



City of Albany

**Local Planning Policy**

# **Local Planning Policy 1.1 Domestic Wind Turbines**

<b>Document Approval</b>			
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## Objectives

1. To allow for the construction of Wind Turbines where ancillary to existing development whilst ensuring the local character and amenity is not compromised.
2. To encourage installation of domestic wind turbines for residential developments.
3. To ensure that streetscape and local amenity values of the local area are not adversely affected through unacceptable visual or acoustic impacts from the operation of wind turbines.
4. To introduce standards for the siting and development of renewable energy systems.

## Scope

5. This policy applies to all land within the Residential, Rural Residential, Rural, Priority Agriculture, Light Industry, General Industry and Conservation zones.

## Policy Statement

### Acceptable Development

6. Proposals that meet the acceptable criteria within Attachment 1 - Table 1 will not require planning scheme consent to be issued, as they are deemed acceptable.

*Note: a building permit may-be necessary.*

### Requirement for Planning Scheme Consent

7. Proposals that do not meet all the acceptable development provisions as set out in Table 1, require planning scheme consent and including referral to neighbours for comment.

### Information and Justification to be provided

8. The following information is to be submitted as part of a planning approval process:
  - a) Site plan showing all boundaries, proposed position and setbacks of the turbine, lot number, dimensions, contours, north point and street names.
  - b) Details of all buildings on any adjoining properties.
  - c) Details of the turbine including purpose for the system, capacities/volumes, information on noise and visual impacts on adjoining properties and public roads, streetscape etc.
  - d) Except in Rural, Priority Agriculture and Conservation zones, a photomontage image being provided, providing a visual perspective of the turbine from the streetscape.

### Compliance with Environmental Protection (Noise) Regulations 1997

9. Proponents must ensure that the installation, maintenance and operation of the turbine effectively minimises any impacts, particularly visual and/or noise generation and does not exceed the prescribed limits in the *Environmental Protection (Noise) Regulations* or other relevant legislation.
10. If in the opinion of Council, the system or its use is causing nuisance or annoyance to neighbours or owner/occupiers of the land in the vicinity of the approved use, Council may under its planning scheme controls require the turbine to be modified to remove the nuisance or annoyance.

## Legislative and Strategic Context

11. The policy operates within the following framework of legislation.
  - *Planning and Development Act 2005*
  - *Planning and Development (Local Planning Schemes) Regulations 2015*
  - *City of Albany Local Planning Scheme No.2.*
  - *Albany Local Planning Strategy 2019*

## Review Position and Date

12. This policy was adopted on 23 July 2024. This policy should be reviewed every two years, or earlier if required.

## Definitions

“**Domestic Wind Turbine**” - shall mean any wind energy system that is used to generate electricity for domestic energy consumption.

## Attachment 1:

TABLE 1 – ACCEPTABLE DEVELOPMENT CRITERIA			
Size, Siting and Amenity	Total Height	Noise	Setbacks
<ul style="list-style-type: none"> <li>Is a domestic wind energy system.</li> <li>Is not located between front of building and street or is within the approved building envelope.</li> <li>The turbine is fitted with an automatic and/or manual braking system or over speed protection device.</li> <li>The generator, blades and tower structure shall be made of non-reflective materials or coloured, toned or painted to reduce reflection into adjoining properties.</li> <li>Electrical components and wiring shall not be visible from adjoining properties or public road etc.</li> <li>Any system that connects to the electricity or water supply shall comply with the requirements of the relevant government agency.</li> <li>In the Rural and Priority Agriculture zones, has a capacity of 5kW or less.</li> </ul>	<p><u>Pole or Tower Mounted:</u></p> <ul style="list-style-type: none"> <li>6m (maximum) in Residential zone;</li> <li>12m (maximum) in the Rural, Priority Agriculture and Conservation zones.</li> <li>15m (maximum) on Rural and Priority Agriculture lots over 2 hectares.</li> </ul> <p><u>Roof Mounted:</u> 2m above roof (maximum).</p>	<p>Comply with <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>(Note: In the event of Council receiving neighbourhood noise complaints, the applicant will be responsible for providing evidence from a suitably qualified acoustic consultant to prove the system’s compliance with the EP Noise Regulations).</p>	<p><u>Pole or Tower Mounted:</u> To be setback from side and rear boundaries equal to the total height of the system as a minimum, and must be within allocated building envelope where applicable.</p> <p><u>Roof Mounted:</u> To be setback a minimum of 7.5m from any major opening of any building.</p>