

20<sup>th</sup> December 2023

Bowmans Creek Wind Farm SSD-10315 - OBJECTION

I Sandra Robertson of [REDACTED] Muscle Creek property No G17-1 strongly oppose the approval of the Bowmans Creek Wind Farm for the below reasons.

On reading the Department of Planning and Environment Assessment Report (SSD 10315) and the Independent Expert Review by OHD Landscape Architects and perusing to the best of my ability, many, many, other documents that have been made available in the past 5 years, I submit the following.

I hope that I have minimised raving, as the more I investigate the more I see how deceiving this overwhelming amount of the information is. These developers have far greater access, knowledge and money than the humble farmer, and therefore can go to greater lengths for their gain. This is why we, the landholder relies on the Authorities, DEP and IPC to uphold the Law and ensure the Developers are complying to the Guidelines.

On your visit to our property G17-1 on Thursday 7/12/23 we displayed to you that the screening suggested for our property will not make any difference to our scenic amenity.

In reference to the photos you took while at our property and which you have included in your report "Record of site inspection and locality tour" we are very unhappy with where they were taken from as it does not indicate the correct vision a screen of 7m will make.

The pole was erected the 30m from the wall of our home and at 7m high as per the Departments recommendation for screening. You took the photos approximately ½ way between the pole and our home. This makes the pole look higher than it is in the landscape and where the turbines are being proposed. The floor height of our home is another 1meter higher which alters the proposed view again. We have taken our own photos on the day you visited from our home lounge room, dining & kitchen and as you can see in the photo I have attached, PHOTO NO 2, the screening will not reach the top of the escarpment let alone the 220 m turbines above that.

In relation to Turbines 66,67,68,69 we believe that all 4 turbines should be removed from the project. This is demonstrated in the two above reports submitted to the DPE from The Department of Planning.

Since finding out about this development in 2019 we have always been open and honest in telling Epuron/Ark representatives that we do not wish to reside here with multiple turbine's in close proximity to our home and are happy for them to acquire our property.

We oppose to the interruption of our magnificent views, the effect on the value of our property, the noise pollution, lighting at night, bushfire & aerial firefighting restrictions the turbines will cause, shadow flicker and the mental and physical stress on our family, interruption to sleep and disruption to abnormal sleep times associated with shift work.

Even with the removal of the 4 turbines there is still the uncertainty of the effects on us from Turbines 69 & 70 which are as close as the 4 Turbines in question. 66,67,68,69. (these distances are from James Bailey & Associates Proposed Turbine Layout April 2022)

No 66 a@ 2.394km

No 67 @ 2.247 km

No 68 @2.109km

No 64 @ 2.041 km

Turbine No 69 @ 2.161km & No 70 @ 2.194 km are still likely to be of a noise & visual disturbance in the future, as the trees die and open the views.

The photomontages which have been supplied to us by Ark have not been to scale or in accordance with the Scottish Guidelines.

In the EIS Visual Assessment Appendix H Landscape & Visual – Figure 25 PM Dwelling G17-1 It states that Turbine No 68 is the closest visible turbine, which is incorrect.

The most recent photo Ark supplied to us in a meeting on 4/10/2023, is attached PHOTO NO 1 & PHOTO NO 1A has marked that Turbine No 68 @ 2004m is the closest turbine to our home, this is incorrect, the Closest Turbine is in fact No 64 and therefore is closer than Turbine No 68 ?, maybe less than the 2km required for a VIZ1 Zone ? Other photomontages have omitted to show the turbines that are to the NE.

**The inconsistency of all the documents with relation to turbine distances makes me very sceptical about whether the Visual Influence Zone on our property can be accurate. With such minimal changes and unknown accuracy, please look at Photo 3 – How would anyone know where on our property these distances have been taken from ? It is just a pinpoint somewhere near our home.**

**With Micro siting of 100m allowed, there is no guarantee any turbine may or maynot become closer to our Home**

11/4/2019 Green Bean Design – Prelim Landscape & Visual Impact V4 11/4/19- Shows G17-1 closest turbine No 64 1994m

July 2020 Hansen Bailey Environmental Consultants-Proposed Turbine layout July 2020 shows G17-1 Closest turbine No 64 2.0km

7/10/2021 Green Bean Design Amended LVIA Table A-1 Summary of changes – This document states that the Visual Influence zone changed for our property G17-1 :due to confirmation of turbine distance at >2km from dwelling”

