



Shire of West Arthur

LOCAL PLANNING POLICY NO 5

WIND FARMS

1.0 Introduction

In 2019, the State Government launched Western Australia's Energy Transformation Strategy. This sets out the proposed transition from coal-fired power generation to cleaner, cheaper electricity produced by both large-scale wind and solar farms and rooftop solar photovoltaic (PV) systems.

The Western Australian Planning Commission's State Planning Strategy 2050 promotes renewable energy initiatives.

Wind energy facilities (wind farms) are typically located on sites with steady winds throughout the year, with good road access, and proximity to major electricity infrastructure. A diagram of the South West Interconnected System (SWIS) within the Shire is provided in Attachment 1.

Wind farms usually consist of multiple large, rotating, three-bladed turbines that produce more than 4.0 MW of electrical output. These turbines have rotor blades a generator and rotor blades mounted on top of a steel tower and the turbine's total height can be as high as 220 to 250 metres.

2.0 Objectives

1. To provide guidance on the appropriate location, scale, design, and development of wind farms
2. To provide guidance for consideration of development applications for wind farms under Local Planning Scheme No. 2.
3. To ensure that wind farms do not lead to unacceptable impacts on important environmental, cultural or landscape values.
4. To ensure that the consideration of development applications for wind farms consider the potential impact on the amenity of surrounding properties.

3.0 Application

The policy applies to all zones and reserves in the Shire as provided for in Local Planning Scheme No 2. Any development of land within the Shire requires a development approval unless it is specifically exempted under the Deemed Provisions and/or relevant Local Planning Policy.

This Local Planning Policy does not apply to single turbine used for domestic purposes including on a rural lot but noting that this may still need a development approval under the Scheme.

Where a turbine(s) is used primarily to supply electricity for a rural use, rural industry etc (not being a domestic dwelling) it will require a development application. The provisions and requirements of this Policy may be reduced depending upon the scale, location of the proposal and whether it is considered to be ancillary to the existing development.

4.0 Definitions and Terms

Deemed Provisions are the provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Wind Farms are not defined within Local Planning Scheme. No 2.

Wind farms are defined in the Model Scheme Text (Town Planning Regulations) as:

A premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use.

The Department of Planning Lands and Heritage 2020 Position Statement on Renewable Energy Facilities has the following definition:

Renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.

Sensitive Land Use (SPP 4.1) means land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include, but are not limited to, dwellings, short stay accommodation, hospitals, educational establishments, childcare centres, corrective institutions and places of worship.

Buffer Setback means the "separation distance" (SPP 4.1) as defined in Government environmental policy, being the recommended distance necessary to separate a source of emissions (gaseous and particulate emissions, dust, odour and noise) from sensitive land uses in order to avoid impacts to health and amenity.

Shadow Flicker results from the sun's position in relation to the wind turbine blades as they rotate. This occurs under certain combinations of geographical position and time of day. The seasonal duration of this effect can be calculated from the machine's geometry and the site's latitude. Shadow flicker can be modelled in advance, and siting and design can mitigate the problem. This is more likely to be an issue for turbines located to the east or west of a dwelling.

5.0 Policy Measures

- 1 Wind farms will be considered as defined in accordance with the Model Scheme Text (Clause 38 Part 6 Schedule 1 of the Planning and Development (Local Planning Schemes) Regulations 2015).
- 2 Pending the revision of Local Planning Scheme No 2, a wind farm is an unspecified land use being a 'complex application' pursuant to Clause 1 Part 1 Schedule 2 of the Deemed Provisions.
- 3 That as an unspecified land use a wind farm will be consistent with the objectives of the Rural zone where they:
 - Do not prevent the continuation of broad-hectare agriculture;
 - Are being provided for intensive uses such as intensive agricultural uses, rural industries, intensive animal husbandry etc;
 - Retain the rural character and amenity of the locality;
 - Do not involve substantial clearing of remnant vegetation; or
 - They can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.
- 4 That development applications for wind farms are required to contain sufficient information to allow proper consideration of the application in accordance with the Scheme, Deemed Provisions and objectives of this Policy. In addition to the requirements of Clause 63 of the Deemed Provisions (see Attachment 2) applications should include:

- a) Documentation of the proposed buffer setbacks to existing sensitive land uses. Consideration of the suitability of the proposed buffer setback will also have regard to the likelihood of future sensitive land uses on vacant properties.
 - b) An acoustic noise study to confirm the potential noise emissions and mitigation measures.
 - c) A visual and landscape impact assessment to determine the potential impact of a wind farm on the landscape character of the area. Specific landscape features which should be considered in any assessment include the following as shown on Attachment 3:
 - Conservation reserves;
 - Category 1 and 2 places identified on the Council’s Heritage List and referenced in Local Planning Policy No 3;
 - Arthur River Shearing Shed (on State Heritage Register);
 - Arthur River Historical Buildings;
 - Hillman Rock/Reserve;
 - Lake Towerrinning;
 - The Arthur River – areas with permanent water; and
 - Darkan townsite.
 - d) Information on the transportation of the structures to the development site including:
 - The access road classification and its suitability to accommodate oversized vehicles and construction worker traffic; and
 - The identification and need to remove any roadside vegetation which may require specific approval especially within the Wellington Catchment Special Control Area.
- 5 Wind Farms must not be located within the vicinity of Hillman Airfield.
 - 6 Development applications for wind farms will be referred to the Department of Water and Environmental Regulation for assessment.
 - 7 Where a wind farm is proposed to be located on a development site which is bushfire prone, a Bushfire Management Plan will be required to demonstrate the suitability of the land for the development. This includes the need to provide a Broader Landscape Assessment to document its contextual setting of the development site and a possible risk assessment. The development site should not be an “island” of cleared land surrounding by areas with an extreme bushfire hazard level.
 - 8 Applicants are encouraged to hold preliminary discussions with the Shire or lodge a scoping report to identify relevant issues.

