# Rejection of Biala LVIA

Newtricity's LVIA, in its production of photomontages, appears to have set a new (abysmal) standard for subterfuge, confusion, misdirection, and outright spurning of the relevant SEARs.

It has excluded huge swathes of locations for which photomontages are supposed to be produced. Those it has produced lack most of the relevant information needed to determine their accuracy and relevance. Cloustons appears to have substituted photomontages taken from a single point for the views from multiple residences located kilometers apart.

The LVIA complies with neither the terms nor the spirit of the SEARs issued for Biala wind farm and should be rejected with a stern warning that this is culpable behaviour.

The DGRs as issued by Ms Karen Jones on 12/08/13 clearly state:

> **"include photomontages of the project taken from potentially affected residences and in particular from all non-host dwellings within 2km of a proposed wind turbine (including approved but not yet developed dwellings or subdivisions with residential rights),"**

This wording is a carefully chosen variant to the original wording in the draft NSW Wind Farm Guidelines as the Department obviously realized that high visual impacts occurred at residences outside the 2km boundary. Also, if the Department had meant a "representative" set of photomontages from potentially affected residences rather than the implied "all", then it would have said so.

Did Newtricity include photomontages from (all) potentially affected residences? – NO, only from a few sample residences.

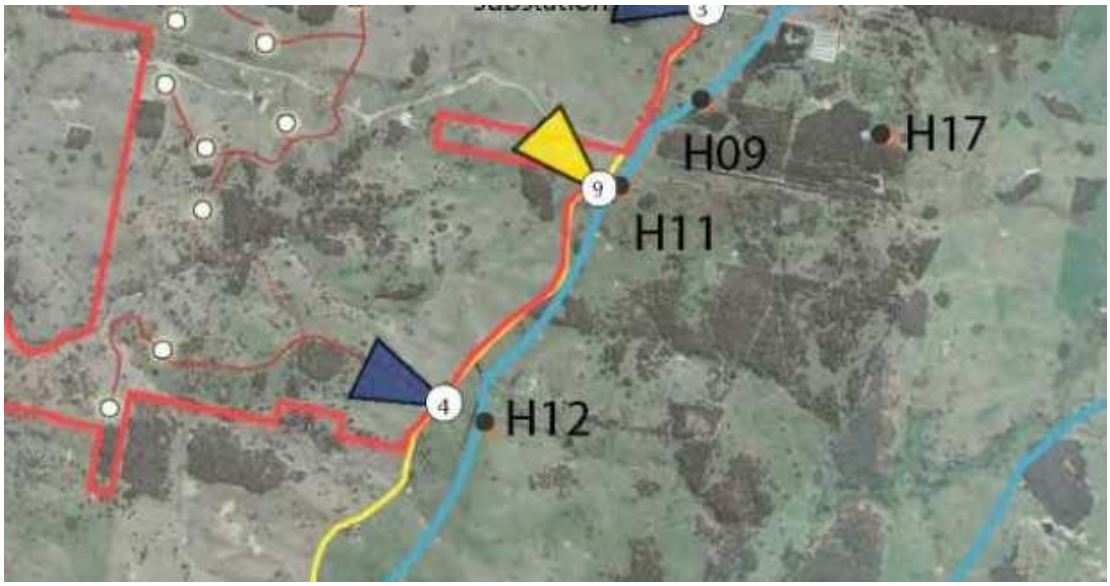
Did Newtricity include photomontages from all non-host dwellings within 2km? – YES, because apparently there are none (although the nearest turbine to viewpoint 9 is listed as 1.9km [page 63, LVIA])

Did Newtricity include photomontages from approved but not yet developed dwellings or subdivisions with residential rights? – NO (there had to be some, even in the small 12 km ZVI)

Newtricity included assessments from SIX (6) private viewpoints. (numbered 5 to 10)

Below is a portion of table 11.4 – Summary of Impacts from Private Receptors

| | |
|---|---|
| Viewpoint 9<br>*Residential Properties – H09, H11, H12 and H17* | **Moderate**<br>The level of visual impact on individual properties in these locations will depend on their orientation, local topography and level of screening vegetation present - potentially reducing the level of visual impact experienced. Dwellings H09, H11, H12 and H17 are surrounded by tree planting and the most extensive views of the Project are likely to be from the driveways. |



Source: EIS Figure 11-3

Viewpoint 9 is detailed as above. The assessment was made from "off Grabben Gullen Rd" in the vicinity of residence H11. We'll come back to that.

