



LATE REPORTS AGENDA

Shire of West Arthur
Ordinary Council Meeting
Thursday 24 April 2025

NOTICE OF MEETING

Dear Elected Member

The next Ordinary meeting of the Shire of West Arthur will be held on Thursday 24 April 2025 in the Council Chambers commencing at 7.30pm.

Vin Fordham Lamont
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of West Arthur for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of West Arthur disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of West Arthur during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of West Arthur. The Shire of West Arthur warns that anyone who has an application lodged with the Shire of West Arthur must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of West Arthur in respect of the application.



Forest to Wheatbelt

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16 REGULATORY SERVICES**PROCEDURAL MOTION**

That Council accept the Late Item “16.1 Proposed Local Planning Policy No.5 – Wind Farms”.

Council should note that Cr Lubcke, Cr Prowse, Cr South and Cr Harrington have declared financial interests in this item. Approval for Cr Lubcke to participate and vote on this item has been provided by the Department of Local Government, Sport and Cultural Industries under delegated authority from the Minister for Local Government pursuant to section 5.69(3) of the Local Government Act 1995.

The letter of approval from the Department is attached and to be read aloud by the President as follows.



Department of
Local Government, Sport
and Cultural Industries



Our ref
Enquiries
Phone
Email

24/5753; E25079580
Kimberley Craik
(08) 6552 1530
legislation@dlgsc.wa.gov.au

Mr Vin Lamont
Chief Executive Officer
Shire of West Arthur

Email: ceo@westarthur.wa.gov.au

Dear Mr Lamont

I refer to your previous correspondence and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act).

Approval has been granted under section 5.69(3)(a) of the Act to allow disclosing member Cr Robyn Lubcke to participate and vote on the following item at the **Shire's Ordinary Council Meeting** on 24 April 2025.

14.1 PROPOSED LOCAL PLANNING POLICY NO.5 – WIND FARMS.

Subject to the following conditions:

1. *The approval is only valid for the 24 April 2025 Ordinary Council Meeting when agenda item 14.1 is considered;*
2. *The abovementioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC) letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the DLGSC, to allow the DLGSC to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

I have noted the likelihood that in the future, several of the Shire's councillors may have wind turbines installed on their land and be receiving direct financial compensation for allowing their installation.

Accordingly, if any future agenda items relating to wind farms arise in the future and the **Shire seeks a participation approval for these items, the Shire's councillors should ensure** that they fully disclose any payments received so these interests can be properly assessed.

Should you require further information in relation to this matter, please contact Ms Kimberley Craik, Senior Legislation Officer, via the details provided above.

Yours sincerely



Laura Hunter
A/EXECUTIVE DIRECTOR, LOCAL GOVERNMENT – SUPPORT AND COMPLIANCE

22 April 2025

246 Vincent Street Leederville WA 6007
Gordon Stephenson House, 140 William Street Perth WA 6000
PO Box 8349 Perth Business Centre WA 6849
Telephone (08) 9492 9800
Email legislation@dlpsc.wa.gov.au

16.1 PROPOSED LOCAL PLANNING POLICY NO. 5 - WIND FARMS

File Reference:	ADM205
Location:	Shire of West Arthur Municipal District
Applicant:	Not Applicable
Author:	Joe Douglas, Planning Consultant
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	19/03/2025
Disclosure of Interest:	Cr Robyn Lubcke - Financial Cr Russell Prowse - Financial Cr Duncan South - Financial Cr Karen Harrington – Financial, Proximity & Indirect Financial
Attachments:	1. Original Draft Policy ↓ 2. Submissions ↓ 3. Final Draft Policy ↓

SUMMARY:

This report provides details of the outcomes from public advertising of proposed Local Planning Policy No.5 entitled 'Wind Farms' and recommends that Council resolve to finally adopt the policy subject to modifications and authorise the Chief Executive Officer to publish a copy of the policy on the Shire's website.

BACKGROUND:

At its Ordinary Meeting in October 2023 Council resolved as follows (i.e. Resolution CO-2023-120):

1. *That, pursuant to Schedule 2 Clause 4(3) of the Planning and Development (Local Planning Scheme) Regulations 2015, Council adopt for advertising Local Planning Policy No.5 Wind Farms (as contained in Attachment 1).*
2. *That the draft Local Planning Policy be advertised for a minimum period of 21 days in the Community Newspaper and on the Shire website.*
3. *That following advertising of the Draft LPP, a report be prepared to Council to:*
 - *Consider any submissions which might have been received; and*
 - *Modify and / adopt the LPP for final approval.*

COMMENT:

The original proposed draft policy provided in Attachment 1 was advertised for public comment in accordance with the procedural requirements of Clause 4(3) in Schedule 2 (i.e. the Deemed Provisions) of the *Planning and Development (Local Planning Scheme) Regulations 2015* in excess of the minimum required period of 21 days. This process included publication of notices in the community newspaper and on the Shire's website and written referrals to various State government agencies inviting comment.

A total of two (2) submissions were received during public advertising, both of which were from State government agencies (i.e. the Department of Primary Industries and Regional Development and Department of Water and Environmental Regulation). A copy of the two submissions received is provided in Attachment 2.

It is significant to note no submissions were received from the local community either supporting or objecting to the proposed policy. As such it is reasonable to conclude the local community is generally satisfied with

the policy and does not have any objections to its final adoption and use by the Shire when dealing with development applications for wind farms.