6.0 Advertising

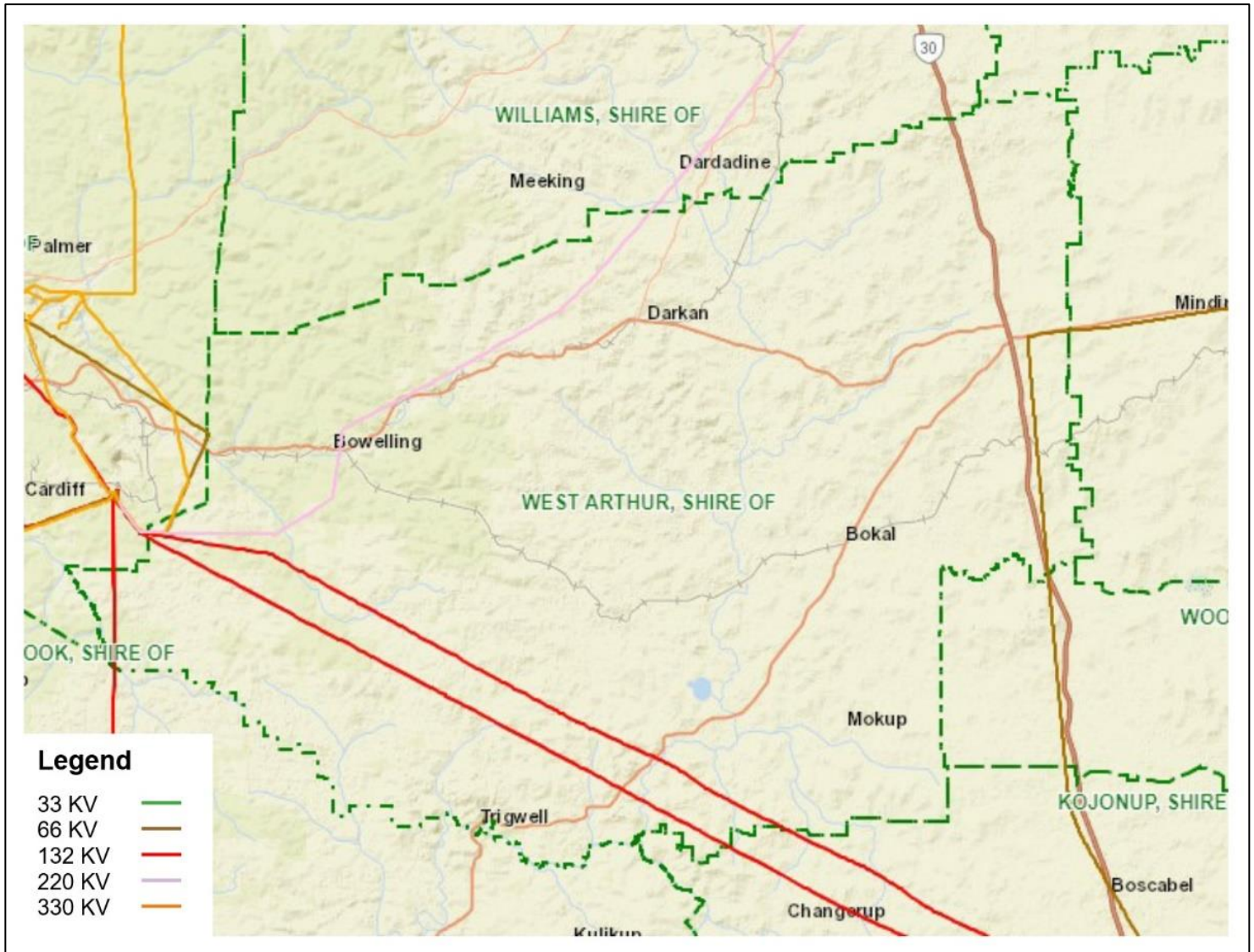
Having regard to the Commission’s notice of exemption for the advertising of complex applications, any development application for a wind farm shall be advertised for a minimum period of 28 days or 42 days when referred to a Government Agency. The advertising shall consist of:

- Notification to adjoining and nearby land owners;
- Publication of a notice of the application and supporting information on the Council web page; and
- Publication of a notice in the local newspaper.

Adoption

Adopted by Council at its meeting of the _____

Attachment 1 - South West Interconnected System (SWIS)



Attachment 2 – Information to Accompany a Development Application

An application for development approval is to be accompanied by —

- (a) a plan or plans in a form approved by the local government showing the following —
 - (i) the location of the site including street names, lot numbers, north point and the dimensions of the site;
 - (ii) the existing and proposed ground levels over the whole of the land the subject of the application;
 - (iii) the location, height and type of all existing structures and environmental features, including watercourses, wetlands and native vegetation on the site;
 - (iv) the structures and environmental features that are proposed to be removed;
 - (v) the existing and proposed use of the site, including proposed hours of operation, and buildings and structures to be erected on the site;
 - (vi) the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (vii) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (viii) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (ix) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the open storage or trade display area;
 - (x) the nature and extent of any open space and landscaping proposed for the site; and
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building that is intended to be retained; and
- (c) a report on any specialist studies in respect of the development that the local government requires the applicant to undertake such as site surveys or traffic, heritage, environmental, engineering or urban design studies; and
- (d) any other plan or information that the local government reasonably requires.

Attachment 3 – Shire Features

