounding soil.

The Assessment is silent on potential impact VOTW will have to both associated and non-associated landowners who are accredited livestock producers and who may be exposed in the future to degrading VOTW wind turbines that emit any polychlorinated biphenyls (PCB’s) into the soil.

The conditions of consent should require ACEN (and any subsequent owners of the project) to provide a full indemnity to all non-associated landowners against any and all future contaminants impact their properties and livestock.

As mentioned in my remarks to the IPC panel at the Coolah public meeting, I invite the panel members to visit my property to obtain a firsthand appreciation of the issues I have raised in this submission and my other prior communications with DPHI.

In the meantime, I would be happy to address any queries you may have in relation to my concerns.

Yours sincerely,

M. E. Baillieu