The assessment was not even done from one of the four residential living areas.

For the first time in a wind farm LVIA, we believe, we have a viewpoint covering more than one residence. This has been used before in an urban LVIA but we are not talking here about adjoining quarter acre blocks.
These 4 residences are up to **3 kilometres** away from each other. The turbines are closer than that to each of these residences.

Now, let us examine in detail just what Newtricity said in relation to this "viewpoint"

Firstly, if all 4 residences are "surrounded by tree planting" the Departmental planners will reasonably question how the visual impact assessment ends up as high as it does - Moderate.

Orientation is now a factor to be considered in the severity of visual impact. That's a new one. It used to be narrowly and incorrectly defined as views from the indoor and outdoor living areas. Soon it will be from the bathroom window (frosted).

We agree that topography could be an influencing factor, but we'll never know. Newtricity did not tell us how the topography modifies the views from these four residences. There are no photomontages. So too with screening, but here Newtricity did tell us that all four residences are "surrounded by tree planting".

The phrase "are likely to be from the driveways" clearly shows that no on-site inspection was done from within any of the four properties. So the assessment that all dwellings are "surrounded by tree planting" has been done from outside the properties or from a desk. We can do that as well.

From a two dimensional image, we can see that residence H12 is anything but "surrounded by tree planting"

Source: Google Maps

Residence H12 is at the bottom edge. What are the buildings in the top right hand corner? Another residence or a large work area associated with H12?
From the EIS, we don't know and neither does the Department.

Of course we will never know how many turbines can be seen from the living areas of residence H12. There is no photomontage.

Just what the resident will see of the 185 metre turbines to the north approximately 3 kilometres away or the substation, somewhat closer, we'll never know.

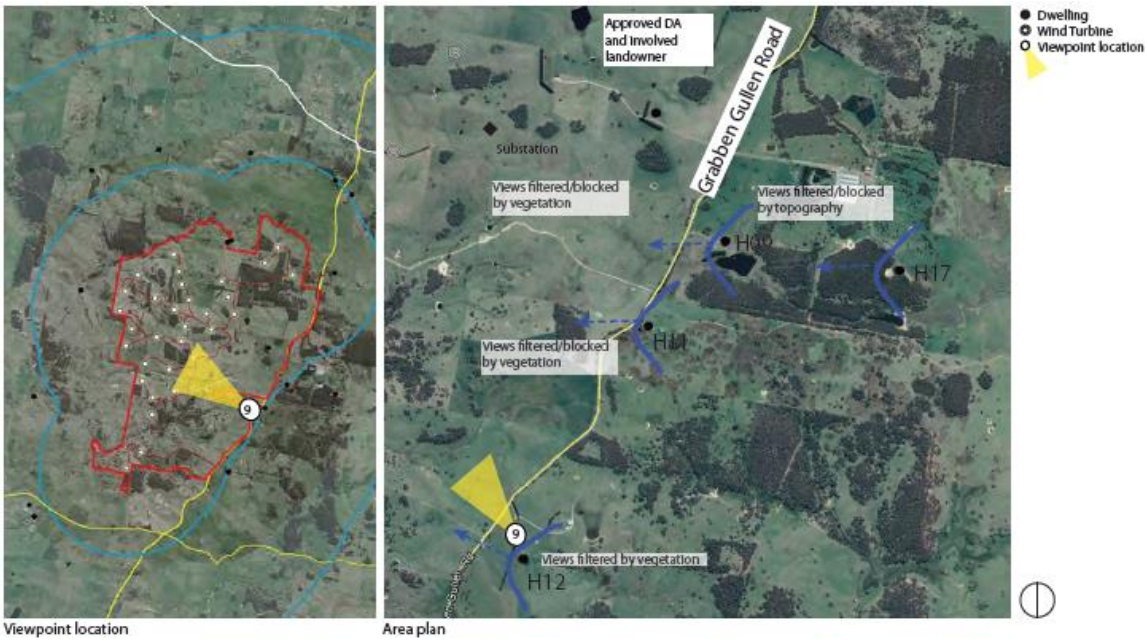
Let us look at residence H09.


There it is. “surrounded by tree planting”

Once again, neither we nor the Department will be able to judge the visual impact from this residence. There is no photomontage. We could guess, with 185 metre tall turbines, 2 kilometres to the west, that the impact could be EXTREME.

