

Environmental
Resources Management
Australia

Level 3, Tower 3
World Trade Centre
18-38 Siddeley Street
DOCKLANDS VIC 3005
AUSTRALIA

Telephone +61 3 9696 8011
Facsimile +61 3 9696 8022

www.erm.com



1 November, 2013

Yass Valley Wind Farm Pty Ltd,
Level 11, 75 Miller Street,
North Sydney, NSW 2060

Attention: **Mr Andrew Wilson**
Email: A.Wilson@epuron.com.au

Our Reference: 0092376_L3_RESPONSE TO EPURON_131101.DOCX

Dear Andrew,

RE: YASS VALLEY WIND FARM – RESPONSE TO RFI FROM DP&I

We have reviewed the requests from the Department (DP&I) and would make the following comments.

LVIA Distance bands

The requirement to undertake a full visual assessment of every house within 8.5 km has never been a requirement in any of the thirty or more wind farms that we have assessed across Australia and overseas. A 3 km zone for the visual assessment of individual residences has always been considered a conservative assessment in the Land and Environment Court as well as before Planning Panels and VCAT in Victoria. In most cases residences have been assessed out to 2 km from the nearest wind turbine.

This requirement for a visual assessment of individual residences in the 3 km to 8.5 km zone is not based on our initial Landscape and Visual Assessment (LVIA) nor upon any recommendation within the Submissions Report. Our initial LVIA (ERM, LVIA, p17, Section 4.1) stated that wind turbines located between 3 km and 8.5 km would be in an assessment band that recognised that wind turbines are:

“Potentially noticeable, but will not dominate the landscape. The degree of visual intrusion will depend on the landscape sensitivity and the sensitivity of the viewer; however the proposed wind turbines would not dominate the landscape.”

The photomontages and all the work within the LVIA and the Submissions Report supports the assessment that wind turbines within this distance band are not of a high level of visual impact and in all the cases we have assessed the level of visual impact is either medium - low negligible - nil.

The lower levels of visual impact (low – negligible – nil) are usually the result of topographical or vegetative screening.

LVIA Seen Area Analysis and viewpoint selection

The Seen Area Analysis (SAA) within the LVIA (ERM, LVIA, p32, Section 6.5) recommended that:

“This mapping of areas of potential wind turbine visibility clearly shows those areas where indicative viewpoints should be selected. These should be in areas that lie closest to the wind farm, preferably within the 8.5 km viewshed zone as it is within the 8.5 km zone that the greatest visual impact occurs.”

Environmental Resources
Management Australia Pty Ltd
A.C.N. 002 773 248
A.B.N. 12 002 773 248

Offices worldwide

This recommendation refers to the selection of indicative viewpoints within the public domain. It is for this reason that publicly accessible viewpoints were within 8.5 km of the nearest wind turbine.

The selection criteria for residential properties were further clarified in the LVIA (ERM, LVIA, p95, Chapter 9, first paragraph) which stated:

*“The major impact of wind turbines on residential properties occurs where wind turbines are within 1.5 km. **However, wind turbines can be dominant out to 3 km. In this zone the greatest potential impact is on neighbouring non-participatory residential properties.**”* [My bolding]

This meant that the main focus for residential properties was out to 3 km. This was in line with normal practice. This normal practice recognises that it is the residential properties that have a high level of visual impact that will have a direct bearing on the application. Although there may be some residential properties with a medium level of visual impact (or less), this has not been considered sufficient to warrant an investigation of every residence and therefore residential assessments have not been undertaken in the 3 km to 8.5 km zone. Similarly it may be possible for many residences to have a low level of visual impact in the 8.5km to 17 km zone and this has also not formed part of any previous assessment.

