

SUBMISSION IN RESPONSE TO THE JUPITER WIND FARM PROJECT

LANDSCAPE AND VISUAL IMPACTS

I strongly **object** to the Jupiter Wind Farm proposal for many reasons, but in particular because of the landscape and visual impacts it will have. The property my husband and I own is identified in the EIS as J10. It is situated in Roseview Estate, Mt Fairy.

My concerns are set out below.

- **Extent of the Visual Impact**

Our residence is approx. 2.5km from the nearest proposed turbine. It is in an elevated position west of Braidwood Road. In the EIS, it has been given an **expected visual impact rating (pre-mitigation) of High**.

We bought our property in 2008. What attracted us to the property was the spectacular panoramic view. We built our house over the following two years to capture as much of this view as possible. When we purchased our property, Roseview was a new subdivision with 12 properties ranging from 25 to 100 acres in size. Roseview Estate is a rural/residential area, as are the several other subdivisions in the area.

Based on information in the EIS, we will be able to see between 70 and 88 turbines that are 173 metres high. 30+ of these will be directly in front of our house. The wind farm will dominate our panoramic view. Wind farms (Capital 1 and 2, Woodlawn and Jupiter) will dominate the whole region. The whole region will look like, and will be, an industrial area.

The access roads between the 30+ turbines in front of our house will be very prominent in our view, and will scar the natural rural landscape. Transmission lines will also be highly visible.

The EIS states that “39 turbines in the northern precinct may be lit and potential impacts were identified for individual dwellings, particularly those with elevated views. These dwellings will have clear views of the turbine lights, discernible in an otherwise mostly dark sky.” And “The greatest visibility of night lighting would be available to dwelling on raised topography to the west (Roseview Road)” The view of the spectacular night sky from our house will be affected if lighting is used. Even when it is dark, the wind farm will have an adverse visual impact.

If the Jupiter wind farm is approved, we, and many other property owners affected by this project, will lose the unspoilt rural views (mountains, grassland, trees, grazing animals, dams, rolling hills...) which are highly valued by us.

- **Lack of experience of Clouston Associates, and in particular Matthew Knight, in assessing the Visual Impact of a wind farm in a rural area**

Based on the contents of Clouston's website, Matthew Knight's CV, and his presentation at the Community Consultative Committee (CCC) meeting in Tarago on 13 December 2016, Clouston Associates lack the necessary experience and qualifications to assess the visual impact of a wind farm in a rural area. Mr Knight has gained his visual assessment knowledge by undertaking visual impact assessments for urban projects. He has no experience in assessing visual impacts in rural areas, let alone for wind farms. I believe these factors have resulted in some serious flaws in the EIS, some of which are included below.

Mr Knight told CCC members that the visual impact assessment was subjective but that he had had years of experience making these judgements. Most community members affected by Jupiter have had years of experience making subjective judgements. Our subjective judgement is that the visual impact of the proposed Jupiter wind farm ranges from High to Catastrophic for all residents within 12 kilometres of the project.

- **Failure to include photomontages and wireframes in the EIS as required under the Environment Assessment Requirements (EARs)**

The EARs for Jupiter state the EIS must "utilise recognised tools (such as photomontages and wireframes) at representative locations to adequately assess the visual impacts of the project, particularly for non-associated residences within 3 km of a proposed turbine", but neither a photomontage nor wireframe was done for our residence, although we requested this on 17 March 2015 and again in 2016.

At a meeting held on 3 March 2016 between EPYC and most of the residents of Roseview Estate, my husband and I were shown the 'representative' photomontage for our residence. The photo had been taken from outside our gate, when our residence is around 80 metres from the gate and at least 50 metres higher in elevation. The photo was taken in a southerly direction and does not show the front-on view from the house. The turbines in the photomontage were, we believe, much smaller and less distinct than would be the reality if the project is approved. That photomontage is included in the EIS (Public Photomontage 4, and Private Receptors Viewpoint 11 Wireframe). The Wireframe has the words below it "Photo 11 – Looking east from an **elevated** (*my emphasis*) panoramic view off Roseview Road". The photo is the same one that is used for Public Photomontage 4. The photo certainly does not look like it was taken from an elevated position. It certainly does not look like the elevated panoramic view that I see from the front of my house. The mountain ranges are prominent in my view.

It has been confirmed in the EIS that the consultants' method of taking the photos "has the effect of making objects appear slightly more distant than when viewed with the human eye". I believe a fairer and more realistic photomontage for our residence is the one directly below. The 'representative' photomontage does not truly demonstrate how

prominent the turbines will be in the view directly in front of our house. The mountain ranges will provide a stark contrast against the 30+ turbine towers.



Under each photomontage in the EIS is the wording “To gain a perceptually accurate view of the photomontages they will need to be printed and viewed at A1/A0 sized sheets and held at arms length.” As a result of the way the images are presented, people reading the EIS who are not familiar with our area have been given a washed-out impression of the visual impact the project will actually have.

