

Submission – Hills of Gold wind farm – Photomontages.

Having researched every new and most existing NSW wind farm EISs over the last 6 years, and made submissions, either to the Department or to the PAC/IPC on the LVIA for a number of them, these photomontages are, in my opinion, some of the most misleading ever presented.

The Department will claim they are not misled as they are used to misleading photomontages, but it is hard to argue that the local and wider community is not being profoundly misled.

I come to this conclusion based on my research and my ongoing observations.

I am daily reminded of what wind turbines look like on the horizon. From my residence I can see four of the Capital wind farm turbines to the west. Keep in mind that I view these 124 metre turbines from 11 kms. Also daily, I walk the dog to the high point of my property for an even clearer view.

Approximately weekly I do the return trip to Queanbeyan or Canberra through Bungendore which affords me a clear view of the nearest Capital wind farm turbines to the North/NE at a distance of between 8 kms and 18 kms depending on the viewpoint.

The Woodlawn wind farm, also with 124 metre turbines, at a distance of more than 20 kms to the nearest turbine as you crest and descend the range on the way back to Bungendore, is also clearly visible in most conditions.

Hills of Gold wind farm (HOG wf) turbines with 83.5 m blades have a rotor swept area (the part of a wind turbine that captures our attention) 3.6 times Capital and Woodlawn turbines with 44 metre blades.

I believe I can speak to the visibility of these small local turbines under varied lighting and seasonal conditions.

This, of course, is not a unique skill. The Department's Executive Director, Director and HOG wf Senior Planner have seen enough wind farms over the last few years to know exactly what turbines look like in real life.

More importantly so do the ERM authors and certifiers of the HOG wf EIS.

What does the Wind Energy Visual Assessment Bulletin say about photomontages?

“For selected viewpoints, photomontages generated by the proponent and other experts may be used in conjunction with the performance objectives to assist in the judgements being made on whether or not the proposed wind energy project design will achieve the desired visual performance objectives.” (Page 12)

“Photomontages shall be prepared in accordance with the *Scottish Natural Heritage Visual Representation of Wind Farms, Version 2.1 December 2014* guidelines, **noting they are generally consistent with the Land and Environment Court's Photomontage Policy**” (Page 13 – bolding added)

(Interestingly, the bolded section was not in the original draft. I wonder who requested its inclusion. Whilst there may be some commonality between the very small number of points raised in the two page LEC Policy and the 53 page Scottish Natural Heritage (SNH) Guidelines, that is where the resemblance ends. By this inclusion, what is the Department telling the proponent?)

Whilst a printed photomontage can never exactly replicate the real life view, Moir Landscape Architecture could have made a much better attempt, ERM, through Mr Murray Curtis as the certifier, should have hesitated before signing the certification, and the Department should have rejected them. Just one SNH quote.

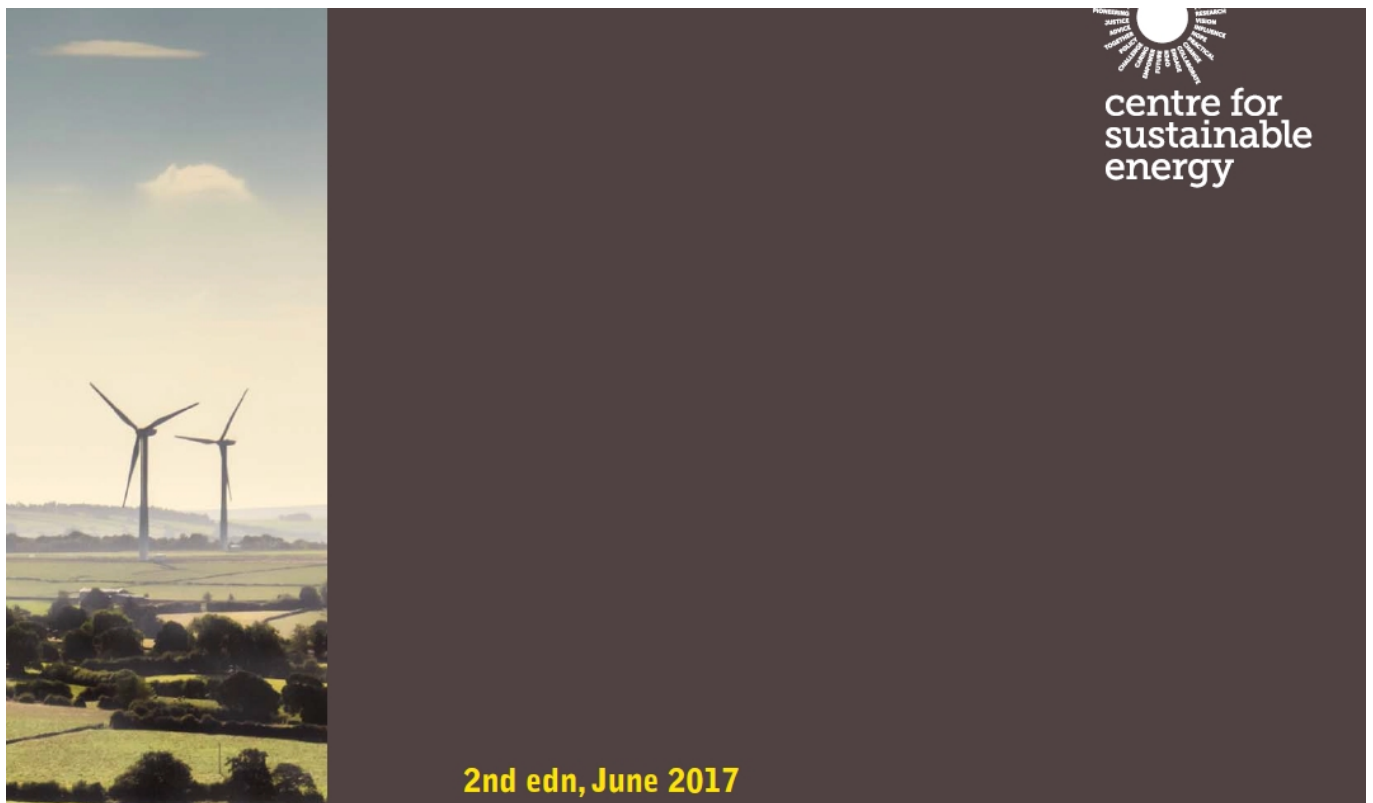
(Visualisations should however,):

