

## **Failure to Comply with DGRs/SEARs in Conducting LVIA**

The DGRs issued for Biala clearly require that the assessment of visual impact be in relation to “community and stakeholder values of the local and regional visual amenity and quality” and that the description of those values be evidence-based (“surveys and consultation”).

The EIS provides neither a description of those community values nor reference to any evidence base for the visual values of the affected community. Instead, it makes a tired attempt to draw on some unrelated and fundamentally spurious reports about whether people somewhere are in favour of wind farms.

Because the EIS has failed to address the DGR to identify and describe local visual amenity values and then use them in making VI assessments, the whole VI section of the EIS is fatally flawed and fails to comply with the DGRs and should be rejected in toto.

Since that invalidates all other VI discussion in the EIS, before the Department makes any recommendations based on a revised LVIA, the community should be given the opportunity to comment on that revised LVIA since it must necessarily be fundamentally different to the LVIA initially submitted with the EIS.

### **Landscape and Visual Impacts – Community input.**

Newtricity has been told twice (DGRs 12/08/13 and revised SEARs 19/05/15):

Landscape and Visual Impacts - the EIS must:

- provide a comprehensive assessment of the landscape character and values and any scenic or significant vistas of the area potentially affected by the project taking into account cumulative impacts from surrounding proposed, approved or operational wind farms in the locality, including an assessment of the significance of landscape values and character in a local and regional context. This should describe community and stakeholder values of the local and regional visual amenity and quality, and perceptions of the project based on surveys and consultation;  
Source SEARs

to paraphrase, THE EIS MUST...DESCRIBE COMMUNITY...VALUES...BASED ON SURVEYS....

Clouston Associates repeats the section from the SEARs and explains:

| SEARs   | Report Reference  |
|---|---|
| Provide a comprehensive assessment of the landscape character and values and any scenic or significant vistas of the area potentially affected by the project taking into account cumulative impacts from surrounding proposed, approved or operational wind farms in the locality, including an assessment of the significance of landscape values and character in a local and regional context. This should describe community and stakeholder values of the local and regional visual amenity and quality, and perceptions of the project based on surveys and consultation*. | Part 3 - Landscape Character Assessment<br>Part 6 - Mitigation Recommendations<br>*Community consultation has not been carried out by the authors of this report. Refer to the EIS for further details on consultation. |

Source: Biala LVIA, Page 9

Note the carefully chosen words in the bottom right hand corner by Clouston Associates. They avoid the use of the word “surveys” and instead kick the can to ERM to explain what consultation on landscape and visual impacts was carried out. Of course, no such consultations as required (or surveys) were carried out.

Clouston Associates is no doubt fully aware of this requirement. Additionally, this quotation has an impeccable pedigree:

“Landscape and visual assessment

The existing landscape must be described, and the potential landscape and visual impact of the proposed wind farm assessed and evaluated. It is important that visual amenity is always considered in the context of the existing environment, particularly regarding the value that the local community puts on landscape character and attributes.”

Source: Clean Energy Council. Best Practice Guidelines for Implementation of Wind Energy Projects in Australia (Page 26)

**“The Clean Energy Council is the peak body for the clean energy industry in Australia.”**

When you follow the can you find ERM referring to a number of spurious studies and concluding:

Whilst these studies have not been relied upon as a basis for the LCVIA undertaken by Clouston Associates (2015) for the Project, the findings of the community perception studies mentioned above provide an independent “reality check” that confirms the findings presented within the LCVIA.

Despite the requirement for surveys to be done specifically for the Biala wind farm, none were done. Instead ERM quoted the following studies:

Firstly: Exploring community acceptance of rural wind farms in Australia: a snapshot (Hall, N et al 2012), undertaken by the CSIRO.

The Department is fully aware of the complete failings of this study. I refer you to the submission “FATAL DEFECTS IN LIVERPOOL RANGE WIND FARM ENVIRONMENTAL ASSESSMENT” made by Dr Michael Crawford, specifically “Appendix B. The Fatuous CSIRO Report “Exploring Community Acceptance of Rural Wind Farms in Australia” page 48)

On P12, Dr Crawford summarises:

“The developer also attempts to impute local support by reference to the 2012 CSIRO report *Exploring Community Acceptance of Rural Wind Farms in Australia*, which is a breathtaking instance of research incompetence. Based on interviews with a minute sample of 27 people, half of whom had financial interests in wind farms, and one third of whom actually belonged to wind farm companies, the report concluded:

“There is strong community support for the development of wind farms, including support from rural residents who do not seek media attention or political engagement to express their views.”