Although the visual impact consultants did not actually visit our residence, they were able to rate it as potentially having a HIGH visual impact by doing an assessment from the road. The EIS states we will have “Direct and open views of numerous turbines to the east”. We will also have an open view of turbines to the south. Due to the elevation of our house, the 30+ wind turbines to the east will be fully visible to us from our front window and the hubs will be at a height equal to our house. This impact does not come across in the ‘representative’ photomontage.

- The EIS states that the Goulburn-Braidwood Road and the Kings Highway “are scenic and have frequent expansive views over the surrounding landscape, with little built form or similar electrical infrastructure visible alongside the road corridors.” If the transmission line is constructed above ground, the associated visual impact has been rated Moderate/Low to Moderate, increasing in areas where views from the road are far reaching and many poles will be seen in succession.” Along with ruining the scenic and expansive views for road travellers and residents of the area, the transmission line and associated poles would also reinforce in them that the whole region has become an industrial area.
- The photo for Public Photomontage 3, taken from Braidwood Road (near the Roseview Road turn-off), has been taken from the opposite side of the road to that travelled by occupants in southbound cars. They will be looking directly at a cluster of 30+ 173 metre high turbines at a distance of around 1 km or less from the road.
- **The proposed ‘feasible’ mitigation, and the resulting post-mitigation rating for our property of High/Moderate**

The EARs require that the EIS “provide detailed consideration of the feasibility and effectiveness of the proposed mitigation measures, including consultation with all landowners of non-associated residences within 3 km of a proposed turbine where

significant visual impacts are predicted to identify potential approaches to mitigate any adverse impacts, including consideration of negotiated agreements;”

At a meeting between Roseview residents and EPYC on 3 March 2016, EPYC offered to have their visual impact consultants visit each Roseview property to assess the feasibility of mitigation. EPYC agreed at that meeting that mitigation was not possible for some Roseview residents. We declined a visit by the visual impact consultants because EPYC representatives had previously visited our residence, and it was made obvious that our residence was one of those where mitigation would not be possible. All Roseview residents refused the offer because the only mitigation (aside from negotiated agreements) on offer was the planting of trees to block out our views.

The EPYC representatives invited each of the property owners to enter into a negotiated agreement to mitigate against the visual impact of Jupiter. They gave each of us a dollar amount that would be paid to us per annum if we signed an agreement, but refused to give us a copy of the agreement unless they were sure we were genuinely considering this offer. No Roseview resident was willing to even consider an offer without first reading the proposed terms of an agreement.

The amount offered to each of us was based solely on the distance of each resident’s home from the nearest turbine. The amount of \$3,500pa was offered to us. The highest amount offered to a Roseview resident was \$5,200. We were told that they regretted not being able to offer more, but this was not possible because of the large number of people they needed to make offers to! Surely this fact should have been an indication to EPYC that Jupiter is proposed for the wrong area.

The offer of a negotiated agreement came with the requirements that the terms of the agreement must be kept confidential, and that we would be giving up any right to object to the wind farm in the future. It would mean agreeing to give up our panoramic views of the unspoilt rural countryside (ie the reason we chose to live at Roseview). With all the investment (financial, physical and emotional) that we have put into our property, this offer was not at all attractive.

The consultants gave our house an Expected Visual Impact Rating (Pre-Mitigation) of **High**.

The consultants did not visit our residence but concluded in the EIS that “due to panoramic nature of view, any screen planting would need to be extensive. Planting would need to be in close proximity to the eastern façade of the dwelling and to a height of 10m+. Any screening would diminish the panoramic nature of the existing view.” They gave us a Mitigation Effectiveness and Feasibility (Screening Vegetation) rating of **Moderate/Low**.

How long would it take for trees to grow 10m+? The ground around the house is mostly rock. The house is built on a ridge on the side of a mountain with a narrow roadway of approx. 3m in width in front of the house (eastern façade) and the southern side of the house, before the ground falls away steeply.

The Expected Visual Impact Rating (Post Mitigation) rating given for our house was lowered to **Moderate/High** based on an irrational view that screening vegetation would in some way be effective and feasible.

I do not consider the EIS provides “detailed consideration of the feasibility and effectiveness of the proposed mitigation measures” as required by the EARs. Surely the bushfire risk caused by the proposed mitigation should have also been considered.

I asked an EPYC representative following the CCC meeting on 13 December if she truly believed that mitigation for our home was feasible and, if so, why. The reply was that she did believe it was feasible because it is possible.

The planting vegetation in front of our view would also have an adverse visual impact. We did not move to this scenic area to have trees planted in front of our windows to block our view to the mountains and rolling hills. We moved here to see unspoilt rural countryside, with plantings done by us when and where we choose.

The consultants would have known all this had they asked residents in and around the Project Area about the value they place on the landscape in which they have chosen to live.