8/10/21 James Bailey & Associates, Neighbour & Non associated dwellings table F1 Shows G17-1 closest turbine No 64 at 2042m

This transcript from The “Recommended Development Consent” is also of great concern

Micro-siting Restrictions A7. Wind turbines and **ancillary infrastructure may be micro-sited without further approval providing:** (a) the surface disturbance remains within the development corridor (with the exception of wind monitoring masts) shown on the figures in Appendix 1; (b) **no wind turbine is moved more than 100 metres** from the relevant gps coordinates shown in Appendix 1; (c) wind turbine (T8) must not be micro-sited closer to non-associated residence S17-2; (d) the revised location of the blade of a wind turbine is at least 50 metres from the canopy of existing hollow-bearing trees; or where the proposed location of the blade of a wind turbine is already within 50 metres of the canopy of existing hollow-bearing trees, the revised location is not any closer to the existing hollow-bearing trees; (e) the revised location of a wind turbine does not increase the risk to breeding habitat identified for threatened and ‘at risk’ fauna species identified in condition B12(a); (f)

the revised location of the wind turbine and/or ancillary infrastructure would not result in any noncompliance with the conditions of this consent; and (g) **the wind monitoring masts are located within the development corridor where possible and their development would not result in any non-compliance with the conditions of this consent. UPGRADING OF WIND TURBINES AND ANCILLARY INFRASTRUCTURE A8. The Applicant may upgrade the wind turbines and ancillary infrastructure on site provided these upgrades remain within the approved development disturbance area.**

Micro siting of Turbine 64 since 2019 has made Turbine 64 slightly further from our property, changing the VIZ1 to a VIZ2. Therefore, there is no guarantee that micro siting will not again bring Turbine 64 within 2km of our property making it a VIZ1 again.

**For this reason we ask that the IPC's determination of our property has to be made on our Property being a VIZ1**

As per your visit to our property and the length we went to show that screening will not work in our case. We erected a pole at the height and distance from our home in which screening has been recommended by the Department, and as you saw if the hedge gets to that height in our lifetime, it still will not be successful in obscuring our view of the turbines. Therefore the 4 turbines should be removed, or Ark acquire our property.

I am also concerned as to the possibility of larger Turbines being sited and this is due to the change in WTG footing and pad size as per Ark energy document, on Planning Portal under Additional Information (28) **Response to Request -10 June 2022" Page 12 Table 8 Indicative disturbance parameters**

#### **DPE Nov 2023 Report- assessment and evaluation**

Preface: This Document says it provides an evaluation from community views and expert advice.

#### **Page 24.**

82. The Department considers that the landscape and scenic integrity performance measure could only be achieved through deletion of the two closest visible turbines (T64 and T68), and has recommended deletion of T64 and T68, and visual screening to minimise the residual impacts associated T66 and T67 (see Figure 11). 83. However, the Department considers that the impacts on this residence would not be significant if Ark were to secure a neighbour agreement associated with turbines T64 and T68, or acquire the property

**Page 25 Figure 10 & 11** are deceiving as all the other turbines in our view are not included in the photomontage? Page 21 Table 7 - G17-1 shows there are 7 turbines below the black line and a further 7 turbines between the black and blue line which should be included in the photomontage. It also states that "No turbines dominate the landscape" I am sure that we can both see that this is untrue?

Executive summary:

There are 47 non-associated receivers located within 4.4 km of the nearest proposed turbine. The Department is satisfied that the project would not fundamentally change the broader landscape characteristics of the area or result in any significant visual impacts on the surrounding nonassociated residences, **with the exception of one residence (G17-1). For this residence, the Department considers that with the deletion of two turbines (T64 and T68) and additional vegetation screening at the property, the visual impacts on this residence would not be significant.** As a result, the total number of turbines would be 54 and the project capacity would be reduced to 335 MW.

