

D11 - Local Planning Policy – Wind Farm/Turbines

Statutory context Shire of Narrogin Local Planning Scheme No 3 (LPS 3)
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
(Regulations)

Corporate context

History Nil

Background

This local planning policy is formulated within the framework of the Shire of Narrogin Local Planning Scheme No. 3, guided by the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015. It aims to provide clear guidelines for the establishment and operation of wind farms and turbines within the Shire of Narrogin while adhering to the legislative requirements.

Wind energy represents a clean and sustainable source of power, contributing to the reduction of greenhouse gas emissions. In recognising the potential benefits of wind farms and turbines, the Shire of Narrogin acknowledges the need to strike a balance between promoting renewable energy and safeguarding the interests and well-being of the community.

Purpose

The purpose of this policy is to provide a framework for the assessment, approval, and regulation of wind farms and turbines within the Shire of Narrogin. This policy seeks to ensure that any proposed wind energy projects are developed in a manner that minimises negative impacts and maximises the benefits to the community and the environment.

Policy Basis

This Policy has been prepared in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 Deemed provisions Schedule 2 Part 2 Division 2 – Local Planning Policies. This Policy may be cited as Local Planning Policy No. D11 – Wind Farm/Turbines.

The Policy does not bind the local government in respect of any application for development approval but the local government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Objective

The objectives of the Wind farms/Turbines Local Planning Policy are:

- To promote the responsible development of wind farms and turbines, supporting renewable energy generation within the Shire.
- To protect the health, safety, and amenity of the community and the environment.
- To provide clear guidelines for assessing and approving wind energy projects.
- To facilitate community consultation and engagement throughout the development process.
- To address potential impacts, including environmental, visual and landscape, noise, and other relevant factors.
- To set out minimum standards and requirements.

Definitions

Renewable Energy Facility:

The Shire of Narrogin Local Planning Scheme No 3 defines Renewable Energy Facility as - *Premises used to generate energy from a renewable energy source and includes any buildings or other structure used in, or relating to, the generation of energy by a renewable source. 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:

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.

Shadow Flicker:

This is a result 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.

Policy Provisions

General Requirements

In accordance with the Shire of Narrogin Local Planning Scheme No. 3, "Renewable Energy Facility" is listed as an "A" use under "Rural" and "General Industry" zones, which is defined as:

"Means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions."

Planning Approval is required for all Wind Farms/Turbines under the respective zones. In addition to the completed application form and relevant fee, applicants must submit a location plan, site plan, elevations and manufacturer's specifications, decommissioning and end of life plan, and details demonstrating compliance with the Shire of Narrogin Local Planning Scheme No. 3 and relevant legislation including the Environmental Protection (Noise) Regulations 1997.

Applications for Wind Turbines located on properties/buildings identified on the Shire's Heritage List or Municipal Inventory of Heritage Places, will require submission of written justification by a suitably qualified person (e.g. a qualified Heritage Advisor), unless determined otherwise by the Shire's Planning Services in consultation with the State Heritage Office.

Wind farms and turbines shall be sited and designed to minimise adverse impacts on the environment and the community.

Adequate setbacks and safety measures shall be incorporated to protect public health and safety. The minimum recommended setback from property boundaries shall be a minimum of the total height of the structure including, the propellor blades at the highest point, plus additional 20m.

Decommissioning plans must be submitted and approved as part of the development application demonstrating principles of recycling, repurposing and rehabilitation.

Community Consultation

Developers must engage in meaningful community consultation throughout the project's lifecycle, ensuring that residents and stakeholders are informed and have opportunities to provide feedback. Consultation shall include public meetings, information sessions, and other appropriate methods to engage with the community.

Developers should also liaise with relevant key stakeholders early in the process, including the Shire, Main Roads WA, Western Power, Civil Aviation Safety Authority (CASA), Air Services Australia, Royal Flying Doctor Service (RFDS), Department of Fire and Emergency Services (DFES), Department of Planning, Lands and Heritage (DPLH), Department of Water and Environmental Regulation (DWER), Department of Biodiversity, Conservation and Attractions (DBCA), Department of Primary Industries and Regional Development (DPIRD), Environmental Protection Authority (EPA), Local aerial spraying contractors, unlicensed airstrip owners (within a 5km radius of a turbine) and any relevant incorporated local aeronautical associations.