The submissions received from the Department of Primary Industries and Regional Development (DPIRD) and the Department of Water and Environmental Regulation (DWER) supported the proposed policy and made recommendations regarding some minor proposed amendments which are summarised as follows:

DPIRD

- *'Information to Accompany a Development Application' should include a surface water management plan, incorporating appropriate design methods to manage water erosion from intense summer or winter rainfall events.*
- *'Information to Accompany a Development Application' should include a biosecurity management plan to ensure all excavation equipment/drilling rigs and the likes are thoroughly cleaned and free from any soil/plant material prior to leaving paddocks and especially moving from property to property.*
- *'Information to Accompany a Development Application' should include a Site Rehabilitation Plan which outlines the steps for the future decommissioning of these facilities. As the depth to buried cables and the cut down turbine foundations (being below ground) will impact seeding depth and crop/pasture root potential, DPIRD suggests that decommissioning is planned to "normal deep ripping depth" to ensure the depth will be adequate to enable the breaking up of compaction soil layers in the future.*

DWER

- *Many of the proposals for wind farms are in remote areas where water supplies are limited, and surface nor groundwater are proclaimed under the Rights in Water and Irrigation Act. As such reference to considering water supply during the development stage, especially for construction is worth consideration.*
- *Section 1.0 Introduction - The fourth paragraph of the introduction seem to have words repeating; "These turbines have rotor blades a generator and rotor blades mounted on top of a steel tower and [...]". The first instance of 'rotor blades' does not seem to be required.*
- *Section 4.0 Definitions and Terms - The definition of Sensitive Land Use mostly reflects that of the Environmental Protection (Noise) Regulations 1997 (Noise Regulations), but not fully. It may be appropriate for LPP 5 to also refer Schedule 1 Part C of the Noise Regulations in its definition for the sake of consistency in relation to noise assessments. Consider adding a definition for Acoustic Consultant as follows:*

A person who holds membership of grade Member or Fellow in the Australian Acoustical Society or membership of the Association of Australasian Acoustical Consultants, or international equivalent.

- *Section 5.0 Policy Measures - Clause 4a) discusses proposed buffer setbacks but without introducing an actual minimum distance. LPP 5 should consider nominating a set distance as this would provide some certainty to both developers and landowners. The WAPC Position Statement recommends a minimum distance between noise-sensitive land uses and a wind turbine of 1,500 metres. This setback distance has been used in similar wind farms local planning policies drafted by other Shires.*

Clause 4b) may not be specific enough. Although the Noise Regulations are a statutory requirement, and therefore apply to wind farm developments, there seem to be a lack of understanding in the broader community of which requirements are applicable. This clause is also not specific in its scope for instance, it is not clear whether LPP 5 requires the acoustic study to also consider noise impacts associated with construction activities. This clause could be amended to:

A noise impact assessment, completed by an acoustic consultant, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997 for both construction and operational phases. The noise impact assessment is to have due regard to future land uses. Where a proponent is of the view that the noise

emissions from the development will likely be masked by ambient noise, the South Australian Environmental Protection Authority Wind farms environmental noise guidelines (November 2021) may be referenced.

Clause 6 is not likely necessary. The department provides support to local governments in various ways including direct technical support on noise related issues to environmental health officers, and land use planning advice. Should clause 4a) be changed as proposed, there is effectively a mechanism to 'filter' development applications. That is, the Shire would not need to refer development applications that meet the proposed buffer but could refer those which do not and noise impacts are likely.

The majority of the comments and suggestions provided by DPIRD and DWER have been considered carefully and concluded to be of significant benefit and value. As such, the policy has been amended by the Shire's previous town planning consultant to reflect all of the proposed suggestions, with all modifications highlighted in red text for Council's benefit (see Attachment 3).

The only suggestion that was not included in the revised policy is the one from DWER regarding the exclusion of Section 6 of the original policy entitled 'Policy Measures' as it applies specifically to advertising of development applications received for wind farms which is still considered to be of benefit and value. Notwithstanding this conclusion, the wording for Section 6 has been amended to more clearly articulate Council's expectations and requirements regarding public advertising.

Council should also note the policy has been amended more generally by the Shire's previous town planning consultant to improve its overall structure, clarity and wording for ease of reference and use when considering development applications for wind farms.

Additional modifications requested by the Shire's Chief Executive Office requiring all development applications for wind farms to include information regarding the extraction and use of basic raw materials and the construction and use of temporary workforce accommodation during the construction phase of any proposed development have also been included.

In light of all the above it is recommended Council resolve to finally adopt the policy subject to all modifications outlined above and authorise the Shire's Chief Executive Officer to publish a copy of the policy on the Shire's website pursuant to the specific requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* at which point it will have full legal effect.

CONSULTATION:

As per the advice provided in the comment section above.

STATUTORY ENVIRONMENT:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of West Arthur Local Planning Scheme No.2*

POLICY IMPLICATIONS:

Local planning policies are a recognised planning tool to assist planning for future development of any given type and the administration of local planning schemes more generally.

FINANCIAL IMPLICATIONS:

There are no immediate financial implications for the Shire aside from the administrative and advertising costs associated with public advertising which have been accounted for in the Shire's annual budget.

STRATEGIC IMPLICATIONS:

The Shire's *Strategic Community Plan Towards 2031* and *Corporate Business Plan 2021 – 2025* do not contain any reference to wind farms. More general outcomes that could be relevant are:

Outcome 2.1 – Improved employment through diversification in agricultural

- *Support agricultural diversification opportunities which have the potential to provide economic benefits and employment growth and promote funding opportunities on social and traditional media when they arise.*

Outcome 2.2 – A growing, diverse business community

- *Promote and consider opportunities to develop industrial sites to attract new businesses to the Shire.*
- *Monitor land sales and development opportunities and investigate further land release (including larger lot sizes) as needed.*
- *Prepare and implement an economic plan and for the Shire which identifies opportunities in key sectors including health and medical, manufacturing and downstream processing to attract investment and create employment.*

Outcome 3.1 – Maintain and improve our key natural assets

- *Consider environmental impacts and biodiversity when assessing land use applications through council.*

Outcome 4.4 – Appropriate planning and development

- *Review and update the Shire Policy Register to reflect current policies and develop new policies relevant to recent regulatory changes.*

Council should also note the proposed policy is consistent with the proposed new Joint Local Planning Strategy for the Shires of Wagin, West Arthur and Williams as it applies specifically to planning for strategic regional infrastructure which supports the ongoing sustainable development of land in the Strategy Area and surrounding region.

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices

- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Loss of reputation, hindering development.
Risk Likelihood (based on history and with existing controls)	Unlikely (2)
Risk Consequence	Moderate (3)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (6)
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Monitor and ensure compliance with the procedural requirements prescribed in Part 2, Schedule 2 (i.e. the Deemed Provisions) of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> as they apply specifically to the preparation and adoption of local planning policies.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council resolve to:

1. Finally adopt proposed Local Planning Policy No.5 entitled 'Wind Farms' subject to all modifications outlined in the report above and shown in the revised policy document contained in Attachment 3; and
2. Authorise the Shire's Chief Executive Officer to publish a copy of Local Planning Policy No.5 on the Shire's website pursuant to the specific requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

ATTACHMENT 1

DRAFT 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 Appendix 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.