**Again, this is not possible, as we have shown on your visit and by the photos constructed with an example of the distance and height they are proposing for hedging.**

## 6.2 Visual

63. The Department visited the site and several non-associated residences surrounding the project to assess visual impacts and to further understand residents' concerns. The Department also engaged O'Hanlon Design Landscape Architects (OHD) to review the LVIA, **visit non-associated residences and provide independent advice (see Appendix M)**

**At no time did O'Hanlon Design Landscape Architects provide any independent advice to myself or my family?**

### 6.2.1 Avoidance and Mitigation

66. Ark reduced the number of proposed turbines from 72 to 60 throughout its design process prior to submitting the EIS. The Department acknowledges that deletion of 12 turbines has reduced the visual impact on the landscape and at many non-associated residences, particularly those located in Muscle Creek, McCullys Gap and Bowmans Creek

**This paragraph should not be taken into consideration as there is no evidence to show that they initially proposed 72 turbines.**

68. Table 6 Correspondence between Department & Ark.

October 2022: Repeated previous requests, including consideration of mitigation measures such as project design or neighbour agreements. April 2023: Response provided by Ark which was rejected by the Department as there were no changes to the number of turbines, setback distances or neighbour agreements. October 2023: Six neighbour agreements secured by Ark

**With regards to the correspondence between Ark And The Department, it seems that Ark have as long as they wish to respond to the Department and when it comes to Public submissions we are given little time to investigate and reply ?? It took Ark a whole 12months to Respond to DEP on issues they raised.**

**Page 21 – Table 7 Visual Impact assessment, non-associated residences below black line.**

All the notes associated with G17-1 in this table are incorrect due to the details outlined below.

Turbine no's 66& 67 need to be deleted along with 64 & 68 to make the visual amenity acceptable from our home. Once the trees that screen parts of turbines 69 &70 are storm damaged (which has already happened since photomontages were taken) or die we will have a much larger visual effect on our property

The suggested vegetation screening will not mitigate the visual effect from our property as you saw on your visit and as per the photos taken of a pole erected at the distance suggested from our home. (See photo No 2) We would likely be dead before a hedge could get to this height, if ever.

If micro siting occurs, and it states in to any of the turbines in our view the VIZ rating will change, therefore I request that we be assessed by IPC as a VIZ1

G17-1 Our property, This comes back to the siting of the closest turbine No 64, it's distance from our property has changed several times in different reports. Which seems convenient in making our property change from VIZ1 to VIS2.

These are the times it was changed ;

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**80. As an agreement was not secured with residence G17-1, the Department considers that four turbines (T64, T66, T67 and T68) would significantly impacts views from this residence and the Bulletin's performance measure for landscape and scenic integrity would not be achieved due to the dominance of these turbines** For this reason we request that all 4 turbines be removed or our Property be acquired by ARK.

82. The Department considers that the landscape and scenic integrity performance measure could only be achieved through deletion of the two closest visible turbines (T64 and T68), and has recommended deletion of T64 and T68, and visual screening to minimise the residual impacts associated T66 and T67 (see Figure 11).

83. However, the Department considers that the impacts on this residence would not be significant if Ark were to secure a neighbour agreement associated with turbines T64 and T68, or acquire the property

#### **Independent Expert review 16/11/23 OHD Landscape Architects**

In this document it says that G17-1 our property is named as becoming VIS1 with micro siting. Our property was VIS1 and for some reason, possibly due to micro siting, has been changed to VIS2.

**We would like the IPC to determine their Assessment on G17-1 being VIS1, therefore 4 turbines should be removed from our view, or acquisition of our property. With the removal of 2 turbines the remaining 2 turbines will still dominate the existing visual catchment.**

This is also the suggestion of this report.

The photomontages should not be used in any way to determine the development as they have not been prepared as per the Scottish Natural Heritage Guidelines as per this report 2.6

**If you were to believe the Photomontages are to scale, all 4 turbines 64,68,67 & 66 are represented as being the same size, therefore if 2 are to be deleted then they should all be deleted.**

**2.4.3** For Visual Influence Zone 1 the Visual Magnitude Objective is " Avoid turbines or provide detailed justification of turbines below the blue line" Following recent DPE advice, we note there are now no VIZ1 residences (P22-1 & P22-4 now associated). **We note micro siting of turbines adjacent**

## **S17-2 and G17-1 could result in these residences and associated micro sited turbines becoming VIZ1.**

**2.4.5** For Visual Influence Zone 1 the Landscape Scenic Integrity Performance Objective is; “Wind turbines should not cause more than a low-level modification of the visual catchment. Turbines are seen as either very small and/or faint, or as of a size and colour contrast (under clear haze free atmospheric conditions) that they would not compete with major elements of the existing visual catchment.” Following recent DPE advice, we note there are now no VIZ1 residences (P22-1 & P22-4 now associated). We note micro siting of turbines adjacent S17-2 and G17-1 may result in these residences and associated micro sited turbines becoming VIZ1.