From 2 dimensional images, it would appear that the visual impact from residences H11 and H17 could be affected by screening trees, but we’ll never know.

Then, from Page 62 of the LVIA, we learn:




We now find that viewpoint 9 is outside residence H11 on the left and residence H12 on the right (and the view cones are pointing in clearly different directions).

Which is correct, H11 or H12? It is significant. They are over a kilometer apart. We don't know and neither does the Department. Whilst of low resolution, the implication is that the viewpoint is at the residence. It isn't. See later for the utter confusion between viewpoints and photo locations.

Does the Department also know, as the developer had a choice of 4 residences from which to take a photo from, did it pick the one that gave the best outcome (for them) or the worst? No? Neither do we.

Let us consider for one moment that the Department is going to consider this as a minor bump on the road to approval. Let us consider that they are happy with this new concept that the visual impact on 4 residences just 2 kilometres from the nearest huge turbine can be determined with one assessment. If so, we cannot define this as a viewpoint. This is a viewarea.

Newtricity has come up with the visual impact of this viewarea as **Moderate.** Of course, this 4 in 1 methodology was only introduced to lower the visual impact assessment. Notice how each of the 6 private residential assessments now has the word moderate in it. (LVIA Page 66)

Within viewarea 9, we could well have some residences with extreme visual impacts, say H09 (we'll never know), but this rating gets watered down by an assumed lower assessment for say H17.

**If you accept the viewarea concept, then you must also accept that the whole area must be assessed as a unit, work areas, driveways, the lot. Then you will inevitably come up with a visual impact on the viewarea as something higher than High (Newtricity's highest ranking)**

An LVIA, over a year in the making, is supposed to give the Department, other Government stakeholders and the community a clear understanding of the visual impacts of the project, especially one that is going to have severe repercussions for those close to these huge turbines. I could continue and review each of the other 5 viewpoints/viewareas, but you get the message.

And then the confusion further increases. The Newtricity consultants, ERM and Clouston Associates (CA) agree on the location of the 10 viewpoints (See Appendix A). CA has postulated the visual impact from these viewpoints, 6 of which were private (numbered 5 to 10).

Then, in section 8 of the LVIA, CA publishes some photomontages.

Considering the private photomontages only. Refer Figure 13, Page 90, Photomontage locations. (See Appendix B)

- No photomontage was published (produced?) from viewpoint 10.
- Photomontage 5 was taken from viewpoint 6.
- No photomontage was published (produced?) from viewpoint 8.
- Photomontages 6 and 7 were taken from somewhere near viewpoint 7
- Photomontage 8 was taken from viewpoint 9
- Photomontage 9 was taken from somewhere near **public** viewpoint 3
- No photomontage was published (produced?) from viewpoint 5.

5 private photomontages in total, from somewhere near 3 of the 6 private viewpoints.

We cannot understand how CA assessed 6 private viewpoints from these photomontages.
Can the Department?

And that is without considering whether 5 photomontages and 6 assessments adequately covers the DGRs as outlined above;

nor does it consider whether the DGRs are satisfied in their treatment of the ZVI, 12 kms by Newtricity's definition (which should be at least tripled if you accept the authority of the Scottish National Heritage, which CA appears to do), especially with respect to those private residences in that landscape;

> **"identify the zone of visual influence of the wind farm including consideration to night lighting (no less than 10km) and assess the visual impact of all project components on this landscape;"**

nor have we considered the quality and accuracy of the photomontages; (As some of the photomontages need further investigation, the lack of GPS coordinates makes it difficult. A photo location of "off Grabben Gullen Road" we feel is less than professional.)

nor have we considered the flaws in the assessment methodology.

Each of these considerations deserves a unique submission.