ATTACHMENT 1

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 agricultural uses;
 - 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 Appendix 2) applications should include:

ATTACHMENT 1

- 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 Appendix 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 over sized vehicles; 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:

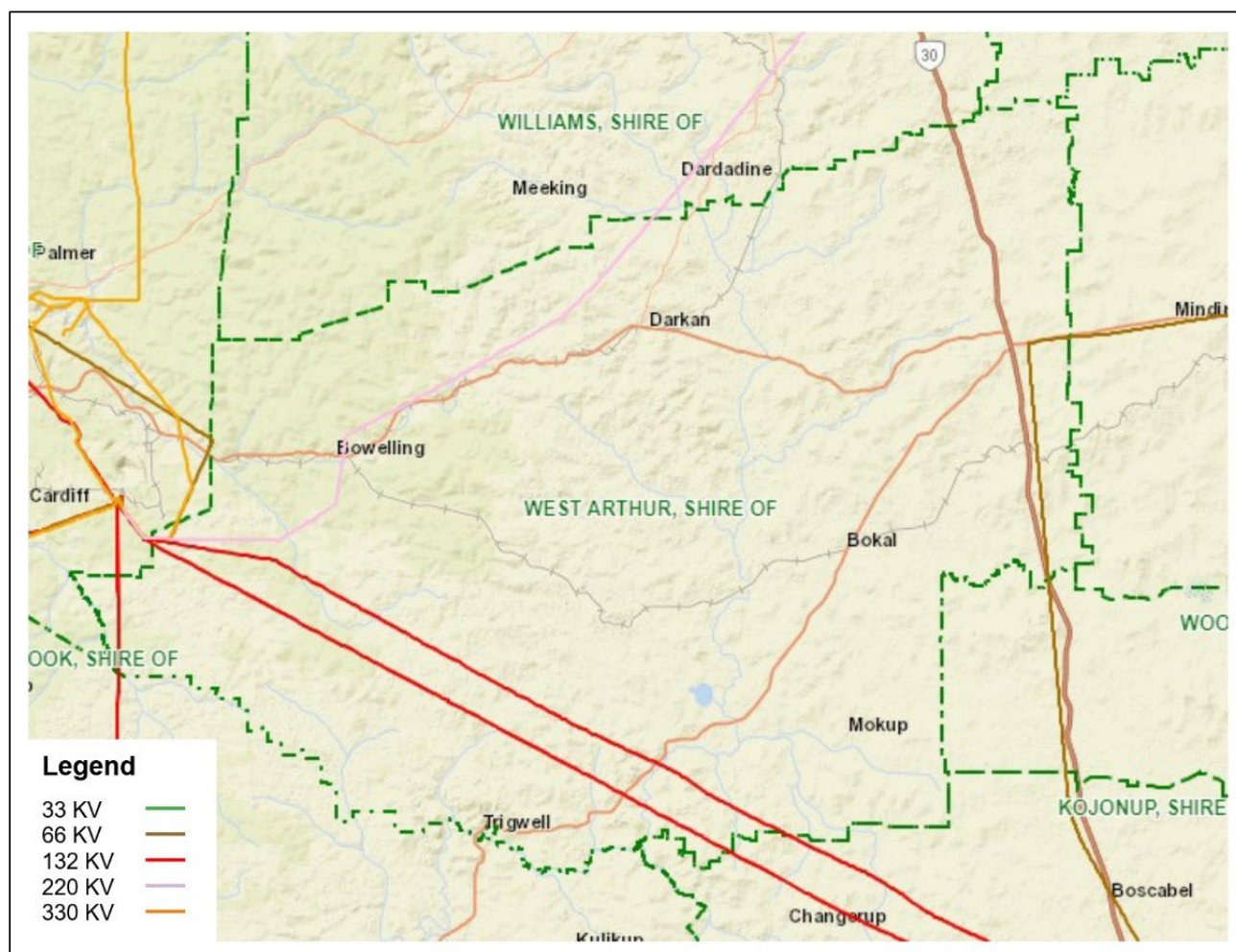
- Notification to adjoining and nearby land owners;
- Publication of a notice of the application and supporting information on the Council web page; and
- Publication of a notice in the local newspaper.

Adoption

Adopted by Council at its meeting of the _____

ATTACHMENT 1

Appendix 1 - South West Interconnected System (SWIS)



