

b r o w n

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FROM: Stephen Brown

DATE: 27 July 2018

Re: Kaimai Wind Farm Application: Section 92 Review

Louise,

I have reviewed the application and, in particular, the report "Kaimai Wind Farm Rotokohu Road, Paeroa – Landscape and Visual Effects Assessment Report", 20 June 2018, Mike Moore – which addresses the landscape effects of the proposed wind farm. At this stage, I have identified the following matters, marked by bullet points, as needing further attention and a response from Ventus Energy Ltd and its consultants. These matters are set out in accordance with the section headings found in Mr Moore's 2018 report.

Landscape Effects:

The description of the application describes the substation proposed for the very 'top' of the site on a main ridge of the Kaimai Range. Furthermore, at p.14, it is stated in relation to this ridge that:

"The most sensitive part of the site is the upper area on the main ridge of the Kaimai Range. This is adjacent to an area that has been identified as an Outstanding Natural Landscape (ONL) in the Hauraki District Plan and as an Outstanding Natural Feature and Landscape (ONFL) in the Waikato Regional Policy Statement. More generally, this ridgeline forms the skyline defining the extent of the Waihi Basin landscape to the east and the Hauraki Plains landscape to the west."

However, there is no mention of the substation or analysis of its effects at pp.15 and 16. where the "Main Kaimai Range Ridgeline Area" is analysed in terms of its value and sensitivity, and effects on it.

- What will the effects of a substation (and access to it) be?
- Would these effects compound the High level of effect identified for the turbines?

- In relation to the rest of the application, will the juxtaposition of the lower turbines on the Kaimai Range also affect its profile, characteristics and values – in a cumulative fashion, building on the effects of the 7 more elevated turbines in that regard?
- In a related vein, would any other cumulative effects arise in relation to landscape character and values from the ‘upper’ and ‘lower’ turbines, substation, transmission line, roading and earthworks?
- Given that ‘landscape’ is both a biophysical entity and the product of human perception (as described in the NZILA Charter), to what degree does the visibility of the wind turbines – which is addressed separately under Visual Effects – affect the effects ratings under Landscape Character and Values at pages 15-17.

In relation to the last point, it is noted that references in Mr Moore’s report to “*the modified character of the area viewed from the west*” (upper turbines) and the introduction of “*prominent new elements into the rural landscape*” (lower turbines) are already found in the Landscape Effects section, but these are not correlated with the ZTV or Viewpoint analyses to give a fuller understanding of how significant those effects would be in relation to different catchments and audiences. In this regard, it might be that the Landscape Effects section should have followed the ZTV and Viewpoint analyses. I have no other specific questions in relation to this situation or the overlap between Visual and Landscape Effects, but Mr Moore might want to consider this matter before presenting evidence at a council hearing.

Visual Effects:

- What are the cumulative or combined effects of the ‘lower group’ and the ‘Higher Group’ for the Paeroa (B1 – B3), SH2 (B6 and B7), Waikino (B16), and Kaimai Mamaku Conservation Park – Mt Karangahake (B20) viewpoints?
- To what degree would the turbines’ dynamic movement compound the close proximity of the turbines in some views, especially for viewpoints like B8 and B10 (northern Rawhiti Rd)?
- There markedly different ratings for the B10 viewpoint when employed to assess effects on Rawhiti Rd (p.28) versus “*Close Residential / Sensitive Viewpoints – Rawhiti Road – North End*” (p.33) in a subsequent part of the report. It is assumed that this relates to the sensitivity of road users versus local residents, but what do these ratings mean in a cumulative fashion for the northern Rawhiti Rd locality?
- In a somewhat different vein, what would the ‘adverse’ effects of night-time lighting (mentioned by Mr Moore) actually be – subject to active management?

Statutory Planning Assessment:

At p. 44 it is stated that

“The nearest dwelling to the proposed turbines is 804m distant, and there are 67 dwellings within 2km of the nearest turbine. Existing views from these dwellings or from nearby on the surrounding properties will be modified due to the introduction of large, visually significant structures. This assessment has not included site visits to any of the adjacent private properties and effects on these places can only be generalized from the assessments made from the nearby public roads.”

- Why have no private dwellings been visited, including that residence identified as being 804m from the nearest turbine?
- What would the effects be in relation to the dwellings within 2kms of the turbines – given that the viewpoint ratings for effects on those dwellings that have been assessed range from

Moderate to High and the report goes on to state that *“it is likely that there will be high adverse visual effects from some nearby properties”* and that 15 properties are subject to the effects of shadow flicker?

- Which properties would be affected in this manner? At the very least, it is important to have an understanding of those properties that would be worst affected by the proposal and the impacts on views needs to be addressed.
- What mitigation measures is Mr Moore / Ventus proposing to address any identified effects? On p.45 of his report, Mr Moore states that *“Mitigation involving planting is impractical given the scale of the structures but could be considered for offsite locations to screen particular views if desired by affected neighbours”*. However, it is unclear where this might be considered necessary and/or appropriate as part of the application.

Conclusion:

The Moore report concludes by determining that:

1. the upper 7 turbines would have an adverse and high level of effect on landscape character and values;
2. the lower turbines would have an adverse and moderate level of effect on landscape character and values;
3. other ‘amenity’ effects would range from adverse and low to adverse and high, with local residents most affected by the proposed wind farm.

However, it is unclear what these findings mean in terms of the overall acceptability of the proposal from a landscape standpoint:

- What level of effect would the combined turbines, substation, transmission line, roading, earthworks and mitigation (if any) have?
- With reference to the *King Salmon* decision of the Supreme Court, the question of ‘avoiding’ all adverse effects may not be relevant to assessment of this application, as we are not dealing with an ONL in the Coastal Environment; even so, “protect” probably still means “protect”, with reference to section 6(b) of the Resource Management Act. Consequently, a broad judgment about the acceptability of the wind farm proposal needs to be made. This relates to both section 6(b) and the various statutory instruments devolved from it, at both the district and regional levels (as set out in Appendix A of Mr Moore’s report).

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