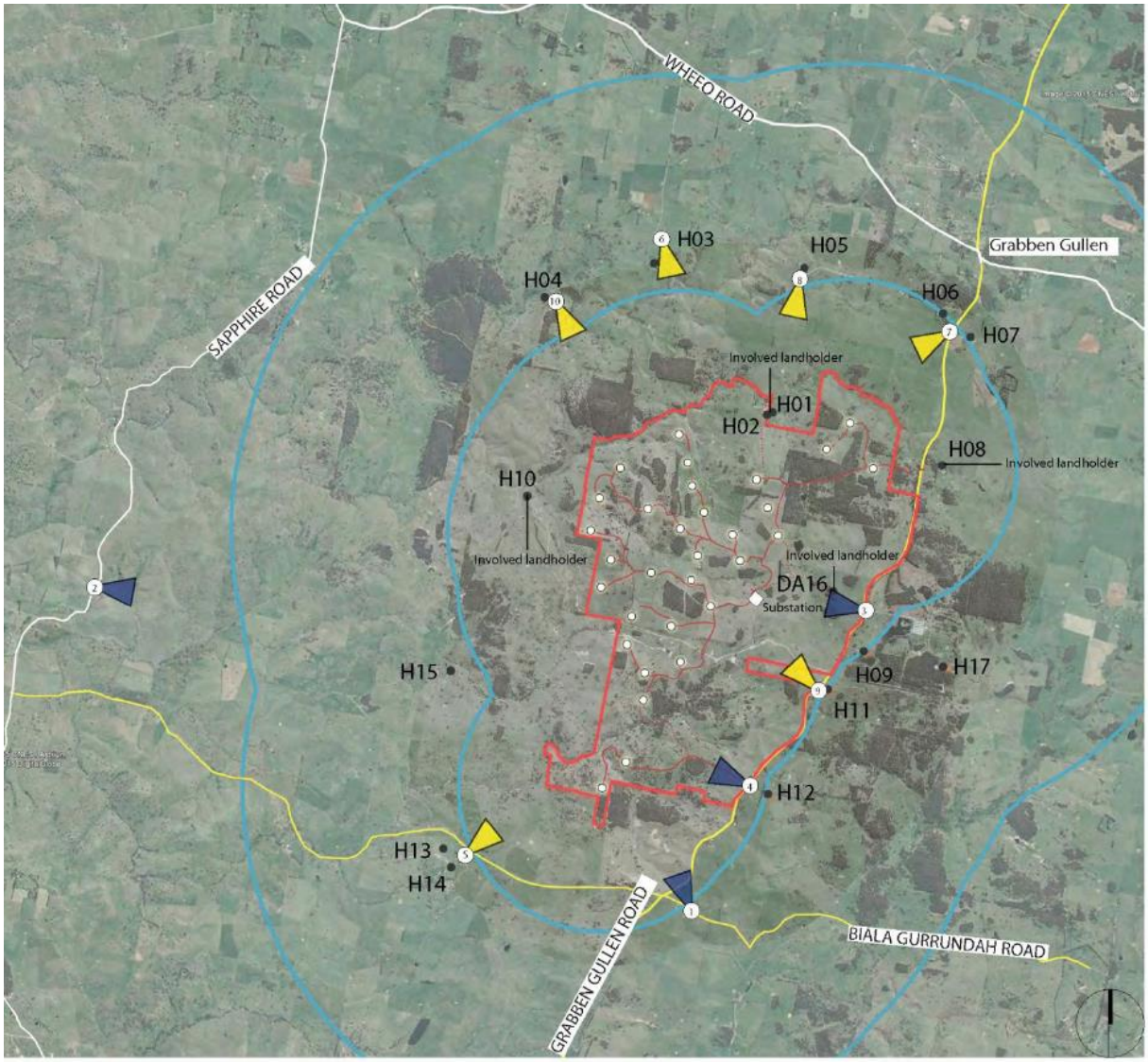
This section of the EIS is deeply flawed. No doubt others will point out similar flaws in other sections. There is no way that the Department can make a recommendation based on EIS sections of this calibre.
The LVIA must therefore be rejected.

Should the Department disagree, the minimum reasonable action stakeholders could expect is a photomontage and a Visual Impact Assessment from each affected residence within the proponent stipulated 12 km ZVI. This should not be too onerous as we are told on more than one occasion that the landscape is characterized by a "low density of rural residential development"

The Department must also ensure that this 4 for 1 trick is not used again.

For future EISs, the Department must ensure that all photomontage technical details are published, especially GPS coordinates from which the base photo was taken and the time the photo was taken.