ATTACHMENT 1

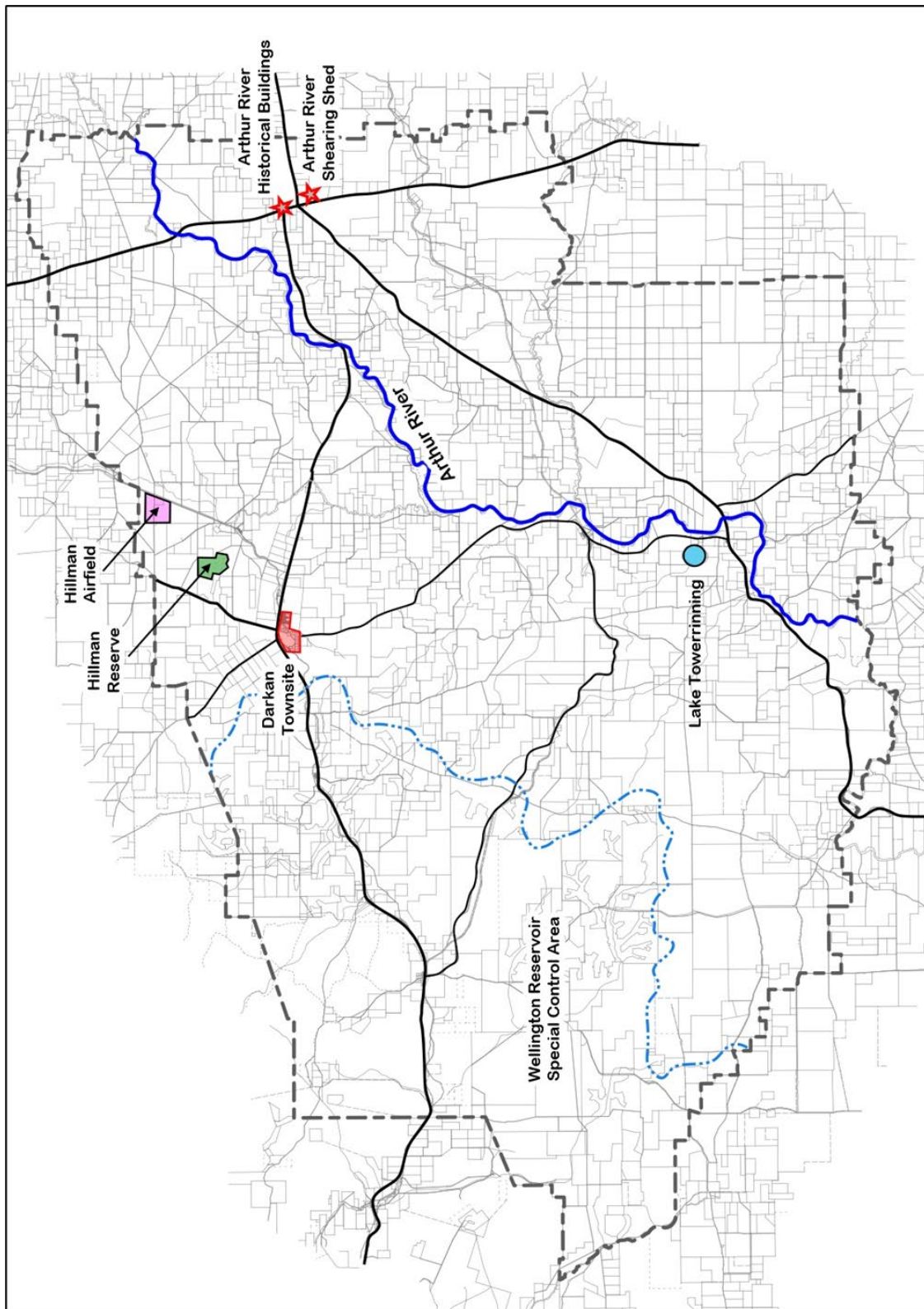
Appendix 2 – Information to Accompany a Development Application

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 1

Appendix 3 – Shire Features





Department of
**Primary Industries and
Regional Development**

Your reference: ADM207
Our reference: LUP 1776
Enquiries: Greg Doncon

Vin Fordham Lamont
Chief Executive Officer
31 Burrowes Street, DARKAN WA 6392

Email: ceo@westarthur.wa.gov.au

Date: 17 January 2024

Dear Vin

Wind Farm Local Planning Policy

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

DPIRD supports the development of the Wind Farm Local Planning Policy and offers the following comments to assist the process:

Water erosion

DPIRD is aware of wind farms where soils/landscapes, which would normally be considered low risk of water erosion, have suffered serious erosion. Very large and heavy machinery movement combined with access roads, pads for turbines and other features can concentrate water flow resulting in erosion. The earlier remedial works are undertaken on disturbed areas deemed to be at risk of compaction or erosion the lower the risk of land degradation occurring.

DPIRD suggests '*Information to Accompany a Development Application*' should include a surface water management plan, incorporating appropriate design methods to manage water erosion from intense summer or winter rainfall events.

Biosecurity

It is important to manage the biosecurity risks associated with the construction and ongoing operations of a wind farm. This will minimise the biosecurity risk for the landholder as well as for adjoining farms and along transport routes.

DPIRD suggests '*Information to Accompany a Development Application*' should include a biosecurity management plan to ensure all excavation equipment/drilling rigs and the likes are thoroughly cleaned and free from any soil/plant material prior to leaving paddocks and especially moving from property to property.

444 Albany Highway Albany WA 6330
Telephone 08 9892 8444 landuse.planning@dpird.wa.gov.au
dpird.wa.gov.au
ABN: 18 951 343 745

Decommissioning and Rehabilitation Plan

A wind farm is expected to have an operational life of approximately 20 to 30 years. At the end of this period, DPIRD expects the facilities would either be upgraded to extend the wind farm's operational lifespan or be decommissioned, restoring the area to its previous land use. DPIRD suggests *'Information to Accompany a Development Application'* should include a Site Rehabilitation Plan which outlines the steps for the future decommissioning of these facilities. As the depth to buried cables and the cut down turbine foundations (being below ground) will impact seeding depth and crop/pasture root potential, DPIRD suggests that decommissioning is planned to "normal deep ripping depth" to ensure the depth will be adequate to enable the breaking up of compaction soil layers in the future.

For more information, please contact Greg Doncon on 90813117 or greg.doncon@dpird.wa.gov.au

Yours sincerely

A handwritten signature in black ink that reads "Timothy Overheu". The signature is written in a cursive style with a large, stylized 'T' and 'O'.

Mr Timothy Overheu
**Acting Director Agriculture Resource Management Assessment
Sustainability and Biosecurity**

lushfire

From: Krish Seewraj <krish.seewraj@dwer.wa.gov.au>
Sent: Thursday, 7 December 2023 11:01 AM
To: geoffrey@lushfire.com.au
Subject: RE: Shire of West Arthur - Draft Local Planning Policy No 5 Wind Farms
Attachments: 20231204 Shire of West Arthur - Technical Advice Report - Noise - LPP 5 Wind Farm - FINAL.pdf

7 December 2023

Our Reference: PA059757, DWERT1640~8

Your Reference: LPP No.5

To: Shire of West Arthur

From: Department of Water and Environmental Regulation

RE: Shire of West Arthur - Draft Local Planning Policy No 5 Wind Farms

Thank you for providing the Draft Local Planning Policy No 5 Wind Farms for the Department of Water and Environmental Regulation (Department) to consider.

The Department supports the development of LPPs to provide for consistent and appropriately considered development.

It is noted that appropriate consideration has been made of remnant vegetation, of note the Department and DPIRD have recently been asked about water supply options for construction. Many of the proposals are in remote areas where water supplies are limited, and surface nor groundwater are proclaimed under the *Rights in Water and Irrigation Act*. As such reference to considering water supply during the development stage, especially for construction is worth consideration.

I have also attached a report provided by our environmental noise branch, which more specific recommendations.

Should you require any further information on the comments please contact the undersigned.