This conclusion was reached despite the report also including a newspaper coverage analysis that showed opposition to wind farms much greater than

support, and a desk review of actual industrial wind farm projects that showed half of them had high opposition and 2/3 had high or moderate opposition. No one with even a basic understanding of statistics honestly conducts a survey with a sample of 27 people, overwhelmingly weighted to favour a particular viewpoint, and then purports to generalise the views of those 27 people to a population of millions.

This astounding piece of intellectual incompetence is discussed in more detail in Appendix B.

The fact that the developer has trotted out the unsubstantiated headline conclusion from such a report to back up its claims of strong support in the region of its wind farm proposal, despite not having conducted a survey in that locality, shows it is truly scraping the bottom of the barrel to offer disinformation to the DPE.

This is hardly surprising given the developer's total disregard for the requirement for actual full and open consultation with residents in the Liverpool Range locality"

As ERM trotted out the same conclusion, the whole section above would apply if "Liverpool Range" was changed to "Biala".

ERM next bases its case on a study commissioned by the NSW Department of Environment, Climate Change and Water (DECCW) from AMR Interactive (September 2010)

Dr Crawford in the same submission mentioned above forensically dissected this survey as well. Please see:

Appendix A. Problematic Use of 2010 Community Attitudes to Wind Farms in NSW Survey. Page 44.

From his summary on Page 11:

- It was conducted at a time when there was very little real, local experience for respondents to draw on about the impact of wind farms.
- The wind turbines then operating in the regions covered were small and weak compared to those now being "justified" by this survey.
- Only about 20% of the people covered by the survey could reasonably be said to be subject to possible personal impact from wind farms, so the result is heavily skewed by those not so exposed.
- Perhaps not coincidentally, the "79% support for a wind farm being built 10 km from their residence" cited by the developer<sup>13</sup> is remarkably close to the proportion of the survey group that was at no risk of having that happen.
- The unbelievably large responses about seeing (81%) and hearing (35%) wind farms, at a time when there were almost none operating in the large region surveyed, indicates some fundamental problem in sample selection or survey conduct or respondent's understanding of the matter upon which they were being quizzed, which means the results cannot be relied upon.
- The survey included emotive, value-laden statements, which are normally avoided in objective surveys because they are known to skew answers.

Once again, this criticism can be leveled word for word against the Biala EIS.

Finally ERM relies on its own survey with Reark Pty Ltd in support of the Gullen Range wind farm. The Department also knows about the irrelevance and deficiencies of this piece of "research". Mike Young in a search of his email stream will find:

- data was collected in July/August 2007
- data was only collected from those that had a land line. A large proportion of lifestyle I know communicate by mobile phone. Skews the sample somewhat.
- biased, leading and factually incorrect questions
- The only wind farm constructed at that stage was Crookwell with its 8 dinky turbines.
- 59% lived in a town (no doubt the largest proportion in Goulburn). If your visual amenity (view) is of the side of the next door neighbour's house or if driving round town, the Big Merino or the Correctional Centre, your perception of a wind farm might be different to those in the ZVI.
- 7% of the respondents had seen a wind farm but didn't know that a wind farm was a collection of large wind driven turbines
- more respondents had seen a wind farm than had seen a turbine
- 82% had seen the Crookwell wind farm. 68% lived more than 25 kilometres away from the Crookwell WF, but on average, of those that had seen it, see it on at least 44 occasions a year. Interesting data or an interesting sample.

From this research, ERM concluded, for Biala, that they:  
 “provide an independent ‘reality check’ that confirms the findings presented within the LCVIA”

Absolute nonsense. There was nothing presented to be confirmed.

The spurious “studies” relied upon by ERM and Clouston Associates essentially ask whether people are in favour of wind farms. While the “studies” are not even fit for purpose in relation to that question, the question is completely irrelevant to the critical task the SEARs require Newtricity to undertake, i.e. “describe community and stakeholder values of the local and regional visual amenity and quality” and then, as the Clean Energy Council advises, assess the visual impact in relation to those values.

Others, no doubt will provide submissions on other serious flaws in the LVIA. Eg ZVI, view locations, photomontages, landscapes, evaluation methodologies etc.

### **Recommendations:**

- That the EIS be rejected until a proper LVIA is supplied which meets the requirements of the SEARs and the 2011 NSW Wind Farm Guidelines (Draft)
- That once an LVIA is submitted that complies with the DGRs and SEARs, it be publicly exhibited for community comment before evaluation and recommendations by the Department.
- That any future EIS that relies on any of these spurious “studies” to support their LVIA be deemed unsuitable for public review.