## **2.6 Photomontages**

2.6 Photomontages The VAB notes; 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. The visual assessment needs to include a concise description of the complete methodology used to create any photomontages presented in the visual assessment. 1042-Z0-01 8 The LVIA nominates a methodology for the preparation of the photomontages and discusses the limitations of the provided photomontages. Generally, the background photographs are taken using a 50mm fixed focal length camera. The LVIA public viewpoint photomontages describe use of a 50mm prime lens camera. **The residential photomontages do not note the type of lens used.** The Scottish Natural Heritage Visual Representation of Wind Farms, Version 2.1 December 2014 guidelines document the horizontal field of view as 53.5 degrees and the vertical field of view as 18.2 degrees. The LVIA photomontages do not note a vertical field of view and present a range of horizontal fields of view. These parameters present significant variability in the scale of the turbines when montaged into the landscape. Residential photomontages (LVIA figure 18 to 37): with horizontal field of view ranging from approximately 95 degrees to 115 degrees. The horizontal field of view is double the guideline and presumably has been presented this way to capture the proposal across the landscape. Public viewpoint photomontages (LVIA figure 39 to 41): are presented with horizontal field of view range of approximately 55 to 60 degrees. This is considered to be close enough to the guideline (53.5 degrees) that the photomontage is a reasonably accurate render of the view with the naked eye. Public viewpoint photomontages (LVIA figure 41 to 46): are presented with horizontal field of view range of approximately 80 to 90 degrees. The horizontal field of view is nearly double the guideline and presumably has been presented this way to capture the proposal across the landscape. For analysis we have compared LVIA photomontage figure 25 and 40 to understand the effect or difference between compliant or near compliant and increased horizontal field of views. Comparison: • **Figure 25: G17-1 o has a horizontal field of view of approximately 112 degrees o the most obvious turbines are at distances of around 2.04 km to 2.50km.** • **Figure 40: PM1B o has a horizontal field of view of approximately 55 degrees o the most obvious turbines are at distances of around 4.70km to 5.30km.** In these two examples above, the turbines appear at a similar scale within the landscape despite the distance from the viewer to the turbines being approximately double. This comparison demonstrates that by increasing the horizontal field of view, the scale and impact of the turbines is visually diminished. In our opinion, for the reason demonstrated above we consider the photomontages (excluding figures 39 to 41) are non-compliant with the requirements of the VAB, **whilst providing an understanding of the layout of the turbine array they should not be used for assessing the scale and magnitude of the impacts as the impact of the turbines is visually diminished.**

#### 4. SECTION 4 - SUMMARY 4.1 Summary

OHD considers that the LVIA and associated assessments have been prepared within the guidelines of the Wind Energy: Visual Assessment Bulletin (VAB) and that the methodology used for assessment is reasonable for the purpose of identifying the likely visual impacts. **As anticipated by the VAB – Visual Magnitude is the most significant element of the visual impacts associated with the BCWF. Simplistically, this is due to the elevated location of turbines, the relative aspects of residential outlooks and the proximity of residences.** As identified in the LVIA, the majority of visual impacts will be created in the south-eastern and south-western part of the project site. Central to the site, S17-2 is a heritage listed property and as such a level 1 sensitivity receiver, mitigation of potential impacts at the residence is heavily reliant on existing roadside screening. Should any of the existing mitigating roadside vegetation be cleared or lost, at any point in the project's lifetime; additional supplementary planting should be immediately provided south of the existing mitigating roadside planting within the project site. Should the screening within the project site not be achievable then further turbine removal should be considered due to residual Visual Magnitude, Multiple Wind Turbine Effects and Landscape Scenic Integrity impacts.