Yours sincerely,

Krish Seewraj

Planning Advice Program Manager
South West Region

Department of Water and Environmental Regulation

71 McCombe Road, BUNBURY, WA 6230

PO Box 261, BUNBURY, WA 6231

T: (08) 9726 4137 | F: (08) 9726 4100 | Ext: 1137

E: krish.seewraj@dwer.wa.gov.au | www.dwer.wa.gov.au

Twitter: [@DWER_WA](https://twitter.com/DWER_WA)

From: lushfire <geoffrey@lushfire.com.au>
Sent: Tuesday, October 31, 2023 11:42 AM
To: Planning Enquiry <planning.enquiry@dwer.wa.gov.au>
Subject: Shire of West Arthur - Draft Local Planning Policy No 5 Wind Farms

You don't often get email from geoffrey@lushfire.com.au. [Learn why this is important](#)

Good Morning

The Shire of West Arthur has prepared Draft Local Planning Policy No 5 Wind Farms. A copy of the Policy is attached and this is currently being advertised until the 12th December. The Policy has been prepared having regard to the Department of Planning Lands and Heritage's Position Paper on Renewable Energy Facilities. The Policy also recommends that applications for wind farms be referred to DWER for assessment.

If the Department wishes to make any comments on the draft Policy can you please send these to the Chief Executive Officer at the Shire of West Arthur (email ceo@westarthur.wa.gov.au) by the 12th December.

If you have any queries regarding this please do not hesitate to contact me.

Regards

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Government of **Western Australia**
Department of **Water and Environmental Regulation**

Technical (Review) Report

Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

Department of Water and Environmental Regulation
December 2023

Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

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Acknowledgements

For more information about this report, contact

Environmental Noise, Department of Water and Environmental Regulation.

Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

Document control


Document version history

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0.0	30/11/2023	Draft – internal review	OM	JB
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Signature	Date 30/11/2023
	

Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

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Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

1. Introduction

This advice has been prepared for the Shire of West Arthur (Shire) in response to their request for comment on their local planning policy No. 5 Wind Farms (LPP 5) made to the Department of Water and Environmental Regulation (DWER) on 31 October 2023.

2. Documentation

For the purposes of this advice, the following documents were referred to.

Material / document name	Author	Date
Local Planning Policy No. 5 Wind Farms	Shire of West Arthur	-
Position Statement: Renewable energy facilities	Western Australian Planning Commission (WAPC)	March 2020
<i>Environmental Protection (Noise) Regulations 1997</i>	-	-

3. Advice

Environmental Noise Branch (ENB) has reviewed LPP 5 with a focus on noise impacts. As an overarching principle, wind farm developments are required to meet the requirements of the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). While ENB understands there are various policies and guidance produced by other States and Territories relating to wind farm noise, these are not statutory requirements in Western Australia.

ENB provides the following comments for consideration by the Shire.

Section 1.0 Introduction

The fourth paragraph of the introduction seem to have words repeating; “*These turbines have ~~rotor blades~~ a generator and rotor blades mounted on top of a steel tower and [..]*”. The first instance of ‘rotor blades’ does not seem to be required.

Section 4.0 Definitions and Terms

The definition of **Sensitive Land Use** mostly reflects that of the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations), but not fully. It may be appropriate for LPP 5 to also refer Schedule 1 Part C of the Noise Regulations in its definition for the sake of consistency in relation to noise assessments.

Comments on proposed local planning policy No. 5 Wind Farms, prepared for the Shire of West Arthur.

Consider adding a definition for **Acoustic Consultant** as follows:

A person who holds membership of grade Member or Fellow in the Australian Acoustical Society or membership of the Association of Australasian Acoustical Consultants, or international equivalent.

Section 5.0 Policy Measures

Clause 4.a) discusses proposed buffer setbacks but without introducing an actual minimum distance. LPP 5 should consider nominating a set distance as this would provide some certainty to both developers and landowners. The WAPC Position Statement recommends a minimum distance between noise-sensitive land uses and a wind turbine of 1,500 metres. This setback distance has been used in similar wind farms local planning policies drafted by other Shires.

Clause 4.b) may not be specific enough. Although the Noise Regulations are a statutory requirement, and therefore apply to wind farm developments, there seem to be a lack of understanding in the broader community of which requirements are applicable. This clause is also not specific in its scope for instance, it is not clear whether LPP 5 requires the acoustic study to also consider noise impacts associated with construction activities. This clause could be amended to:

A noise impact assessment, completed by an acoustic consultant, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997 for both construction and operational phases. The noise impact assessment is to have due regard to future land uses. Where a proponent is of the view that the noise emissions from the development will likely be masked by ambient noise, the South Australian Environmental Protection Authority Wind farms environmental noise guidelines (November 2021) may be referenced.

Clause 6. is not likely necessary. The department provides support to local governments in various ways including direct technical support on noise related issues to environmental health officers, and land use planning advice. Should clause 4.a) be changed as proposed, there is effectively a mechanism to 'filter' development applications. That is, the Shire would not need to refer development applications that meet the proposed buffer but could refer those which do not and noise impacts are likely.



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. It identifies a region that extends west from Eucla to Exmouth as having the potential for wind energy infrastructure.

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 Appendix 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 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.** A wind farm is expected to have an operational life of 20 to 30 years.

Under the Shire of West Arthur Local Planning Scheme No. 2 ('the Scheme'), planning approval is required for any proposed wind farm. The Policy sets out the Council's position on wind farms, and is particularly relevant to the Rural zone.

Contained in Appendix 2 is a map of the Shire showing social, physical and environmental features which are referred to in this Policy.

2.0 Objectives

1. To articulate the Council's strategic position in relation to location, scale, design, and development of wind farms within the municipality;
2. To promote the use of renewable fuel sources;
3. To provide guidance for the consideration and assessment of development applications for wind farms under the Shire of West Arthur Local Planning Scheme No.2;
4. To ensure the continuation of broad-hectare agriculture, intensive agricultural uses and diversified farming;
5. To ensure wind farms do not lead to unacceptable impacts on important environmental, cultural and/or landscape values;
6. To ensure wind farms do not lead to unacceptable impacts the safety of the local community, aviation activities, or the continuation of activities occurring on nearby and adjacent land;
7. To ensure the consideration of development applications for wind farms has due regard for the potential impact on the amenity of surrounding properties; and
8. To ensure the local community is engaged and informed in the planning of wind farms.