Mitigation is NOT FEASIBLE for our dwelling.

- **Issues with Clouston’s Methodology**

The EIS gives the impression that the Jupiter visual impact assessment was developed within the relevant policy and legislative framework. However, Clouston’s methodology goes against some of the cited framework.

Chapter 11 – Landscape Character and Visual Assessment (11.1.1) states:

“The assessment was prepared to address the requirements specified in the Secretary’s Environmental Assessment Requirements (SEARs) pertaining to landscape character and visual impacts, as outlined in *Chapter 1*, and having regard to the following:

.....

- *Wind Farms and Landscape Values National Assessment Framework, June 2007 (NAF), published by the Australian Wind Energy Association and Australian Council of National Trust;”*

It is stated in section 1.2.2 (p.12 of the LCVIA/Annex F) that the LCVIA is consistent with NAF Methodology. Table 1.2 of the LCVIA sets out the key components of the NAF. Step 1A includes undertaking a preliminary assessment of landscape values, and Step 1B includes **involving communities and stakeholders in identifying landscape values**.

The community in and around the proposed Jupiter Project Area were not involved in identifying landscape values of the project. This was admitted by Matthew Knight at the CCC meeting on 13 December 2016.

Step 3 in the Table includes seeking community input to potential impacts. Did the visual impact consultants consult with any community members in and around the project area to obtain their views on the potential impacts for them? If so, how were these people selected for this consultation? **No residents of Roseview Estate were consulted on this (or any other issue) by the consultants.**

Step 4 of the Table includes responding to identified impacts, including “Changes to location or siting of the wind farm or ancillary infrastructure”. At a meeting between Roseview residents and EPYC on 3 March 2016 we were told by EPYC that they were not prepared to make any alterations to their project as a result of our issues.

The EIS talks about the Land and Environment Court Planning Principles, stating:

“Relevant (*my emphasis*) planning principles have been developed in visual assessment case judgments over the years to guide future decision-making in development appeals. These include separate but related principles for private and public domain views. The principles set out a process for assessing the acceptability of impact. The two most relevant cases to this site are:

- Public domain views – Rose Bay Marina Pty Ltd v Woollahra Municipal Council (2013)
- Private views – Tenacity Consulting v Warringah Council (2004)

Overall, the Court Commissioners conclude that public domain views should be given more weight than private domain views due to the potential for visual impacts to affect a greater number of viewers.”

Planning Principles for Private views, from the Tenacity Consulting v Warringah Council (2004) judgment, include:

- “water views are valued more highly than land views
- iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons
- whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.”

These Planning Principles are not **‘relevant’** to a visual impact assessment for a wind farm in a rural/residential area.

The policy and legislative framework section of the EIS is misleading as it gives the reader the impression that Cloustone has followed a rigorous visual impact methodology, when they only used selected parts of the cited methodology.

Our subjective view is that the various layers of mountain ranges that we love, the rolling hills, natural grassland, farm animals, starry sky and comparatively little development, are our 'iconic views'. We have chosen not to have views of the Opera House, Sydney Harbour Bridge or highly built up residential, commercial or industrial areas.

Step 3 of the NAF Methodology includes seeking community input to potential impacts. Did the VI consultants consult with any community members in and around the PA to obtain their views on the potential impacts on them? If so, how were these people selected for this consultation. **We were not consulted on this by the VI consultants, nor were our Roseview neighbours.**

Step 4 of the NAF Methodology includes responding to identified impacts, including "Changes to location or siting of the wind farm or ancillary infrastructure". At the meeting between Roseview residents and EPYC, an EPYC representative stated that no issues we raised would result in them altering their current design of the proposed wind farm.

The quoting of the NAF Methodology in the EIS misleads readers into thinking the NAF Methodology was actually used when undertaking the VI assessment.

- I see a problem in the methodology in relation to Landscape Character Zones.

Rural Development Zone 5 was given a Sensitivity rating of High. In describing the Magnitude of the impact, the following wording is used:

"The JWF turbines may be clearly visible from some parts of this zone. They are significantly taller than any other feature within the landscape. Many dwellings, however, have dense vegetation surrounding the property, blocking views of the turbines and reducing the magnitude of the Project within the zone."

Because some homes in this zone have dense vegetation surrounding the property, all homes in Zone 5 have been given a Magnitude rating of **Moderate**.

Using this methodology, all homes in Zone 5 have been given an Overall Landscape Character Impact rating of **Moderate/High**.

The same Magnitude rating of Moderate/High should not apply to all properties in the Rural Development Zone. Those homes with clear views to many turbines (eg a number of homes in Sherwin Ridge, Roseview, Barnet and Lakeview) should have a Magnitude rating of High, and an Overall Landscape Character Impact rating of High (or Catastrophic). The methodology used here by the consultants is too simplistic and should not be used for a visual impact assessment for a wind farm planned for an area with 140 residences within 3km of a turbine.