Environmental Impact

A comprehensive environmental impact assessment by a suitably qualified environmental consultants, including flora and fauna studies, shall be conducted and submitted as part of the development application.

Developers must implement measures to mitigate and manage potential environmental impacts, including habitat protection and rehabilitation, such as:

- Stopover sites, local bird species roosting and nesting sites;
- Location of bird colonies;
- Areas of high raptor activity; and
- The accumulative impact of wind turbines on migration routes.

Visual and Landscape Impact

Wind farms and turbines shall be designed to blend with the natural landscape, minimising visual disruption. A visual and Landscape Impact Assessment is required that addresses the following:

- landscape significance and sensitivity to change, site earthworks, topography, extent of cut and fill, the extent and type of vegetation, clearing and rehabilitation areas, land use patterns, built form character, public amenity and community values.
- likely impact on views including the visibility of the facility using view shed analysis and simulations of views from significant viewing locations including residential areas, major scenic drives and lookouts.
- layout of the facility including the number, height, scale, spacing, colour, surface reflectivity and design of components, including any ancillary buildings, signage, access roads, and incidental facilities.
- measures proposed to minimise unwanted, unacceptable or adverse visual impacts.

Noise Impact

Wind turbines shall be designed and operated to minimise noise emissions.

Noise Impact Assessments shall be conducted to determine potential impacts on nearby residents and any sensitive land use, and mitigation measures shall be implemented as necessary to demonstrate that it can meet the standards under the Environmental Protection (Noise) Regulations 2017.

It is recommended that any wind farm/turbine be located a minimum of 1.5 kilometres from any dwelling or sensitive land use, unless an agreement is entered into with impacted landowners.

Other Potential Impacts

Developers must assess and address any other potential impacts, such as electromagnetic interference or shadow flicker.

All potential impacts shall be identified and mitigated to protect the interests of the community.

Developers are required to take into consideration the Narrogin Airport and the Airport Master Plan's future planning, when developing wind farm/turbines within close proximity to the area, so as not to impact the operation and activities of the Airport users including any aeronautical, gliding and flying associations operating within the Shire. Consultation with relevant government authorities and airport operators will be required.

All wind farm and turbine developments must adhere to and comply with the regulations, specifications, and requirements outlined by the Civil Aviation Safety Authority (CASA) as though the Narrogin Airport and Airstrips were registered. This ensures that the development does not impede the potential future upgrade of the Narrogin Airport from its current unregistered CASA status to that of a Registered CASA Airport.

Wind farm proposals should not have negatively impact through interference with normal agricultural or farming activities of nearby rural properties, such as aerial spraying. An aviation assessment by a suitable qualified aviation consultant may be required to demonstrate turbines will not impact on aerial spraying activities of surrounding farms or unlicensed airstrips.

This local planning policy on Wind Farms/Turbines is designed to guide future development while ensuring the preservation of the Shire of Narrogin's unique character and the well-being of its residents. Developers and relevant authorities are encouraged to adhere to these guidelines for the responsible and sustainable development of wind energy projects within the Shire.

Road Contributions for Wind Energy Facility Developments

The Shire of Narrogin recognises that the development of wind energy facilities may have significant impacts on the condition and serviceability of the local road network, especially during the construction phase. The Shire of Narrogin requires proponents of wind energy facilities to be assessed for any road contributions for repairs or upgrades to sealed and/or unsealed roads managed by the Shire of Narrogin as a result of construction or ongoing activities associated with the development beyond those considered normal day to day access and egress.

The road contributions will be calculated based on the Western Australia Local Government Association's (WALGA) Heavy Vehicle Cost Recovery Policy Guideline for Sealed Roads, which provides a fair and transparent method for determining the additional maintenance and reconstruction costs attributable to the increased heavy vehicle traffic generated by the wind energy facility development.

The road contributions will be negotiated and agreed upon between the Shire of Narrogin and the proponent prior to the approval of the development application. The road contributions will be paid by the proponent to the Shire of Narrogin in accordance with the terms and conditions of the agreement. The Shire of Narrogin will use the road contributions to fund the necessary road works to maintain and improve the safety and functionality of the local road network.