3.0 Definitions and Terms

Definitions and terms applicable to this Policy are contained in Appendix 3.

4.0 Application

- 4.1 This Local Planning Policy is prepared pursuant to Division 2, Part 2 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015. It does not form part of the Local Planning Scheme, but the Responsible Authority will have 'due regard' to the Policy when considering any development application.
- 4.2 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.
- 4.3 This Policy is to be read in conjunction with the Department of Planning Lands and Heritage (DPLH) 2020 Position Statement on Renewable Energy Facilities.
- 4.4 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.

5.0 Siting and Design

- 5.1 Wind farms and all associated infrastructure should be located on cleared farming land preferably near the power grid to minimise clearing of vegetation for the facility, ancillary works, vehicle access and for grid connection power lines.
- 5.2 The location and design of wind farms is to have due regard to the features shown in Appendix 2.
- 5.3 Wind turbines should be setback a minimum of 1.5 kilometres to the nearest existing dwelling or approved building envelope. This should also consider the likelihood of a new dwelling being developed on a vacant rural lot.
- 5.4 Wind turbines should be setback a minimum of 200m distance between centre of tower (or 150 m from extended horizontal blade tip, whichever is greater) and neighbouring property boundary or public roads to mitigate safety risks in the event of blade drop or throw.

6.0 Consultation

- 6.1 Early consultation with the community and stakeholders by the proponents is encouraged to ensure that the proposal is compatible with existing land uses on and near the site.
- 6.2 Proponents should also liaise with relevant key stakeholders early in the process, including the Shire, including Government Departments, CASA, Air Services Australia, Department of Defence, local spraying contractors, nearby unlicensed airstrip owners, and any relevant local community groups.
- 6.3 An Engagement Strategy and Engagement Outcomes Report will be required to accompany an application and these should reflect the principles in the DPLH's Guide to Best Practice Planning Engagement in Western Australia.
- 6.4 An application will be advertised for a minimum period of 42 days being the period provided for in Clause 66(3) of the Deemed Provisions for a statutory body to provide comments to the Shire. Advertising shall consist of:
 - Notification to all adjoining and nearby land owners;
 - Publication of a notice of the application and supporting information on the Council web page;
 - Publication of a notice in the local newspaper; and
 - Referrals to statutory bodies and other stakeholders when deemed necessary and appropriate.

7.0 Environmental Impact

- 7.1 Applications should include an environmental survey of the site addressing (but not necessarily limited to) the following:
 - The type, location and significance of flora and fauna,

- Any threatened ecological communities;
 - Existing remnant vegetation to be retained or that is proposed to be removed;
 - The potential impact on birds and bats; and
 - Any impact on the Aboriginal, natural, or historic heritage of the site or adjoining/nearby places.
- 7.2 Proposals that may have a detrimental impact upon the environment will be referred to the Department of Water and Environmental Regulation (DWER) for comment and/or the Environmental Protection Authority (EPA) for assessment. This includes any application where there turbines are less than 1,500m from the nearest dwelling.

8.0 Noise impact

- 8.1 A wind farm is required to operate within the maximum noise limits that are prescribed by the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) irrespective of any development approval. The Noise Regulations can be enforced under the provisions of the EP Act by a person authorised by the CEO of the relevant local authority or any police officer.
- 8.2 The Noise Regulations prescribe a maximum night-time noise level of 35dB (LA10) + influencing factor, when measured from a "Noise Sensitive Premise: Highly Sensitive Area". This would apply to any dwelling on a rural property, including outdoor areas within 15 metres of the dwelling. On any other part of a rural property which is classified as a Noise Sensitive Premise, the maximum night-time noise level is 60 dB (LA10).
- 8.3 *A noise impact assessment, completed by an acoustic consultant, demonstrating compliance with the Environmental Protection (Noise) Regulations 1997 for both construction and operational phases. The noise impact assessment is to have due regard to future land uses. Where a proponent is of the view that the noise emissions from the development will likely be masked by ambient noise, the South Australian Environmental Protection Authority Wind farms environmental noise guidelines (November 2021) may be referenced.*
- 8.4 It is noted that
- i) Any development approval issued for a wind farm does not override the noise control provisions of the Environmental Protection (Noise) Regulations 1997, which applies to all wind farms in Western Australia;
 - ii) There may always be potential for lots adjacent to the facility to be further developed with dwellings; and
 - iii) The applicant takes the commercial risk that the wind farm operations may need to be altered or modified in the future to comply with Environmental Protection (Noise) Regulations 1997 with respect to new dwellings.

9.0 Visual and landscape impact

- 9.1 A visual and landscape impact assessment may be required 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 Appendix 2:
- 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.
- 9.2 The WAPC's *Visual Landscape Planning in WA: a manual for evaluation, assessment, siting and design*, (November 2007) and the Australian Wind Energy Association and the Australian Council of National Trusts Publication *Wind Farms and Landscape Values* (2005) provide detailed guidance on visual landscape impact assessments.

10.0 Aviation

- 10.1 All development applications for wind farms must include an aviation impact assessment prepared by a suitably qualified person.
- 10.2 Proponents of wind turbine proposals should refer to the National Airports Safeguarding Framework (NASF) Guideline D: Managing the Risk to Aviation Safety of Wind Turbine Installation (Wind Farms) / Wind Monitoring Towers to determine any potential aviation safety risks and possible mitigation measures. Any potential aviation safety risks identified require consultation with Civil Aviation Safety Authority (CASA), Air Services Australia and/or the Commonwealth Department of Defence.
- 10.2 Hillman Airfield is not a CASA certified aerodrome and the NSAF guideline recommends consultation with unlicensed airstrip owners and CASA/Air Services. CASA has also released an advisory circular AC139.E-05v1.1 Obstacles (including wind farms) outside the vicinity of a CASA certified aerodrome. The location of wind farms in the vicinity of Hillman Airfield, ~~as shown in Appendix 2,~~ may be restricted in order to meet the National Aviation Safeguarding framework and/or CASA advisory circulars. This relates to both private and defence force aircraft and parachute activities and will require referral to the Commonwealth Department of Defence. It is strongly recommended all proponents of any new wind farm developments in proximity to the Hillman Airfield consult with the Commonwealth Department of Defence when planning for any future development to determine and confirm the Department's ongoing operational requirements including the general suitability of any development proposal.