# Appendix A




SOURCE: Clouston Associates, Landscape Character & Visual Impact Assessment (150703_BIALA LCVIA ISSUE E), 6 July 2015

| | | | |
|---|---|---|---|
| Client: | Newtricity | | **Figure 11-3 - Location of Public and Private Viewpoints in Proximity to the Project Area** |
| Drawing No: | 0178462b_BWF_EIS_C008_R1.cdr | | |
| Date: | 15/07/2015 | Drawing size: A4 | Biala Wind Farm<br>Environmental Impact Assessment |
| Drawn by: | JC / GR | Reviewed by: TH | |
| This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy. | | | Environmental Resources Management ANZ<br>Auckland, Brisbane, Canberra, Christchurch, Melbourne, Newcastle, Perth, Port Macquarie, Sydney |

ERM

Appendix B

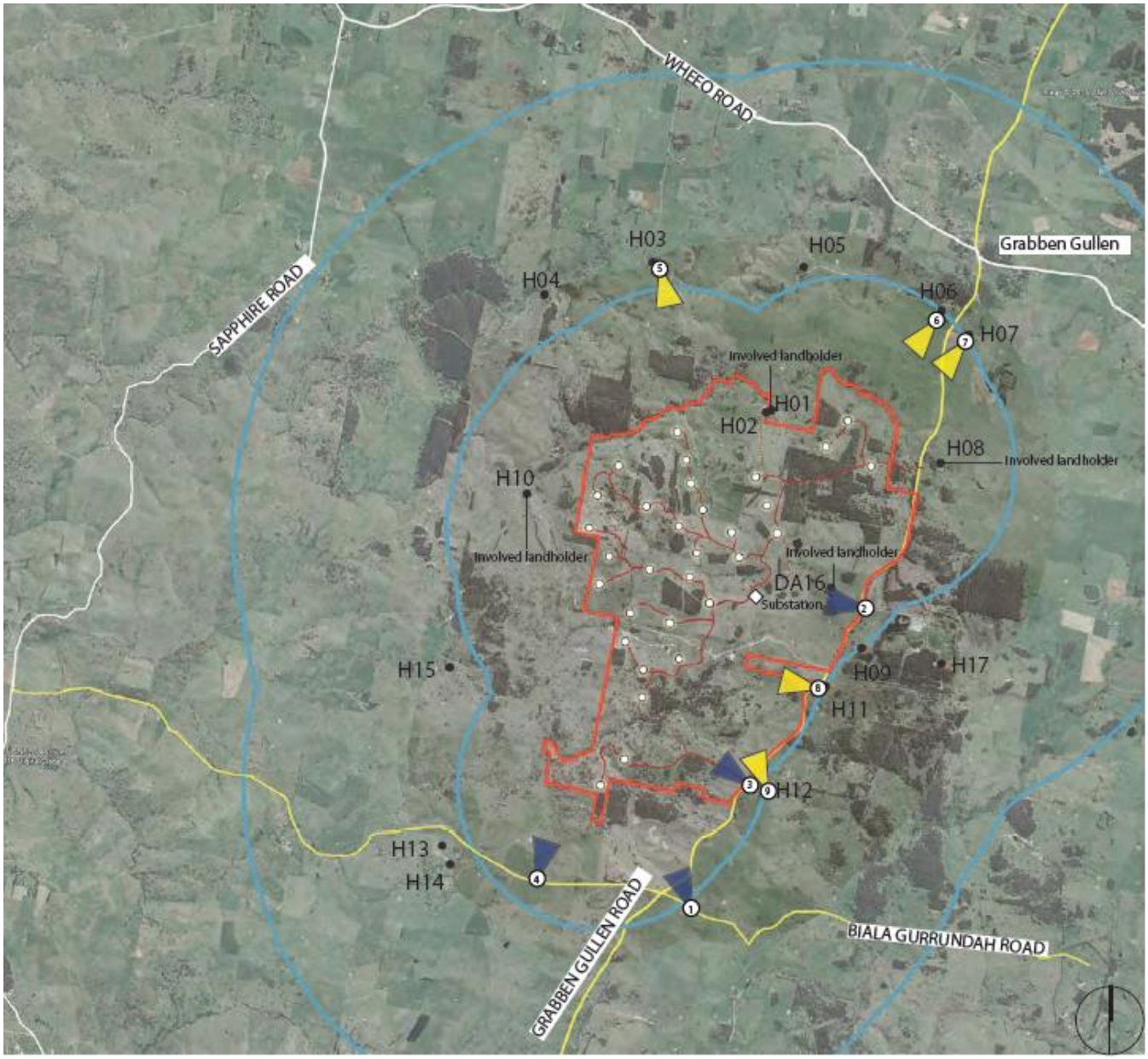



Figure 13 - Photomontage locations

- Main Roads
- Minor Roads
- 2 and 5km WTG offset
- Project area
- Dwelling
- WTG
- Access roads
- Substation
- Private viewpoint
- Public viewpoint