“provide a representation of the proposal that is accurate enough for the potential impacts to be fully understood”

I draw your attention, from the point of view of contrast, to the wind farm depicted on the front page of the SNH Guidelines.
Surely no-one will attempt to argue that this photomontage contrast is misleading in that it is too high.



And from the cover of a publication from the much referenced “centre for sustainable energy”. The publication itself (Common concern about wind power) is referenced, for instance, in Appendix P, P42



Hard to argue with one of your prime references on the basis of contrast.
Compare those above to a typical photomontage from the HOG wf EIS. (Yes, this is the one with the turbines depicted)



This is an enlarged section from Photomontage 3 (Appendix F LVIA App D PM 02-03) . (See below for comments on the scale issues with the height of these turbines thus requiring image enlargement)

If you hold this image (landscape A4/Letter) at comfortable arms length, it will approximate 230 metre turbines at 6.4 kms

To be fair, let us check another random photomontage that has better contrast, PM23. Below is a snapshot from the image in the EIS at the same scale as the photomontage printed in A4/Letter or displayed on a notebook screen.



In 2021, do we still have to comment on the misrepresentation caused by foreground objects?

SNH (Page 20) says:

“Most importantly, the location chosen must avoid the view of the wind farm being misrepresented by the inclusion of atypical local features, such as a single tree in the foreground.

Another misrepresentation in this photomontage, and in others, is the depiction of turbine height. We are advised that the nearest turbine, presumed to be the one to the left of the tallest tree, is 5.1 km from the viewpoint.

If we hold up our A4/Letter printed page, or our notebook at comfortable arms length (for mathematical simplicity let's say 51 cm), then basic geometry tells you that 230 metre turbines at 5100 metres should be depicted as 2.3 cm turbines in the photomontage. They are not are they? The depicted turbines are little more than half the height they should be. (Similarly, blade length should be depicted as 8mm. Once again they are shown in the photomontage at about half the length they should be.)

Is it fair to say that these photomontages in the EIS are misleading? The fact that departmental management and planners are not misled is irrelevant. A photomontage is either misleading or it is not.

This is not the first time that ERM and Mr Murray Curtis have been critiqued for misleading photomontages.

I refer you to my submission:

“Anatomy of a Biala photomontage”

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-28%2120190224T135000.754%20GMT>

and Chapter 1 (of 25) in my Jupiter submission:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-211%2120190325T120615.809%20GMT>

Neither submission was rebutted in any meaningful way.

The EISs for both the Biala and Jupiter wind farms were done by ERM, the senior signatory of the EIS declaration being in both cases ERM Partner Mr Murray Curtis. (NOTE. Neither LVIA's were done by Moir Landscape Architects)

For the HOG wf Mr Curtis (who would also appear to claim joint authorship of the first draft of the main EIS section) affirmed:

“We declare that the contents of this EIS has been prepared in accordance with the Environmental Planning and Assessment Act 1979, Schedule 2 of the Environmental Planning and Assessment Regulation 2000 and the Department of Planning and Environment Secretary's Environmental Assessment Requirements issued for the development dated 22 November 2018. The information contained in this EIS, to the best of our knowledge, contains all available information that is relevant to the environmental assessment of the development and the information provided is neither false nor misleading”

The EIS, of course, includes the main section and all Appendices (2 levels). Moir Landscape Architects in the LVIA makes no declaration similar to the above other than that the LVIA was “commissioned by ERM” and the resulting LVIA was “Prepared for: ERM”

Hopefully others will make submissions on the subject of misleading photomontages and other False or Misleading components of the EIS and its appendices.

Should the departmental Assessors agree that the photomontages and parts of the broader EIS are misleading, or false, they must surely consider invoking section 10.6 of the Act, which says:

10.6 Offence—false or misleading information

(cf previous s 148B)

(1) A person must not provide information in connection with a planning matter that the person knows, or ought reasonably to know, is false or misleading in a material particular.

Maximum penalty—Tier 3 monetary penalty.

Anthony Gardner, January 2021