11.0 Site Access and Traffic Management

- 11.1 These provisions apply to both the construction and operation of the facility. No works can occur within a State Road Reserve controlled Main Roads WA (MRWA) without MRWA's authorisation. Local roads are managed by the Shire.
- 11.2 Any application is to nominate the proposed site access / egress and includes documents the condition the proposed access, including for the construction of the facility. It is noted that the removal of vegetation within a road reserve may require approval under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.
- 11.3 The use of unconstructed roads for site access is unlikely to be supported and the Shire is not responsible for providing access to any development site.
- 11.4 The Shire and / or Main Roads WA may require lodgement of a Traffic Impact Assessment prepared by a suitably qualified traffic engineer in accordance with Volume 4 Individual Development of the WAPC Traffic Impact Assessment Guidelines (2016).
- 11.5 The Shire Council may place conditions on any development approval to ensure any costs associated with road damage, widening or upgrading are met by the developer.

12.0 Other Matters

- 12.1 Development applications are required to contain sufficient information to allow proper consideration of the application in accordance with the Scheme, Clause 67 of the Deemed Provisions, and objectives of this Policy.
- 12.2 Wind farm proposals should not have an unacceptable negative impact due to shadowing, flickering, reflection, or blade glint impacts.
- 12.3 Wind farm proposals should not have an unacceptable negative impact on the use of neighbouring land including for intensive rural activities, and tourism uses.
- 12.4 A decommissioning and rehabilitation plan will be required to be provided as a condition of approval for the removal of the facility and any rehabilitation requirements.
- 12.5 For the construction phase of the development, applications should include:
 - i) Information regarding the extraction and use of basic raw materials (i.e. the types and volumes of basic raw materials required, proposed transportation routes including heavy vehicle sizes, and management arrangements to minimise any potential negative impacts);

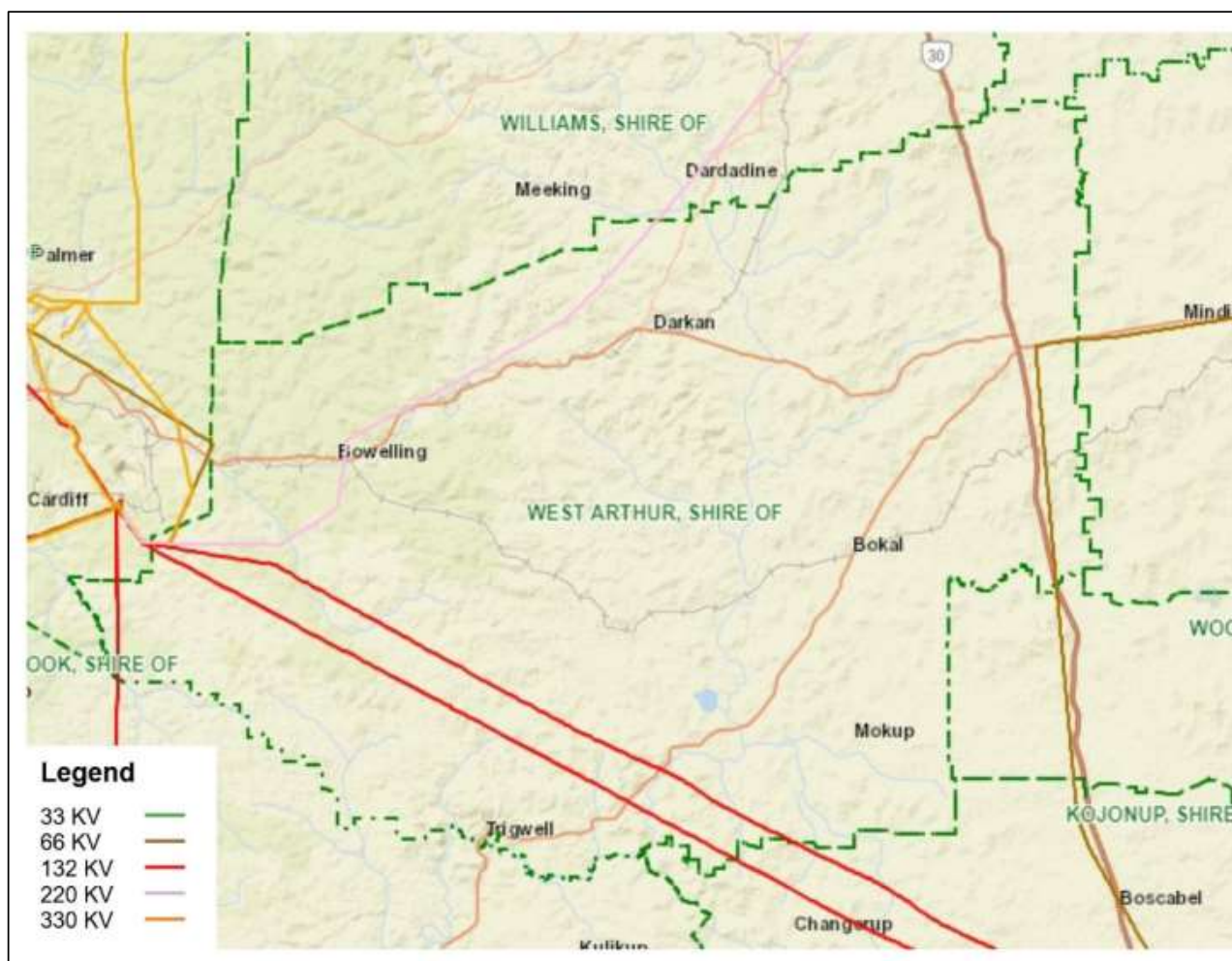
- ii) Information regarding proposed water supply arrangements;
- iii) A surface water management plan, incorporating appropriate design methods to manage water erosion from intense summer or winter rainfall events;
- iv) A biosecurity management plan to ensure all excavation equipment/drilling rigs and the likes are thoroughly cleaned and free from any soil/plant material prior to leaving paddocks and especially moving from property to property; and
- v) Information regarding the construction and use of temporary workforce accommodation including the location of any development of this type and all associated infrastructure and management arrangements.