**In the south-western part of the site, micro siting of WTG 64 could result in non-compliant VAB - Visual Magnitude Objectives in relation to G17-1. In our professional opinion, further removals and/or adjustment of the south-western array is required, to meet the VAB - Landscape Scenic Integrity objectives at G17-1.**

Given the LVIA's significant commitments to extensive vegetative screen, the success of the bulk of the LVIA proposed mitigation measures will be heavily dependent on successful screen or spot planting. To enhance the likelihood of screening success the DPE should consider insertion of conditions to require landscape consultation and plans be prepared and agreed as part of the project pre-construction deliverables. If so conditioned, the planning of the individual screening elements should be and undertaken by horticulturist and/or landscape professionals in consultation with individual landowners. Screen or spot planting should be offered to all residences within the blue line. To ensure the highest chances of successful screening it would also be appropriate to clearly identify who is responsible for the care of vegetative screens during the Plant Establishment Period.

This statement displays the problems with screening- which in this climate, currently drought it will take years and years to make a difference to the Visual effect on the Turbines when installed.

In summary I wish for the Development **not** to go ahead, if it is approved then at the least, 4 turbines, no's 66,67,68,64 should be removed and more restrictions need to be addressed on how Ark has come to the distances of turbines from homes and micro siting. As turbine No's 69 & 70 are closer in distance than No 66 & 67 and will become a visual disturbance in the near future when the current trees are storm damaged further or die, these too should be deleted.

The effects of all these turbines will not just be visual one but will make an effect on the peace and tranquillity of the area.

Other concerns I have are;

1.the noise levels which can't be know till turbines are installed, which is too late.

2. Having been a Volunteer Fire Fighter for over 30 years I have the knowledge of firefighting and the know the advantage of aerial firefighting.
3. Health impacts, in particular the impact on our family whom some of suffer from, and are medicated for, anxiety and depression.
4. The impact on the value of our property
5. Impact on the flora and fauna
6. The amount of land that must be cleared for roads and turbines

I am stressed, tired, and exhausted from the length of time we have been dealing with this frustrating process.

There are so many things id like to bring to your attention but time permits and I have tried to get straight to the point.

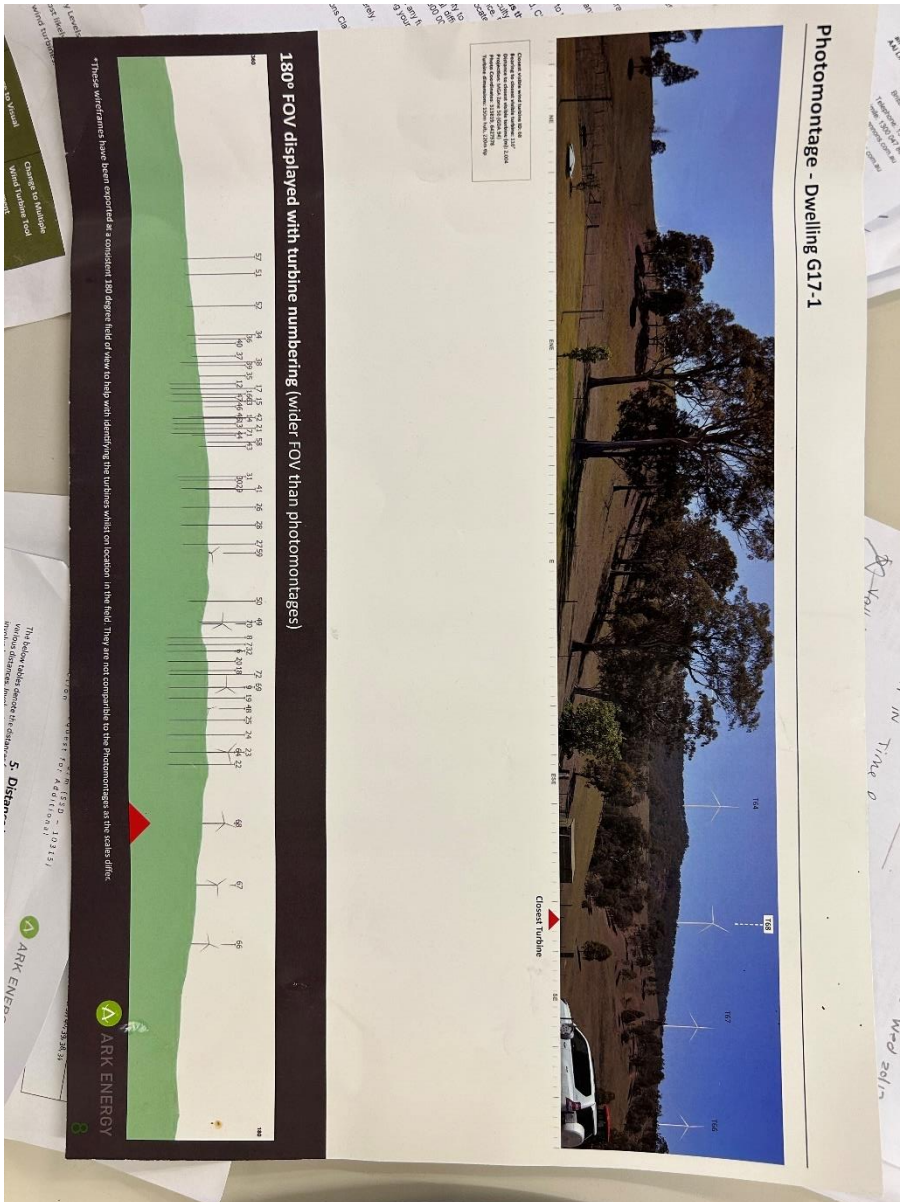
Thank you for reading my submission and I hope that it has all made sense. (Not great with word!!)