Guidelines

Several guidelines have been released by Federal and State planning departments as well as relevant industry groups that provide direction in the assessment of visual impacts of a wind energy facility. Some of these include:

- The *Draft National Wind Farm Development Guidelines* by Department of Environment Protection and Heritage Council dated July 2010 (Draft National Guidelines);
- The *Draft New South Wales Planning Guidelines Wind Farms* released by the Department of Planning and Infrastructure in December 2011 (Draft NSW Guidelines);
- The *Policy and planning guidelines for development of Wind Energy Facilities in Victoria* by Department of Planning and Community Development dated July 2012 (Victoria Guidelines);
- *The Wind Farms and Landscape Values National Assessment Framework* by Auswind dated June 2007.

The guidelines require that a wind farm application assess the potential visual impacts of the development to reflect the identified landscape values of the area. The above guidelines do not necessitate the requirement to undertake assessments from every resident within a particular zone of visual influence. This has been elaborated in the Draft National Guidelines (Section C.3.2.3 Preliminary views analysis, Page 74) as below

“With respect to views from private residences in relation to wind farm planning it should be noted that there is a typical understanding that there is no legal right to a view. Views from individual residences should not be included within the assessment and made publicly available. It is suggested that this work, if required, should be carried out as part of the community consultation process, and in particular, consultation with the closest neighbours to the wind farm development.”

The Draft National Guidelines (Section C.4.2.2 Assessment of impacts on viewshed and views, Page 86) further elaborate that:

“The assessment should identify, rate and describe the visibility and relative visual intrusion of the wind farm development on identified viewsheds and views. Particular consideration should be given to:

- *The distance from which the wind farm, or elements of it, will be viewed (from **identified key public and private locations**) (identification of distance zones may be appropriate)”.* [My bolding]

The LVIA as well as the Submissions Report set out to provide an assessment of visual impact from a range of public viewpoints as well as a range of private residential locations.

With regards to the level of residential assessment, the *Director General's Requirements* (DGR) for the Proposed Yass Wind Farm dated January 2009, set the following requirements:

"include photomontages of the project taken from potentially affected neighbouring residences (including approved but not yet developed dwellings or subdivisions with residential rights), settlements and significant public view points, and provide a clear description of proposed visual amenity mitigation and management measures)"

The LVIA and subsequently the Submissions Report in particular provide assessment on the level of visual impact for all residences within 2 km. Photomontages have been prepared from all non-involved residences within 2 km of the proposed wind farm. Additional assessment for most residences within 3 km of the nearest wind turbine, exceeding the prescribed 2 km evaluation criteria set within the Draft NSW Guidelines are also provided.

The Draft NSW Guidelines (Section C Visual Amenity, page 4 & 5) states

"The assessment of wind farm proposals will typically require a comprehensive assessment of the impact of proposed wind farm on the landscape character, landscape values, visual amenity and any scenic or significant vistas to be undertaken. There should be a particular focus on any neighbours' houses within 2km of a proposed wind turbine that do not host the wind farm facility.

...If a turbine is proposed within 2km of a neighbour's house, the landowner's consent must be obtained or a Site Compatibility Certificate obtained from the relevant Joint Regional Planning Panel focusing on visual amenity issues. Photomontages depicting how the turbine(s) will appear from each neighbouring house within 2km of a turbine must be provided during the Gateway and in the assessment."


It is acknowledged that the guidelines do not specifically negate or preclude the development of a wind farm (in consideration to its visual impacts) even within 2 km of the nearest wind turbine should a neighbouring landowner provide consent. Rather the guidelines and the DGRs, in line with normal practice, seek to establish an overview or a sense of the level of visual impact due to the proposed wind farm development that enables decision making.

Overall, the LVIA and the Submissions Report provide an assessment that exceeds the requirements set within the guidelines through an analysis of visual impact from a range of locations including public locations and residential properties. In line with normal practice, they also outline potential mitigation opportunities for identified impacts where reasonably practicable.

Should you have any queries, please give me a call.

Yours sincerely,

for Environmental Resources Management Australia Pty Ltd

A handwritten signature in black ink, appearing to read 'Allan Wyatt', with a long vertical line extending downwards from the end of the signature.

Allan Wyatt - Partner