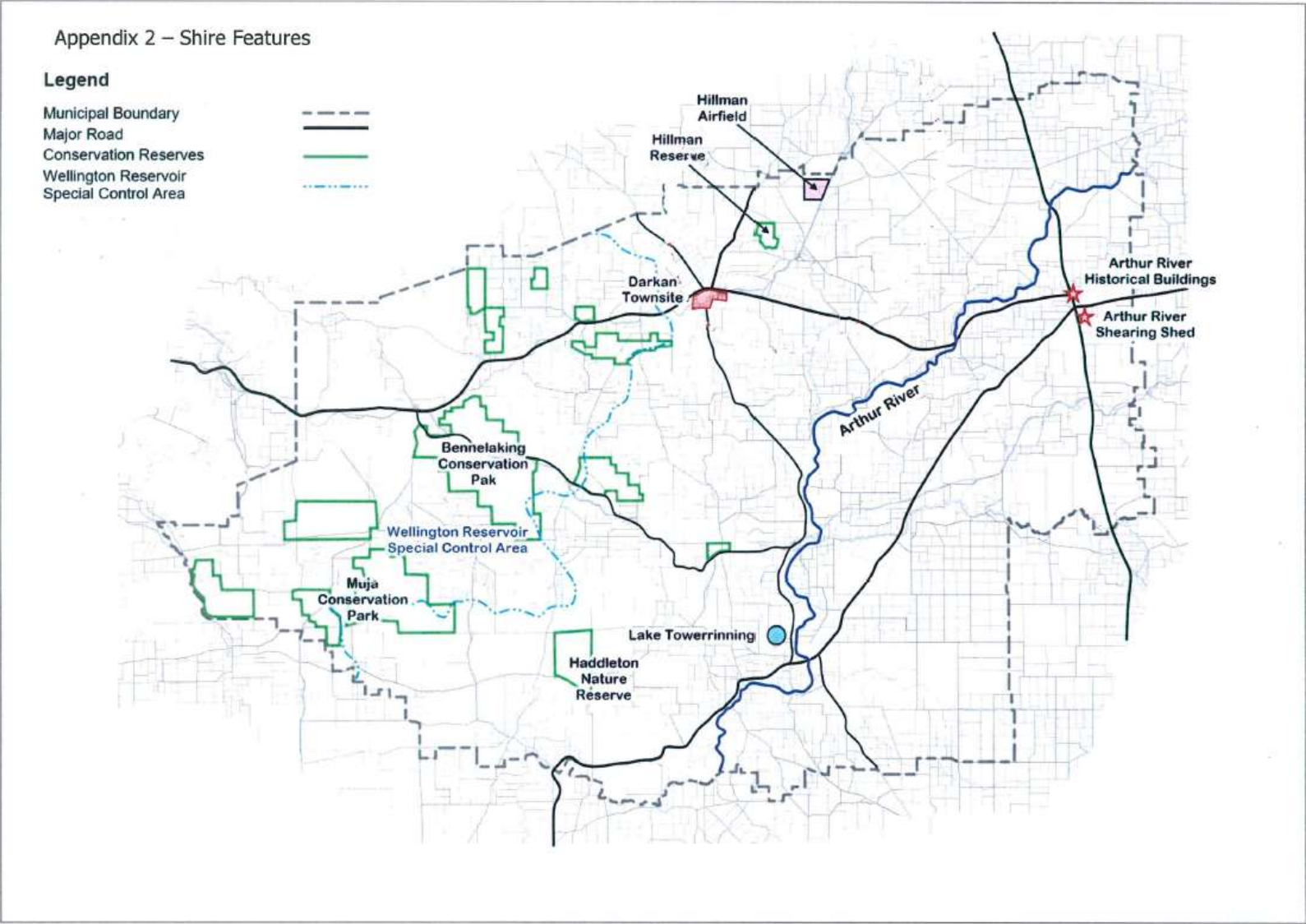
12.5 Applicants are encouraged to hold preliminary discussions with the Shire or lodge a scoping report to identify relevant issues.

Final Adoption

Adopted by Council at its Ordinary Meeting held on 24 April 2025.

Appendix 1 - South West Interconnected System (SWIS)





Appendix 3 – Definitions and Terms

Acoustic Consultant means a person who holds membership of grade Member or Fellow in the Australian Acoustical Society or membership of the Association of Australasian Acoustical Consultants, or international equivalent.

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 No2.

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.

Rural amenity is defined in State Planning Policy 2.5 Rural Planning as a standard of residential amenity that is rural in nature, which may include impacts from primary production. May also include biodiversity conservation, natural resource management, some public purposes and protection of landscapes and views.

Sensitive Land Use there are multiple definitions of 'sensitive land use' in force under various legislation.

WAPC Position Statement on Renewable Energy Facilities defines a 'sensitive land use' as a land use that is residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and child care centres and generally exclude commercial or industrial premises.

State Planning Policy 2.5 Rural Planning defines a 'sensitive land use' as uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres. Generally excludes commercial or industrial premises.

State Planning Policy 4.1 Industrial Interface defines a 'sensitive land use' as 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. It generally excludes commercial or industrial premises. Public open space can be a sensitive land use in some circumstances depending on its intended use, for example, if it is intended that people will congregate and spend extended periods of time there.

The Environmental Protection (Noise) Regulations 1997 (Noise Regulations) defines a 'noise sensitive premises' as

1. Premises occupied solely or mainly for residential or accommodation purposes.
2. Rural premises.
3. Premises used for the purpose of —
 - (a) a caravan park or camping ground; or
 - (b) a hospital having accommodation for less than 150 in-patients; or
 - (c) a sanatorium, home or institution for care of persons, a rehabilitation centre, home or institution for persons requiring medical or rehabilitative treatment; or
 - (d) education — school, college, university, technical institute, academy or other educational centre, lecture hall or other premises used for the purpose of instruction; or
 - (e) public worship; or

- (f) a tavern, hotel, club premises, reception lodge or other premises which provides accommodation for the public; or
- (g) aged care; or
- (h) child care; or
- (i) a prison or detention centre; or
- (j) a water storage dam or a catchment for a water storage dam.

Separation Distance is defined in State Planning Policy 4.1 Industrial Interface as a 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.