If not, please don't hesitate to contact me

Sandy Robertson







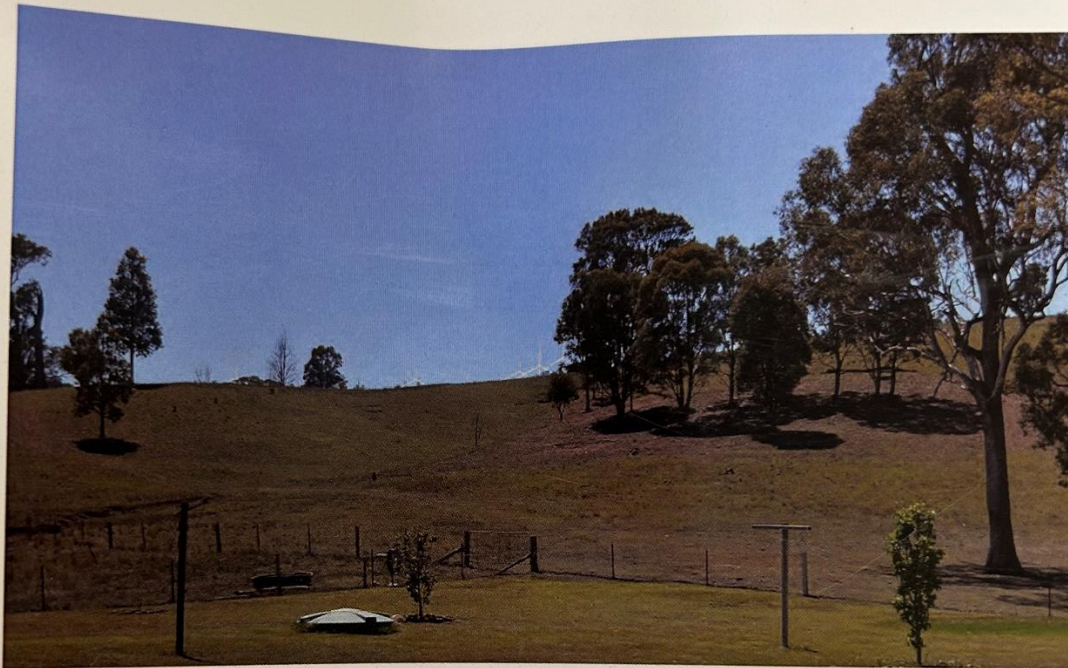
**PHOTO NO 1**

**Photo supplied to us at meeting with ARK on 12<sup>th</sup> October 2023**

**Turbine 68 shown at 2004m**

**Photo No 1A is close up of the details of turbine No 68 in Photo No 1**

## Photomontage - Dwelling G17-1



NE

ENE

Closest visible wind turbine ID: 68  
Bearing to closest visible turbine: 116°  
Distance to closest visible turbine (m): 2,004  
Projection: MGA Zone 56 (GDA 94)  
Photo Coordinates: 313819, 6427578  
Turbine dimensions: 150m hub, 220m tip

PHOTO NO 1A -close up of the details of turbine No 68 in Photo No 1

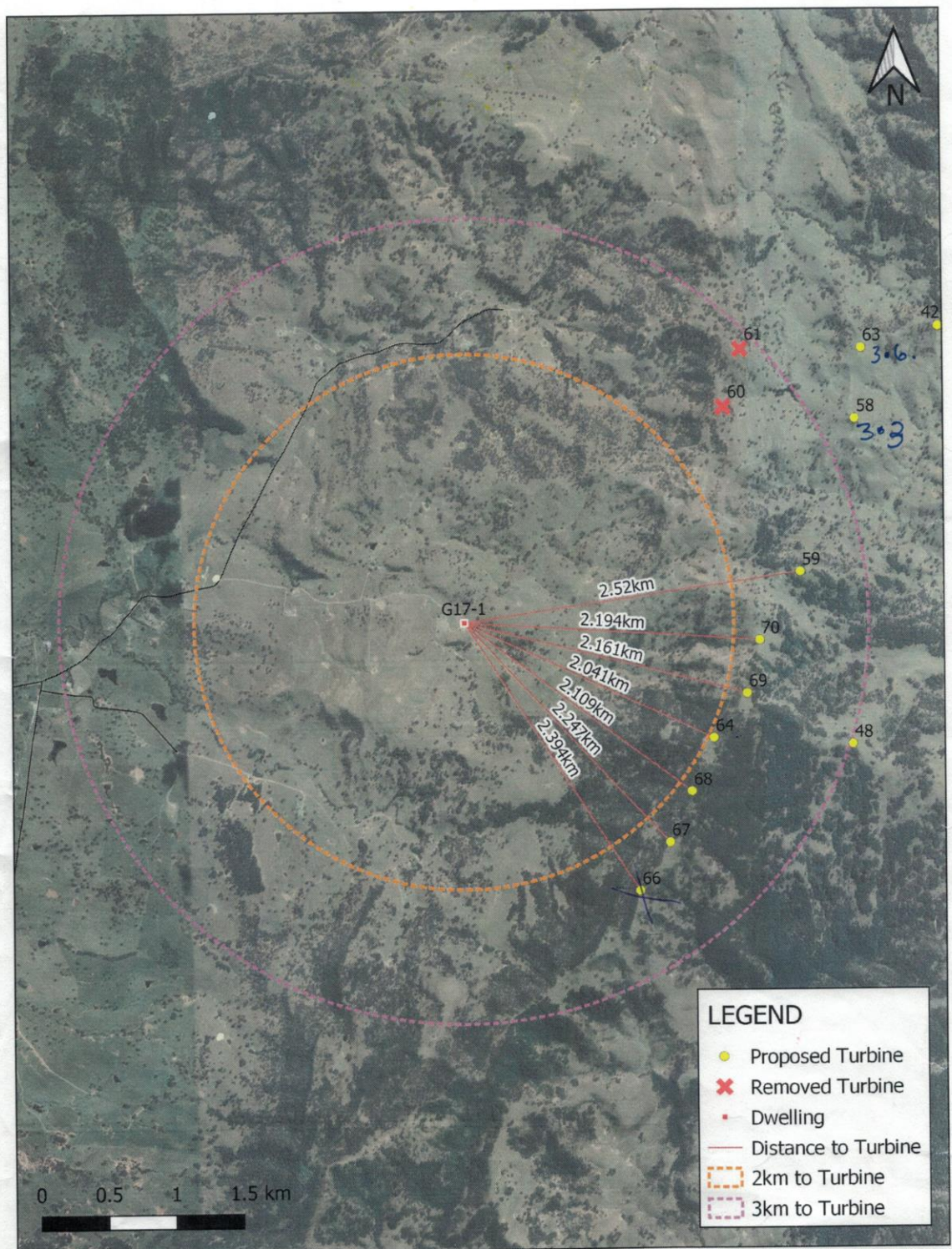


**PHOTO NO 2**

**Photo we took from our kitchen window of the pole we set up for your visit on the 7/12/23, 30m from house, 7metres high, and our home is 1.3 metres off the ground level.**

**This Shows that the screening will not mitigate the visual amenity of all the turbines on the ridgeline from our home.**

PHOTO NO 3 the location of our home and the closest turbine is only an estimate, no surveying on our property has been taken out to exactly measure the distances therefore any turbine could be within the VIS1 Zone ????



**LEGEND**

- Proposed Turbine
- ✕ Removed Turbine
- Dwelling
- Distance to Turbine
- 2km to Turbine
- 3km to Turbine